



# CROOK COUNTY BOARD OF COMMISSIONERS AGENDA

Wednesday, January 8, 2025 at 9:00 am

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

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

## PUBLIC COMMENT

## 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 2025-01 In the matter of designation of Newspapers of Record**
- 3. Order 2025-02 In the matter of the appointments to the Planning Commission**
- 4. Order 2025-03 In the matter of the appointments to the Fair Board**
- 5. Order 2025-04 In the matter of the appointment to the Natural Resources Advisory Committee**

## DISCUSSION

### **6. Appointment of Board Chair for 2025**

Requester: Will Van Vactor  
County Manager

### **7. Recognize Employees with 5+ years of service to Crook County**

Requester: Breyanna Cupp  
Executive Assistant

### **8. Review Wolf Committee Position Recommendations and Reimbursement Requests**

Requester: Ellie Gage  
Presenter: Seth Crawford

### **9. IGA for Septage Treatment with City of Prineville**

Requester: John Eisler  
Presenters: Jacquie Davis / John Eisler

## **MANAGER REPORT**

## **COMMISSIONER UPDATES**

## **PUBLIC COMMENT**

## **EXECUTIVE SESSION**

## **NOTICE AND DISCLAIMER**

The Crook County Board of Commissioners is the governing body of Crook County, Oregon, and holds public meetings (generally on the first and third Wednesday of each month) to deliberate upon matters of County concern. As part of its efforts to keep the public apprised of its activities, the Crook County Board of Commissioners has published this PDF file. This file contains the material to be presented before the Board of Commissioners for its next scheduled regular meeting.

Please note that while County staff members make a dedicated effort to keep this file up to date, documents and content may be added, removed, or changed between when this file is posted online and when the Board of Commissioner meeting is held. The material contained herein may be changed at any time, with or without notice.

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Please also note that this file does not contain any material scheduled to be discussed at an executive session, or material the access to which may be restricted under the terms of Oregon law.

If you are interested in obtaining additional copies of any of the documents contained herein, they may be obtained by completing a Crook County Public Records Request form. Request forms are available on the County's website or at the County Administration office at 203 NE Court Street, in Prineville.

## **Additional Items**

Additional items may be discussed that arise too late to be included as a part of this notice. For information about adding agenda items, please contact the County Administration office at 447-6555. Assistance to handicapped individuals is provided with advance notice.



**CROOK COUNTY BOARD OF COMMISSIONERS MINUTES  
OF OCTOBER 16, 2024, REGULAR MEETING  
Open Portion**

**Be It Remembered** that the Crook County Board of Commissioners met in a Regular Session on October 16, 2024, at 9:00 a.m. in the County Annex meeting room located at 320 NE Court Street, Prineville, Oregon 97754.

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

Absentees: None

Others Present in Person or Via Zoom: Legal Counsels Eric Blaine and John Eisler; Executive Administrative Assistant Sarah Puerner; Clerk Cheryl Seely; Landfill Manager Jacquie Davis; Interim Manager Will Van Vactor; Budget Manager Jamie Berger; Fairgrounds Manager Casey Daly; Assessor Jon Soliz; Airport Manager Kelly Coffelt; Administrative Assistant Breyanna Cupp; Finance Director Christina Haron; Library Director Sarah Beeler; Legal Assistant Alex Solterbeck; District Attorney Kari Hathorn; Accounting Manager Lisa Neuberger; Senior Planner Katie McDonald; Assessment Technician Elsie Ray; Assessment Technician Linda Pepper; Mental Health Technician Tara Fetterly; Sheriff Gautney; Lieutenant Andrew Rasmussen; Work Crew Coordinator Linda Neasham; Parole/Probation Deputy Chris Estes; Christina Dodini-Marquez; Crystal Bonotto; Chris Overman; Beth Jay; Cliff Kiser; Jennifer Adams-Mitchael; Erik Mitchael; Chelsea Herron; Dock Kerbow; Tawndry Byrd; Gary Watson; Rebekah Lambert; Steve Waring; Carol Benkosky; Rob Carter; Tom Rue; and members of the public.

**REGULAR SESSION**

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

Public Comment: None

**Consent Agenda:**

1. OHA 2023-2025 Intergovernmental Agreement Amendment 12
2. Order 2024-45 In the matter of the appointments to the Vector Control District

**MOTION** to approve the consent agenda as presented. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #3: Swearing in of Parole and Probation Deputy:**

**Requester:** John Gautney

**Details:** Sheriff John Gautney was present at the Regular Session for the swearing-in of Parole and Probation Deputy Kenneth Horton. Deputy Horton took a formal oath before the Board of Commissioners and an audience of community members and colleagues, affirming his commitment to his new responsibilities. This ceremony highlights the importance of the role and Deputy Horton's dedication to serving the community with integrity and diligence.

**Discussion item #4: Update on Crook County Foundation and Holiday Partnership, including use of Carey Foster Hall:**

**Requester:** Rebekah Lambert

**Details:** Executive Director Rebekah Lambert and President Steve Waring of the Crook County Foundation attended the Regular Session to provide an update to the Board of Commissioners on the Holiday Partnership's activities and to request the utilization of Carey Foster Hall. In 2023, the initiative successfully supported over 2,000 individuals, distributing food, gifts, personal items, and clothing. Specifically, the program delivered gifts to 584 children, 110 elders, and 43 adults with disabilities, while providing food assistance to nearly 650 households. The Holiday Partnership coordinates efforts among donors, volunteers, schools, businesses, service organizations, nonprofits, and other community groups to achieve these results. During the session, Ms. Lambert requested a donation of \$5,000 from the board to support the ongoing efforts of the Holiday Partnership.

**MOTION** to waive the fee for Carey Foster Hall. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** to donate \$5,000.00 to the Crook County Foundation from the community support fund for the Holiday Partnership. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #5: Vehicle Purchase Bid Approval:**

**Requester:** Casey Daly

**Details:** Fairgrounds Manager Casey Daly attended the Regular Session to seek approval for the purchase of a new Ford truck. This truck will replace the Ford F350 Pickup, commonly referred to as the Fairgrounds Pickup, which has a blown motor. The cost to repair the motor was quoted at \$14,000. After reviewing the situation, the Interim County Manager and the Finance Director recommended that purchasing a new vehicle would be more economically viable. The proposed financial plan involves allocating \$20,000 from the 2023/2024 Budgeted Capital Equipment funds and up to \$40,000 from a \$2 million Fairgrounds grant to cover the cost of the new truck.

**MOTION** to purchase a truck to replace the F250 pickup from Kendall Ford in the amount of \$49,301.17. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #6: Septage Transition:**

**Requester:** Jacquie Davis

**Details:** Landfill Manager Jacquie Davis attended the Regular Session to present options for transitioning septage services. The County's longtime Septage Provider, Bryan and Shanna Sproat of 2 Springs Ranch, has issued a termination notice effective December 24, 2024. The Sproats processed septage under DEQ WCPF permit No. 101422, and transferring this permit will require some time. Jacquie outlined three potential courses of action: **1) County-operated solution:** The landfill could assume responsibility for the septage processing. This option would involve significant costs due to the need for new equipment and additional staff to manage the operations. **2) Third-party lease:** A second company has expressed interest in taking over the lease

agreement. This entity is actively seeking property and has shown willingness to operate on County land, which could mitigate the need for the County to manage septage directly. **3) City partnership:** The County is exploring the feasibility of partnering with the city by transporting septage to city waste facilities. Jacquie has reached out to Casey Kaiser to assess this possibility, though confirmation from the city is still pending. Each option comes with its own set of implications for cost, management, and logistics, requiring careful consideration by the Board.

**Discussion item #7: Order 2024-44 A Budget Resolution for Crook County Fiscal Year 2024-25:**

**Requester:** Jamie Berger

**Details:** Budget Manager Jamie Berger attended the Regular Session to seek approval for a budget resolution for Crook County for the fiscal year 2024-25. The resolution aims to adjust budget appropriations for County funds, increasing revenue acceptance and modifying expenditure allocations for the fiscal year 2024-25. These adjustments are designed to enhance compliance with fund balance policies, specifically for the Sheriff's Office Fund (Fund 251). The proposed changes would bolster the fund's contingency, ensuring greater operational sustainability by allowing for more substantial carryover into future fiscal years.

Commissioner Crawford opened a public hearing. After receiving no public comments, the public hearing was closed.

**MOTION** to approve the Budget Resolution for Fiscal Year 2024-25, Order 2024-44. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #8: Understanding Measure 117: Potential Impacts if Approved:**

**Requester:** Cheryl Seely

**Details:** County Clerk Cheryl Seely attended the Regular Session to explain Measure 117, which proposes the adoption of Ranked Choice Voting starting in 2028. If approved, this measure will implement ranked choice voting for determining winners in Primary and General Elections for several key offices, including President, Senator, Congressional Representatives, Governor, Secretary of State, State Treasurer, and Attorney General. It's important to note that State Senators and State Representatives are excluded from this measure. Ranked choice voting allows voters to rank candidates in order of preference, which can significantly alter election outcomes. Cheryl highlighted that the financial implications of this measure are substantial, with costs expected to rise from 2027 onwards due to voter education, outreach, and necessary upgrades to tabulation equipment. Detailed cost estimates will be presented later. The session also covered other potential impacts of adopting this voting method.

**Discussion item #9: "The Giving Plate" Program Overview and Letter of Support Approval:**

**Requester:** Susan Hermreck

**Details:** Commissioner Susan Hermreck presented an overview of The Giving Plate's initiatives during the Regular Session, detailing their four key hunger-relief efforts: the Grocery Program, Kid's Korner, Kid's Korner Mobile Pantry, and Backpacks for Bend.

She noted that The Giving Plate now offers the Mobile Pantry every Saturday every month, making a substantial impact on food insecurity in Central Oregon. Commissioner Hermreck sought the board's endorsement for a letter of support to further sustain and promote the essential work of these programs.

**MOTION** to sign the letter of support for The Giving Plate. Motion seconded. No discussion. Motion carried 3-0.

**Interim Manager Report:** None

**Commissioner Updates:**

Commissioner Crawford reported having a productive discussion with Senator Wyden regarding upcoming concerns with FEMA and flood plain regulations, which threaten to halt development on certain properties—an issue he referred to as another instance of federal overreach. He suggested that, considering the current issues in Florida, it might be prudent to slow down and carefully consider the implications of these policies.

**Public Comment:** None

At 12:01 p.m. the Board of Commissioners convened into Executive Session under the following statute(s): ORS 192.660(2)(e) For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions; ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent; and 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.

### **EXECUTIVE SESSION**

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.

Commissioner Crawford stated for the record that at the start of the 2a executive session, Will Van Vactor presented a letter to the Board of Commissioners. In the letter, he disclosed that he had applied for the County Manager position and would step back from any further participation in the recruitment process. He suggested that John Eisler, Assistant County Counsel, be appointed to oversee the recruitment activities moving forward.

**MOTION** to remove Will Van Vactor from the County Manager recruitment and to assign Assistant County Counsel John Eisler to lead and coordinate the recruitment with GMP Consultants from this point forward. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** for staff to proceed as directed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** to direct staff to proceed as directed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

There being no further business before the Board, the meeting was **adjourned at 12:36 p.m.**

Respectfully submitted,

**Sarah Puerner / Breyanna Cupp**



**CROOK COUNTY BOARD OF COMMISSIONERS MINUTES  
OF OCTOBER 30, 2024, WORK SESSION  
Open Portion**

**Be It Remembered** that the Crook County Board of Commissioners met in a regularly scheduled Work Session on October 30, 2024, at 9:00 a.m. in the Administration Conference room located at 203 NE Court Street, Prineville, Oregon 97754.

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

Absentees: None

Others Present in Person or Via Zoom: Legal Counsels Eric Blaine and John Eisler; Executive Administrative Assistant Sarah Puerner; Interim County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Legal Assistant Alex Solterbeck; Airport Manager Kelly Coffelt; Finance Director Christina Haron; Budget Manager Jamie Berger; Landfill Manager Jacquie Davis; Operations Manager Katrina Weitman; Building Official Randy Davis; Finance Director Christina Haron; Systems Administrator Chelsea Watson; Extension Manager Rebecca Keegan; Fairgrounds Manager Casey Daly; Natural Resources Manager Tim Deboodt; Assessment Technician Elsie Ray; Assessor Jon Soliz; Health and Human Services Director Katie Plumb; Administrative Assistant Wanda Smith; Appraiser Stephanie West; Assessment Technician Linda Pepper; Health and Human Services Deputy Director Camille Krueger; Business Analyst Micheala Edwards; Modernization Manager Stephanie O'Neal; Administrative Assistant Mona Glade; Chief Information Officer Stephen Chellis; Dock Kerbow; Justin Alderman; Lori Desjardins; and members of the public.

**WORK SESSION**

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

**Public Comment:** None

**Discussion item #1: Two-step increase for the Extension Office Programs**

**Coordinator:**

**Requester:** Amy Albert

**Details:** OSU Extension Office Manager Rebecca Keegan attended the Work Session to request the Board of Commissioners' approval for a two-step salary increase for the OSU Extension Office Programs Coordinator. Pay increases of two steps or more must be sanctioned by the Board of Commissioners. This salary adjustment is accounted for within the Extension Office's budget. The Board advised Rebecca Keegan to consult with Will Van Vactor for further actions regarding this request.

**Discussion item #2: Appointment of Road Supervisor:**

**Requester:** Amy Albert

**Details:** Interim County Manager Will Van Vactor attended the Work Session to seek the Board of Commissioners' approval for the appointment of a Road Supervisor. The Road Department conducted an external job posting and, following a thorough

interview process, has chosen to promote an internal candidate to the position, pending the Board's approval. The Budget Manager has already approved this appointment.

**MOTION** to authorize Will Van Vactor to sign the PA for James Staniford. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #3: OHA 2023-2025 Intergovernmental Agreement Amendment 13:**

**Requester:** Katie Plumb

**Details:** Health and Human Services Director Katie Plumb discussed Amendment 13 to the OHA-LPHA contract (180007) during the Work Session. This amendment adjusts year-end finances for FY24 and updates funding for FY25. It includes balancing and closing FY24 expenses and carrying forward unspent funds from several programs into FY25. Specifically, due to staff vacancies, programs PE62 and PE12-01 underspent by \$39,526.10 and \$24,040.27 respectively. Rollover funds are reallocated as per Attachment D. Additionally, the department will receive extra funds, including \$20,000 for Tobacco Prevention and \$99,482 for Primary Prevention. The amendment is slated for final approval on the consent agenda on November 6th.

**Discussion item #4: Airport - CORE Grant agreement/signature request:**

**Requester:** Kelly Coffelt

**Details:** Airport Manager Key Coffelt attended the Work Session to secure a signature on the CORE Grant Agreement. The Airport has been awarded a construction grant from CORE/State for the reconstruction of runway 33/15. This state grant is intended to help Crook County cover part of the 10% match required by the FAA for the total project cost. With design and engineering already completed, construction is set to begin in mid-November 2024. The total funding for the project includes \$4,025,270 from the FAA, \$250,000 from the state, and \$197,252 from local sources, amounting to a total of \$4,472,522. This grant agreement is scheduled for final approval on the consent agenda on November 6th.

**Discussion item #5: Transportation Safety Action Plan Procurement:**

**Requester:** Will Van Vactor

**Details:** County Counsel Eric Blaine provided an update at the Work Session regarding the Transportation Safety Action Plan (TSAP). After receiving a federal grant, the County issued a Request for Proposals (RFP) to hire a consultant for the TSAP, adhering to the selection procedures specified in ORS 279C.110. The evaluation criteria for the RFP included professional qualifications, performance examples, project understanding, approach, and local knowledge. This initiative is crucial for enhancing Crook County's understanding of transportation safety and identifying solutions, especially given the county's rapid growth. The deadline for proposals was October 7, 2024, with Parametrix submitting the only proposal, which fully met the RFP requirements. Staff recommended selecting Parametrix as the most advantageous proposer. Following the Board's nomination, negotiations on the scope and fees will commence between county legal staff and Parametrix, leading to a final contract for execution.

**MOTION** to nominate Parametrix and County Counsel to begin negotiating the appropriate scope and fees. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #6: Community Development Monthly Update:**

**Requester:** Katrina Weitman

**Details:** Operations Manager Katrina Weitman and Building Official Randy Davis provided the Board of Commissioners with the monthly Community Development update covering permit and application statistics. The department issued a total of 20 new residential dwelling permits, 19 commercial permits, and 139 residential permits for various installations. Inspection-wise, they completed 776 residential and 137 commercial inspections, totaling 913 for the month. Activity is expected to remain high through the winter, driven by over 100 permits for an apartment project. The Planning Department managed 14 site review applications, all related to construction, including the approval of the Pinecrest subdivision. The department is actively working on several significant projects, such as a DOD grant project set to advance in early 2025 with consultant Ann Beier, a Transportation System Plan project, and a floodplain management initiative with FEMA to bring local codes up to date.

**Discussion item #7: Discussion about upcoming Regular/Work Session dates and 2025 Holiday Schedule:**

**Requester:** Will Van Vactor

**Details:** Interim County Manager Will Van Vactor attended the Work Session to review the remaining 2024 Regular and Work Session dates, to review the upcoming 2025 Regular and Work Session dates, and to outline the 2025 Holiday Schedule for the Crook County Board of Commissioners. The purpose of the session was to finalize the calendar for Commissioner meetings, factoring in county holidays. This discussion is designed to ensure clear and consistent scheduling for the coming year, aiding in the planning and communication efforts of both the Board and the public. This agenda item will be placed on the consent agenda for final approval at a December meeting.

**Discussion item #8: Grievance against fair board alleging violations of public meetings law:**

**Requester:** Seth Crawford

**Details:** Commissioner Seth Crawford addressed a grievance filed against the Fair Board at the Work Session. He requested that this issue be included as a discussion item on the agenda. The grievance accuses the Fair Board of several breaches of Oregon public meeting laws, with a demand for a response by Friday, November 8<sup>th</sup>. Both Commissioner Barney and Hermreck concur that the Fair Board should restart their application process for filling vacancies.

**MOTION** to request the Fair Board to restart the advertising process for vacancies. Motion seconded. No discussion. Motion carried 3-0.

**Public Comment:** None

Tim Deboodt from Crook County Natural Resources noted that two positions on the Natural Resource Advisory Committee are set to expire soon, requiring reappointments

in December or January. He raised a question regarding the public notice process for these reappointments. Eric Blaine has committed to following up with Tim Deboodt on this matter.

Interim Manager Report:

Will Van Vactor mentioned that the County is hosting a candidate for the HR Director position. Several meetings and interviews are scheduled, including an employee meet and greet to allow staff the opportunity to meet her. Additionally, he highlighted the ongoing septage issue at the landfill and requested that John Eisler provide an update on the current situation.

Commissioner Brian Barney disclosed that he had been approached by staff regarding a project in which he might have a personal interest as a private landowner concerning the application of septage. He emphasized that the discussions are still at a preliminary stage and assured that he has not received any confidential information due to the potential conflict of interest. To maintain transparency and avoid any conflict, Barney expressed his desire to recuse himself from participating in any decisions or discussions related to this matter.

John Eisler updated that 2 Springs Ranch has issued a termination notice effective Christmas Eve 2024, requiring the county to have an alternative solution in place by that date. Efforts to resolve this include consulting with other counties. The final submission to Carl at DEQ needs to be made by mid to late November, making it imperative to have a plan ready by the next work session. The ideal solution would involve a local landowner with irrigated land, where nitrogen levels can be appropriately tested.

Commissioner Updates:

Commissioner Barney reported that the Commissioners received a letter from the City of Redmond about the airport committee, specifically regarding the reappointment of Kelly Coffelt. Mr. Coffelt has expressed his willingness to continue serving on this advisory board.

**MOTION** to acknowledge Kelly Coffelt to continue his appointment with the Redmond Airport Committee. Motion seconded. No discussion. Motion carried 3-0.

Commissioner Crawford discussed floodplains and the issue of the manganese north of town with the senator, appreciating his efforts but emphasizing the need for federal funding to conduct more extensive testing. He acknowledged that there was an agreement for more local testing of homes, which is a positive development, yet it falls short of the comprehensive testing required. Commissioner Crawford also met with the governor to express gratitude for the initial steps taken and stressed the importance of securing the necessary testing on a larger scale. The governor is informed about the situation and is actively exploring funding options.

Commissioner Hermreck mentioned that Greg Swayland from DEQ was provided office space at the associate's real estate office. He met with individuals from the water

contamination site there, assisting homeowners in completing the forms necessary to initiate water contamination testing. The testing process is now underway.

At 9:48 a.m. the Board of Commissioners read into Executive Session under the following statute(s): ORS 192.660(2)(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations; ORS 192.660(2)(e) For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions; ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection; 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; and ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.

### **EXECUTIVE SESSION**

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 approve the addendum and the counter offer as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** to approve the lease modification as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** to approve and execute the lease with Oregon Judicial Department as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** to request Crook County's individualized data and information from Cascade East. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** to prepare the response to the counter party as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** to direct staff to proceed as directed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 12:17 p.m.**

Respectfully submitted,

**Sarah Puerner / Breyanna Cupp**

**CROOK COUNTY BOARD OF COMMISSIONERS MINUTES  
OF NOVEMBER 6, 2024, REGULAR MEETING  
Open Portion**

**Be It Remembered** that the Crook County Board of Commissioners met in a Regular Session on November 6, 2024, at 11:25 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754.

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

Absentees: None

Others Present in Person or Via Zoom: Legal Counsels Eric Blaine and John Eisler; Executive Administrative Assistant Sarah Puerner; Health and Human Services Director Katie Plumb; Finance Director Christina Haron; Extension Manager Rebecca Keegan; Airport Manager Kelly Coffelt; Landfill Manager Jacquie Davis; Library Director Sarah Beeler; Road Superintendent Brad Haynes; Assessor Jon Soliz; Interim Manager Will Van Vactor; Fairgrounds Manager Casey Daly; Legal Assistant Alex Solterbeck; Undersheriff Bill Elliott; Budget Manager Jamie Berger; Assessment Technician Elsie Ray; Assessment Technician Linda Pepper; Appraiser Stephanie West; Mike Ervin; Justin Alderman; Garth Finley; Jodie Fleck; Amy Warren; Dick Zimmerlee; and members of the public.

**REGULAR SESSION**

The meeting was **called to order at 11:25 a.m.**

**Public Comment:** None

**Consent Agenda:**

1. Approve Minutes
2. OHA 2023-2025 Intergovernmental Agreement Amendment 13
3. Airport - COAR Grant agreement/signature request

**MOTION** to approve the consent agenda as presented. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #4: Proclamation for #OperationGreenLight:**

**Requester:** Seth Crawford

**Details:** Commissioner Crawford launched Operation Green Light during the Regular Session. He delivered a proclamation designating the period from November 4th to Veterans Day, November 11th, 2024, as a special time for Crook County to acknowledge and honor the service and sacrifices of veterans transitioning from active military duty. He urged all residents to show their support for these veterans by displaying green lights at their homes or places of business, symbolizing their gratitude and recognition for the veterans' profound contributions to preserving our freedom.



**MOTION** to adopt the proclamation of supporting Operation Greenlight for veterans. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #5: Presentation of Solace at Iron Horse, affordable housing development presentation by Thistle & Nest:**

**Requester:** Amy Warren

**Details:** Amy Warren, Board President of Thistle & Nest, attended the Regular Session to introduce their upcoming housing project in Iron Horse, Prineville. Thistle & Nest, a developer known for affordable housing projects in Bend, Madras, and now Prineville, plans to develop 20 homes. Scheduled to be ready by late 2025, these homes will cater to individuals earning less than 80% of the area's median income, with two homes designated for those earning less than 50%. The anticipated selling price, after receiving a subsidy from the state of Oregon, will range from \$185,000 to \$225,000. Construction is set to begin in March 2025 and is expected to be completed by June 2026.

**Discussion item #6: Request to forgive Rental Fees:**

**Requester:** Jodie Fleck

**Details:** PCP Chair Jodie Fleck appeared at the Regular Session to request a waiver for the venue fee for a Republican event scheduled on November 19th, where new officers will be elected. The participants eligible to vote are the elected PCPs, and the meeting is typically held at the Prineville Funeral Home. However, due to availability issues with alternate venues like the Bowman Museum and the Library, the event has been booked at Carey Foster Hall at the Fairgrounds. Given that this meeting is not a fundraiser or an income-generating event, and is open to all registered Republicans who have been registered for more than 160 days and may wish to run for office, the organization is requesting that the Crook County Commissioners waive the \$396.00 usage fee for the hall.

**NO ACTION** – During the discussion on waiving the fee for using Carey Foster Hall, Commissioners Hermreck and Barney expressed reservations about waiving fees for a partisan group. In contrast, Commissioner Crawford argued that the board has waived fees for other groups in the past, suggesting that this situation should be treated no differently.

**Discussion item #7: Public Records Fee Waiver Request:**

**Requester:** John Eisler

**Details:** Assistant County Counsel participated in the Regular Session to discuss a fee waiver request from Justin Alderman, a reporter with the Prineville Review. Alderman had submitted a public records request seeking data on meeting activity from the county's Zoom account for the period from June 1st, 2024, to November 1st, 2024. The IT Department estimated that fulfilling this request would require about 1.5 hours of staff time, costing \$172.50 at a rate of \$85 per hour. Alderman criticized the fee as "absolutely absurd" and has applied for a waiver. He argues that the information requested is essential for understanding government operations and public official conduct, particularly concerning matters of current public interest.

**MOTION** to reduce the estimated fee for Justin Alderman’s public records request to be capped at one hour of staff time and at the lowest rate in our fee schedule for public records production. Motion seconded. No discussion. Motion carried 2-1. Commissioner Crawford voted in opposition.

**Interim Manager Report:** None

**Commissioner Updates:** None

**Public Comment:**

Justin Alderman, Interim Managing Editor for the Prineville Review, clarified that county counsel had informed them about two Zoom accounts, of which they were previously aware of only one. His interest is specifically in information related to the Crook County Fair Board, although his initial request was broader, possibly leading to a misunderstanding by County Counsel. Alderman argues that the fees for his request should be waived, as the information pertains to public meetings and accessing it serves the public interest.

At 12:04 p.m. the Board of Commissioners convened into Executive Session under the following statute(s): ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.

**EXECUTIVE SESSION**

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 delegate authority to Assistant County Counsel John Eisler to prepare and deliver an offer letter to the County Manager candidate as discussed in the Executive Session and to negotiate a contract for employment. Motion seconded. No discussion. Motion carried 3-0.

There being no further business before the Board, the meeting was **adjourned at 12:12 p.m.**

Respectfully submitted,

**Sarah Puerner / Breyanna Cupp**



**CROOK COUNTY BOARD OF COMMISSIONERS MINUTES  
OF NOVEMBER 13, 2024, WORK SESSION  
Open Portion**

**Be It Remembered** that the Crook County Board of Commissioners met in a regularly scheduled Work Session on November 13, 2024, at 9:00 a.m. in the Administration Conference room located at 203 NE Court Street, Prineville, Oregon 97754.

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

Absentees: None

Others Present in Person or Via Zoom: Legal Counsels Eric Blaine and John Eisler; Executive Administrative Assistant Sarah Puerner; Interim County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Legal Assistant Alex Solterbeck; Road Superintendent Brad Haynes; Airport Manager Kelly Coffelt; Finance Director Christina Haron; Extension Manager Rebecca Keegan; Fairgrounds Manager Casey Daly; Budget Manager Jamie Berger; Administrative Assistant Mona Glade; Natural Resources Manager Tim Deboodt; Senior Planner Katie McDonald; Operations Manager Katrina Weitman; Library Director Sarah Beeler; Assessor Jon Soliz; Landfill Manager Jacquie Davis; Clerk Cheryl Seely; Undersheriff Bill Elliott; Sheriff Gautney; Assessment Technician Elsie Ray; Administrative Division Manager Stephanie Wilson; Assessment Technician Linda Pepper; Administrative Assistant Allison Hildebrand; Justin Alderman; Mike Ervin; and members of the public.

**WORK SESSION**

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

**Public Comment:** None

**Discussion item #1:** Ag Extension Service District Advisory Board:

**Requester:** Rebecca Keegan

**Details:** Extension Office Manager Rebecca Keegan attended the Work Session to discuss two applications for the Agricultural Extension Service District Advisory Board. The candidates being considered for these positions are Janelle Geddes and Tory Kurtz. The Advisory Board has endorsed these appointments and recommended them to the Board of Commissioners. The Board of Commissioners has concurred with this recommendation. An official Order will be prepared, and the matter is set to be included on the consent agenda for final approval on December 4th.

**Discussion item #2:** A two-step increases for the Extension Office Programs Coordinator:

**Requester:** Rebecca Keegan

**Details:** Extension Manager Rebecca Keegan attended the Work Session to seek approval for a two-step pay increase for the Extension Office Programs Coordinator. Pay increases of two steps or more require the Board of Commissioners' approval. The proposed two-step increase is within the budget of the Extension Office. The Board of

Commissioners has asked Rebecca and Will to discuss the details of the two-step increase further.

**MOTION** to authorize Will Van Vactor to sign the PA Form outside of the Board meeting. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #3: Proposal for New Lowboy Truck Acquisition and Retrofit of Water Tank on Existing 160,000- Mile Lowboy:**

**Requester:** Brad Haynes

**Details:** Road Superintendent Brad Haynes attended the Work Session to request approval for the purchase of a new lowboy truck and to retrofit a new water tank onto an old lowboy truck with 160,000 miles. This purchase aims to replace a damaged 1997 water truck extensively used for spring, summer, and fall operations, such as cleaning culverts in the spring and watering dry roads. The purchasing options considered included three bids, with the decision to go with Omco based on the comparative advantages it offers over used options, which would require additional purchases to complete jobs for a water pump. Budget Manager Jamie Berger explained why purchasing the truck outright is a better option than leasing. The Omco bid will be placed on the consent agenda for the Regular Session on December 4th.

**MOTION** to purchase the Lowboy Truck from Peterson Equipment. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #4: Septage Transition Update:**

**Requester:** John Eisler

**Details:** Assistant County Counsel John Eisler and Landfill Manager Jacquie Davis attended the Work Session to provide an update on the Septage Transition. The County is swiftly developing an appropriate alternative septage treatment plan to secure DEQ approval before the transition date of December 24, 2024. Unfortunately, the large tract initially identified as a potential application site is no longer available, prompting the need for alternative solutions. Although no action was taken on this item, a meeting has been requested involving John Eisler, Jacquie Davis, Commissioner Susan Hermreck, and Casey Kaiser from the City of Prineville to explore available options for the County.

**MOTION** to delegate authority to Commissioner Hermreck to negotiate the terms for a septage lease. Motion seconded. No discussion. Motion carried 3-0.

**Discussion item #5: Update and discussion on next step – FEMA Pre Implementation Compliance Measure (PICM):**

**Requester:** Will Van Vactor

**Details:** Senior Planner Katie McDonald and Operations Manager Katrina Weitman attended the Work Session to update and discuss the next steps regarding FEMA's pre-implementation measures. The 2016 Biological Opinion (BiOp) issued by the National Marine Fisheries Service is now integrated into the National Flood Insurance Program (NFIP) in Oregon. This Oregon BiOp, prompted by a federal lawsuit, has found that FEMA's administration of the NFIP in Oregon poses risks to 17 species listed under the Endangered Species Act (ESA) and adversely affects the critical habitat for 16 of these

species. This determination is crucial as cities and counties are required to adhere to minimum floodplain development standards to qualify for the NFIP. FEMA is now urging local authorities to adopt these new standards by initiating a pre-implementation phase. This phase mandates that local authorities select one Pre-Implementation Compliance Measure by December 1, 2024.

Interim Manager Report:

Will Van Vactor noted that tomorrow there will be a joint Work Session with the Planning Commission to discuss the Transportation System Plan. The consultant and the project management team will also be present at the meeting.

Commissioner Updates: None

Public Comment: None

At 10:14 a.m. the Board of Commissioners read into Executive Session under the following statute(s): ORS 192.660(2)(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations; 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; and ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.

## EXECUTIVE SESSION

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.

During the negotiations for the county manager position, Assistant County Counsel John Eisler highlighted a potential conflict of interest and requested that the Board of Commissioners recuse him from further involvement in managing that project. County Counsel Eric Blaine has volunteered to take over and continue with the project. Additionally, there is a vacancy in the Community Development Director position, in which John has expressed interest. The Commissioners expressed interested in adjusting Exhibit A for language referring to Court/Judge.

**MOTION** to approve the employment agreement with Will Van Vactor for the County Manager position subject to the clerical revisions to the nomenclature in Exhibit A to the current county terms, the acceptance of Mr. Van Vactor of those revisions and to authorize the Board of Commissioner to sign the finalized agreement outside of this meeting. Motion seconded. No discussion. Motion carried 3-0.

**MOTION** to authorize staff to correspond with the counter party to propose an amendment to the meeting date. Motion seconded. No discussion. Motion carried 3-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 10:51 a.m.**

Respectfully submitted,

**Sarah Puerner / Breyanna Cupp**

## AGENDA ITEM REQUEST



**Date:**

*December 9, 2024*

**Meeting date desired:**

*January 8, 2024*

**Subject:**

*Designation of Newspaper 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:**

*N/A*

**Requested by:**

*Eric Blaine, County Counsel*

**Presenters:**

*Eric Blaine*

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

*Legal drafted the order.*

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

*N/A*

**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 2025-01**

**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 8<sup>th</sup> day of January, 2025.

CROOK COUNTY BOARD OF COMMISSIONERS

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SETH CRAWFORD, County Commissioner

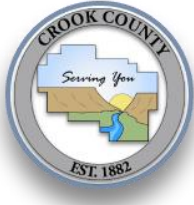
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SUSAN HERMRECK, County Commissioner

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BRIAN BARNEY, County Commissioner

## AGENDA ITEM REQUEST



**Date:**

**Meeting date desired:**

**Subject:**

**Background and policy implications:**

**Budget/fiscal impacts:**

**Requested by:**

**Presenters:**

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

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



**Crook County**  
**Community Development Department**  
300 NE 3rd Street, Room 12  
Prineville, OR 97754  
(541)447-3211  
[plan@crookcountyor.gov](mailto:plan@crookcountyor.gov)

**TO:** Crook County Board of County Commissioners  
**FROM:** Katie McDonald, Senior Planner  
**DATE:** January 8, 2025  
**SUBJECT:** Planning Commissioner Appointment

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## I. Background

The Planning Commission is comprised of appointed volunteers with terms of 4 years. The Commissioner's terms are staggered, currently there are three positions which end December 31, 2024. They are Positions 4, 5, and 6. In 2024, the Board of County Commissioners authorized a *pro tem* position, allowing a citizen interested in serving on the Planning Commission a role to learn, participate, and check if it would be a good fit. The *pro tem* position is a one-year appointment.

## II. Process

In 2022, Crook County formalized a policy for the appointment of members of county advisory committees, Order No. 2022-52. This order describes the process which is to be undertaken with Planning Commissioner appointments and reappointments.

Per the Order, the positions were advertised and open for more than 30 days, the Planning Commission took into consideration Crook County Code 18.172, reviewed the applications and are proposing that the Crook County Board of Commissioners makes the following appointments to the Planning Commission:

Planning Commission	Appointee	Term	Oath required
Position 4	Shelby Duncan	4 years	Yes
Position 5	Marlo Dill	4 years	Yes
Position 6	George Pointe	4 years	Yes
<i>pro tem</i>	Monty Kurtz	1 year	Yes



### **III. Timeline**

- November 13, 2024 – Administration posted on the website for available positions
- December 16, 2024 – Deadline to apply for a Planning Commission position
- December 16, 2024 – Four applications had been received
- December 18, 2024 – Planning Commission held a meeting to discuss and make recommendations regarding the applications and open positions.
- January 8, 2025 – Recommendation for the BOCC to consider

### **IV. Request**

The Planning Commission makes the request to the Board of Commissioners to appoint the recommended candidates to the positions as shown in the previous table. They will be sworn in at the January 8, 2025, regular meeting.

### **V. Attachments**

- A. Order 2025-02

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

**IN THE MATTER OF  
APPOINTMENTS TO THE  
PLANNING COMMISSION**

**ORDER # 2025-02**

**WHEREAS**, volunteers are essential to the operation of the county government; and

**WHEREAS**, the Board of Commissioners has carefully considered the skills and talents of the applicants and the needs of the boards which has multiple vacancies requiring appointments, and based upon recommendation of Boards and Committees:

**NOW, THEREFORE**, it is hereby **ORDERED** that the Crook County Board of Commissioners make the following appointments to the Planning Commission:

Planning Commission	Appointee	Term	Oath required
Position 4	Shelby Duncan	4 years	Yes
Position 5	Marlo Dill	4 years	Yes
Position 6	George Ponte	4 years	Yes
<i>pro tem</i>	Vacant	1 year	Yes

DATED this 8th day of January 2025.

CROOK COUNTY BOARD OF COMMISSIONERS:

_____	_____	_____
SETH CRAWFORD	SUSAN HERMRECK	BRIAN BARNEY
County Commissioner	County Commissioner	County Commissioner



**Crook County Community Development  
Planning Division**

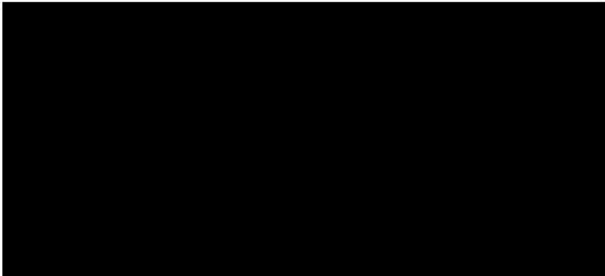
300 NE 3<sup>rd</sup> Street, Room 12, Prineville Oregon 97754  
541-447-3211

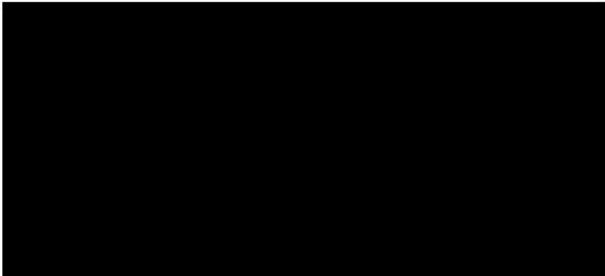
[plan@crookcountyor.gov](mailto:plan@crookcountyor.gov)

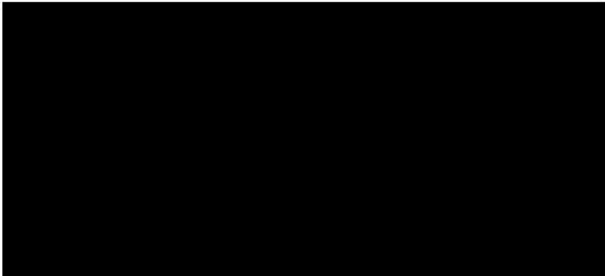
[www.co.crook.or.us](http://www.co.crook.or.us)

**Crook County Planning Commission  
Application To Serve**

Name: George Ponte

Home Address: 

Preferred Phone: 

Email: 

Occupation: Retired forester

Please list any relevant experience you may have that would make you effective in the position: (Continue on reverse or attach additional sheets if necessary)

I have been a Crook County Planning Commissioner for the past seven years. I have successfully filled the duties of this position during this time.

Why do you want to serve in this position? (Continue on reverse or attach additional sheets if necessary)

I believe it is important to give back to the community. Serving on the planning commission is one way I can do that. Although it seems that land use planning and decisions are becoming more complex, and therefore take more time, I am willing to contribute my time to help make Crook County the best place to live and work.



**Crook County Planning Department**  
300 NE 3<sup>rd</sup> Street, Room 11, Prineville Oregon 97754  
Phone: 541-447-8156 / Fax: 541-416-3905

**CROOK COUNTY PLANNING COMMISSION APPLICATION  
TO SERVE**

Name: **Marlo Dill**  
Home Address: [Redacted]  
Preferred Phone: [Redacted]  
Email: [Redacted]  
Occupation: Real estate appraiser

Please list any relevant experience you may have that would make you effective in the position: (Continue on reverse or attach additional sheets if necessary)

I have been a certified real estate appraiser for 26 year.

Why do you want to serve in this position? (Continue on reverse or attach additional sheets if necessary)

To be involved in my community.



## Crook County Community Development Planning Division

300 NE 3<sup>rd</sup> Street, Room 12, Prineville Oregon 97754

541-447-3211

[plan@crookcountyor.gov](mailto:plan@crookcountyor.gov)

[www.co.crook.or.us](http://www.co.crook.or.us)

### Crook County Planning Commission Application To Serve

Name: Shelby Duncan

Home Address: \_\_\_\_\_

Preferred Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Occupation: Program Manager

Please list any relevant experience you may have that would make you effective in the position: (Continue on reverse or attach additional sheets if necessary)

As a current pro-tem planning commissioner and a program manager, I bring a blend of practical experience and professional skills that make me effective in this role. My time on the commission has given me hands-on experience in reviewing proposals, engaging with the community, and making decisions that balance growth with maintaining our community's character. I've worked closely with the planning department to better understand local land-use policies, zoning regulations, and development practices.

As a program manager, I continue to refine skills in project planning, stakeholder engagement, and resource management, which are key responsibilities that align with the commission's work. Leading large-scale projects has taught me how to coordinate with diverse teams, manage budgets, and ensure projects meet rigorous standards, all of which translate well to evaluating and shaping community development initiatives.

Additionally, my experience acting as a mediator in my organization has strengthened my ability to listen actively and remain impartial when addressing differing perspectives. This skill has been invaluable in navigating complex issues on the commission, allowing me to approach decisions with fairness, transparency, and an open mind. I am eager to continue leveraging my professional and commission experience to serve our community effectively.

Why do you want to serve in this position? (Continue on reverse or attach additional sheets if necessary)

I want to continue serving in this position because my time on the planning commission has deepened my commitment to our county's growth and development. Over my term, I've gained valuable experience in understanding local planning processes, engaging with community members, and making thoughtful decisions that align with our town's values and long-term goals. Working closely with the planning department and fellow commissioners has expanded my knowledge and appreciation of the complexities involved in land use, zoning, and sustainable development.


I take pride in contributing to decisions that balance growth with preserving our community's unique character. I value our town's sense of connection and believe that with my experience and growing expertise, I can continue to play a meaningful role in maintaining and enhancing what makes our community special. This role has been both a privilege and a learning experience, and I am eager to bring the lessons I've learned into a new term to help shape the future of our county.




**Crook County Planning Department**  
300 NE 3<sup>rd</sup> Street, Room 11, Prineville Oregon 97754  
Phone: 541-447-8156 / Fax: 541-416-3905

## **CROOK COUNTY PLANNING COMMISSION APPLICATION TO SERVE**

Name: Monty Kurtz

Home Address: 

Preferred Phone: 

Email: 

Occupation: Owner of Arc Asylum, llc

Please list any relevant experience you may have that would make you effective in the position: (Continue on reverse or attach additional sheets if necessary)

I have 25+ years in the construction and fabrication industries. I believe this give me a great deal of experience with planning in general. Land use is an additional area I don't have direct experience with however I believe I can take what I know, learn from others and apply it as needed.

Why do you want to serve in this position? (Continue on reverse or attach additional sheets if necessary)

I feel this position is a good way to contribute experience and community service. I'm currently on the board of the Prineville Kiwanis and I am a good team player. We don't all agree on everything; however, this is why this isn't a one- or two-person board. I think the different boards in the county should also have a good representation from all of the areas in the county. With this said I've been in this community since 2016 and I've seen a lot of changes. Some good some not good but the changes are what they are. I look forward to hearing from the board as well as seeing you all soon at an upcoming meeting.  
Thank you for your time,

Monty Kurtz

## AGENDA ITEM REQUEST



**Date:**

12/31/2024

**Meeting date desired:**

January 8, 2025

**Subject:**

Fair Board Candidate Recommendations

**Background and policy implications:**

Position #4 Vacant- Candidate Recommendation Larry Blanton

Position #5 Reappointment Recommendation Casey Kaiser

Position #1 Reappointment Recommendation Linda Cross

**Budget/fiscal impacts:**

None

**Requested by:**

Casey Daly- Fairgrounds

**Presenters:**

Casey Daly- Fairgrounds

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

N/A

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

N/A

December 18, 2024

To: Crook County Court

From: Crook County Fair Board

Commissioner Barney, Commissioner Crawford, Commissioner Hermreck:

The Crook County Fair Board met on December 16, 2024, and interviewed candidates for the board. The board voted in favor of recommending Linda Cross for reappointment to position #1.

Linda is an excellent board member and would like to continue serving Crook County.

Respectfully submitted,

Gail Merritt  
Chairperson



December 18, 2024

To: Crook County Court

From: Crook County Fair Board

Commissioner Barney, Commissioner Crawford, Commissioner Hermreck:

The Crook County Fair Board met on December 16, 2024, and interviewed candidates for the board. The board voted in favor of recommending Casey Kaiser for reappointment to position #5.

Casey is an excellent board member and would like to continue serving Crook County.

Respectfully submitted,

Gail Merritt  
Chairperson

December 18, 2024

To: Crook County Court

From: Crook County Fair Board

Subject: Fair Board Member

Commissioner Barney, Commissioner Crawford, Commissioner Hermreck:

The Crook County Fair Board met on December 16, 2024, and interviewed candidates for the vacant position on the board. The board voted in favor of recommending Larry Blanton for position #4.

Mr. Blanton will be an excellent addition to the board with his skills and desire to serve Crook County.

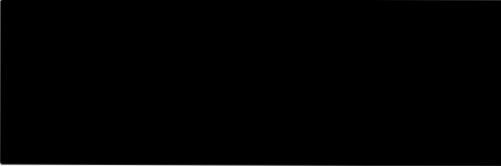
Respectfully submitted,

Gail Merritt  
Chairperson

**GENERAL APPLICATION TO SERVE ON A CROOK COUNTY COURT-APPOINTED BOARD OR COMMITTEE**

Position applied for:

Name:

Address: 

Phone Number:

Email:

Please list any relevant experience you may have that would make you effective in the position:

I have been on the Crook County Fair Board for a total of nine years, seeing many changes and growth through the years.  
Past Crook County Chamber Board of Directors, including 18 months serving as President  
Many years of volunteering at different events in Prineville  
Being involved in 4H as a parent.  
I have been a Realtor for 21 years meeting people and being a part of the community, helping to raise money for sponsorships for fund raisers and/or events.

Why do you wish to serve in this position?

The Crook County Fair is a very big part of our community, along with the other events held at the fairgrounds  
I feel that it is important that we keep fair going for our kids in 4H & FHA along with our community members to enjoy. Being part of the decisions made within the board determines the success of the Crook County fairgrounds, I would like to continue to be involved with the growth of our events and the future of our fairgrounds..

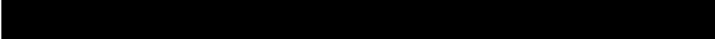
*A letter of interest may be submitted in lieu of this form*

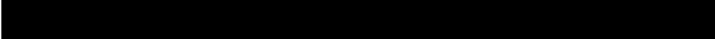
# GENERAL APPLICATION TO SERVE ON A CROOK COUNTY COURT-APPOINTED BOARD OR COMMITTEE

Position applied for:

Name:

Address: 

Phone Number: 

Email: 

Please list any relevant experience you may have that would make you effective in the position:

I have served in several volunteer positions in my professional and personal career. I was a Sheriff's Deputy for nearly 38 years in Deschutes County. The last 12 years I was the Elected Sheriff. During that time, I served on many boards as a volunteer. Deschutes Childrens Foundation, Board of Police Standards and Training, Deschutes County Supervisory Authority Board and many others.

Please refer to the attached document for professional education and training information.

Why do you wish to serve in this position?

Serving the community has always been a calling for me personally and professionally. We moved to Prineville in December 2023 and I'm looking for a place to volunteer providing an opportunity for me to give back to the community. Perhaps my experience, education and training can assist the members of the board and this community.

*A letter of interest may be submitted in lieu of this form*

October 7, 2024

Larry Blanton

1526 NE Rosemont Street

Prineville, Oregon 97754

541-419-6625

Regarding: Letter of Interest Crook County Fair Board

To: Casey Kaiser

Thank you very much for the opportunity to apply for a position with the Crook County Fair Board. I have been a longtime attendee of events at the Crook County Fair held each year. Additionally, the company that I work for on a part time basis is involved each year as an event sponsor.

My wife Linda and I just moved to Prineville from Bend in December of 2023, and I'm looking for a place to volunteer and give back to the community. Perhaps my experience in my professional life could in some way be of benefit the Crook County Fair Board.

I was born and raised in Bend in 1956 and attended Bend High School, graduating in 1975. My wife Linda also attended Bend Senior High, and we have been married for more than 48 years.

I spent nearly 38 years with the Deschutes County Sheriff's Office from 1978 until retirement in 2015. During that time, I went through the ranks starting as a reserve, deputy, sergeant, lieutenant, undersheriff and retired as the elected Sheriff in 2015. I had the privilege of serving as the elected Sheriff for three terms.

I believe I'm an effective communicator that focuses on inclusive leadership with a collaborative approach to problem solving and critical thinking.

**Education:**

Western Oregon State College

Clackamas Community College

Chemeketa Community College

Central Oregon Community College

**Professional Education:**

Department of Public Safety (Executive Certificate)

Mark Hatfield School of Government

Graduate 94<sup>th</sup> session National Sheriff's Institute, Long Mont Colorado

Graduate FBI National Academy, Session 212 FBI Academy Quantico, Virginia

Graduate FBI Law Enforcement Executive Development, Quantico, Virginia

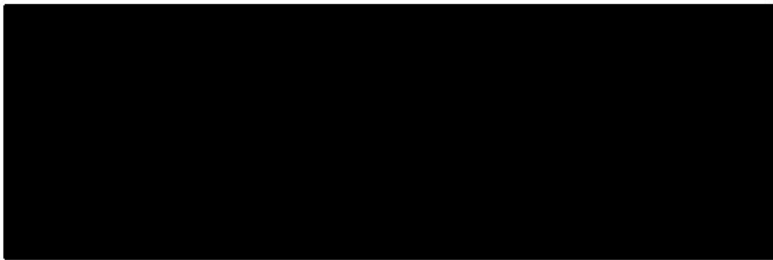
# GENERAL APPLICATION TO SERVE ON A CROOK COUNTY COURT-APPOINTED BOARD OR COMMITTEE

Fair Board

Position applied for:

Name:

Address:  
Phone Number:  
Email:



Please list any relevant experience you may have that would make you effective in the position:

I am a current fair board member appointed last year. I have served on several other boards in the community and volunteered for various organizations. I have experience helping with community events and projects. I am familiar with the function of boards and their role in organizational development. My experience includes finance, operation, project management and various aspects of admistration and management. In addition to that I also enjoy and am more than willing to help with physical tasks such as event set up, grounds maintenance, etc.

Why do you wish to serve in this position?

I strongly believe our fairgrounds and the events that happen there is one of the stronger assets our community has. I personally enjoy the fair and many other events that happen at our fairgrounds. I enjoy having a role in the ongoing success of our fairgrounds and hope I can continue that.

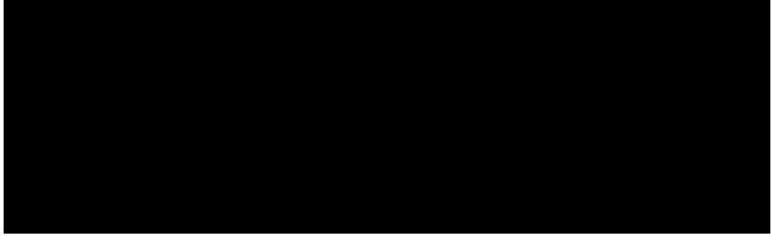
*A letter of interest may be submitted in lieu of this form*

# GENERAL APPLICATION TO SERVE ON A CROOK COUNTY COURT-APPOINTED BOARD OR COMMITTEE

Position applied for:

Name:

Address:  
Phone Number:  
Email:



Please list any relevant experience you may have that would make you effective in the position:

SEE ATTACHED

Why do you wish to serve in this position?

SEE ATTACHED

**PLEASE LIST ANY RELEVANT EXPERIENCE YOU MAY HAVE THAT WOULD MAKE YOU EFFECTIVE IN THE POSITION:**

I have participated in numerous experiences at the fairgrounds from High School years to being a parent of youth participating in fair and other livestock events over a 50+ year span. I have seen the growth, yet know the need to keep the facilities affordable, safe, yet relevant to the needs of our community, visitors and vendors.

A large number of the events that happen at the fairgrounds are livestock related. I have been involved with livestock my whole life from a participant in horse, dog, and cattle showing at a local and national level, to running numerous successful livestock related businesses. I know the needs of the participant to the needs of operating a business to be sustainable. I have the compassion necessary to understand those needs, but have the backbone to stand up to what can be required in hard decisions.



## **WHY DO YOU WISH TO SERVE IN THIS POSITION?**

I have lived in Crook County for over 30 years, but have spent many more years in this area due to my grandparents' owning ranches and businesses here. Soon to be an empty nester for the second time over these years. I have watched our small town grow and struggle with the growth. Would like to now contribute further to our community by actively participating in helping with this growth while preserving the small community feel. Particularly interested in supporting the youth and our fairgrounds can be a facility to do this.

*I have traveled to and participated in livestock events at this facility in High School myself and can remember the home town feel of not only the fairgrounds itself, but the community in general. I have the opportunity now to help bring that feeling to others.*

I have a creative mind and not afraid to reach out to others and discuss the needs of our community. I am old school, but know that change and adaption are inevitable. I am willing to learn new things and work with others in that process.

I would like to bring in a new fresh perspective.

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

**IN THE MATTER OF THE  
 APPOINTMENTS TO THE FAIR  
 BOARD**

**ORDER 2025-03**

**WHEREAS**, volunteers are essential to the operation of the county government; and

**WHEREAS**, the Board of Commissioners has carefully considered the skills and talents of the applicants and the needs of the boards which has a vacancy requiring appointments, and based upon recommendation of Boards and Committees:

**NOW, THEREFORE**, it is hereby **ORDERED** that the Crook County Board of Commissioners makes the following appointments to the Fair Board:

<b>Board</b>	<b>Appointee</b>	<b>Term</b>	<b>Oath required</b>
Fair Board Position #1	Linda Cross	3 Year Term Expiring: 12/31/2027	Yes
Fair Board Position #4	Larry Blanton	3 Year Term Expiring: 12/31/2027	Yes
Fair Board Position #5	Casey Kaiser	3 Year Term Expiring: 12/31/2027	Yes

DATED this 8<sup>th</sup> day of January 2025.

\_\_\_\_\_  
 Seth Crawford  
 County Commissioner

\_\_\_\_\_  
 Brian Barney  
 County Commissioner

\_\_\_\_\_  
 Susan Hermreck  
 County Commissioner



# Crook County

300 NE 3rd Street • Prineville, Oregon 97754  
(541) 447-6555 • (541) 416-3891

## APPLICATION FOR MEMBERSHIP ON NATURAL RESOURCES COORDINATION ADVISORY COMMITTEE

Please complete this application in a brief, yet informative manner. If questions are not applicable, enter "NA."

**Name:** James Michael Lunn (Mike)  
*First Middle Last*

**Address:** 2400 NW century Drive Prineville OR 97754  
*Street City State Zip*

**Phone:** 541-480-7970  
*Home Work Cell*

**Email:** mlunn1128@hotmail.com

I hereby submit my name for consideration to serve in an advisory capacity to the Crook County Court as a member of the Natural Resources Coordination Advisory Committee.

**Education:** BS Forest Management, Oklahoma State University

**Professional License, Registration or Certification, if applicable:**

**Relevant Experience in any topic area of federal land use planning" (paid employment or volunteer):**

I was a planner at the Ranger District, Forest Staff for planning at Okanogan NF, led Regional Planning, Appeals and Litigation in SE Region, Forest Supervisor on Tongass NF in Alaska and led planning on 15 million acres.

**Please list any current or former membership or board position(s) you have held with other organizations:**

I was facilitator for Crook County Natural Resources planning for 8 years, Supervisor of Siskiyou and Rogue River NFs for 9 years.



# Crook County

300 NE 3rd Street • Prineville, Oregon 97754  
(541) 447-6555 • (541) 416-3891

Examples of past experiences showing ability to work collaboratively with others of differing viewpoints and achieve good faith compromise:

I have served as a conflict resolution specialist for the past 24 years working across the western US with federal lands, school districts, communities, etc.

Why do you wish to serve in this capacity?

I strongly believe the public deserves a voice in management of our public lands in Crook Co. and want to help facilitate that for the community. I have been a member for most of the last decade.

Personal and professional achievements (please include activities which address contributions you could make to the committee/council/board/panel):

Numerous awards as Forest Supervisor for leadership in working with communities, on multiple use and as a leader for Region 6 in advancing the inclusion of women and minorities in wildfire management.

How you would like to receive future communications:

Email  Phone

Please submit two signed and dated letters of recommendation.

*I ATTEST THAT ALL INFORMATION CONTAINED IN THIS DOCUMENT IS TRUE AND CORRECT.*

Mike Lunn      12/4/2024  
Signature of Applicant      Date

PLEASE RETURN THIS FORM TO:

Tim Deboodt  
Crook County Extension Building  
498 SE Lynn Blvd  
Prineville, OR 97754

Applications can also be submitted via e-mail at: [tim.deboodt@co.crook.or.us](mailto:tim.deboodt@co.crook.or.us) 541-903-5903

Tim Deboodt  
Natural Resources Policy Coordinator, Crook County

December 6, 2024

I am writing to heartily recommend **Mike Lunn** continue to serve on the Crook County Natural Resource Advisory Committee.

Mike is “glue” that holds our committee together. He questions, he listens, and if he doesn’t understand, he gently asks more questions.

Mike’s career with the Forest Service gives him the opportunity to “see” how the federal agencies have moved from being a real part of a community working together, to now being somewhat separated and isolated. That knowledge helps him ask good questions and pursue opportunities to work together.

Mike recently did a great job chairing, summarizing and reporting for the Big Summit sub-committee to the full Natural Resource Advisory Committee.

Since retiring from the Forest Service, Mike has been a private consultant working with natural resources throughout the west, and therefore a real “big picture” knowledge.

Mike Lunn is a “must” for the Crook County Natural Resource Advisory Committee.

Thank you for the opportunity to support Mike Lunn.

Lynne Breese  
CCNRAC member

December 9, 2024

Tim Deboodt  
Crook County Natural Resource Policy Coordinator

Dear Mr. Deboodt,

I am writing to express my support for Mike Lunn's participation on the Crook County Natural Resource Advisory Committee. As Mike's coworker on the National Riparian Service Team for seventeen years, and a friend for 10 years since then, I have had the privilege of witnessing his talent for and dedication to community service. Mike excels as a facilitator who knows what to do when people are in conflict, and he has a deep knowledge of natural resources management.

Sincerely,

Janice Staats

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

**IN THE MATTER OF THE  
APPOINTMENT TO THE NATURAL  
RESOURCE ADVISORY COMMITTEE**

**ORDER 2025-04**

**WHEREAS**, volunteers are essential to the operation of the county government; and

**WHEREAS**, the Board of Commissioners has carefully considered the skills and talents of the applicants and the needs of the boards which has a vacancy requiring appointments, and based upon recommendation of Boards and Committees:

**NOW, THEREFORE**, it is hereby **ORDERED** that the Crook County Board of Commissioners makes the following appointment to the Natural Resource Advisory Committee:

<b>Board</b>	<b>Appointee</b>	<b>Term</b>	<b>Oath required</b>
Natural Resource Advisory Committee	Mike Lunn	4 Year Term Expiring: 12/31/2028	No

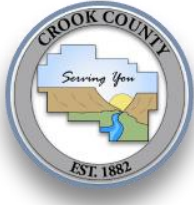
DATED this 8<sup>th</sup> day of January 2025.

\_\_\_\_\_  
Seth Crawford  
County Commissioner

\_\_\_\_\_  
Brian Barney  
County Commissioner

\_\_\_\_\_  
Susan Hermreck  
County Commissioner

## AGENDA ITEM REQUEST



**Date:**

**Meeting date desired:**

**Subject:**

**Background and policy implications:**

**Budget/fiscal impacts:**

**Requested by:**

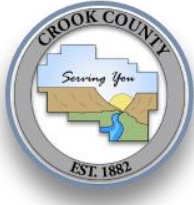
**Presenters:**

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

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



## AGENDA ITEM REQUEST



**Date:**

**Meeting date desired:**

**Subject:**

**Background and policy implications:**

**Budget/fiscal impacts:**

**Requested by:**

**Presenters:**

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

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

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

**IN THE MATTER OF THE  
APPOINTMENTS TO THE  
WOLF DEPREDATION  
COMPENSATION COMMITTEE**

**ORDER 2025-05**

**WHEREAS**, volunteers are essential to the operation of the county government; and

**WHEREAS**, the Board of Commissioners has carefully considered the skills and talents of the applicants and the needs of the boards which has a vacancy requiring appointments, and based upon recommendation of Boards and Committees:

**NOW, THEREFORE**, it is hereby **ORDERED** that the Crook County Board of Commissioners makes the following appointments to the Wolf Depredation Compensation Committee:

<b>Board</b>	<b>Appointee</b>	<b>Term</b>	<b>Oath required</b>
Wolf Depredation Compensation Committee Position: Livestock Producer	Hunter Neuharth	3 Year Term Expiring: 12/31/27	No
Wolf Depredation Compensation Committee Position: Business Owner	David Condron	3 Year Term Expiring: 12/31/27	No

DATED this 8<sup>th</sup> day of January 2025.

\_\_\_\_\_  
Seth Crawford  
County Commissioner

\_\_\_\_\_  
Brian Barney  
County Commissioner

\_\_\_\_\_  
Susan Hermreck  
County Commissioner

# GENERAL APPLICATION TO SERVE ON A CROOK COUNTY COURT-APPOINTED BOARD OR COMMITTEE

Position applied for:

Name:

Address:  
Phone Number:  
Email:



Please list any relevant experience you may have that would make you effective in the position:

on ag extension committee, cattle rancher, ~~cont~~ admin to Crook County Wolves Facebook page.

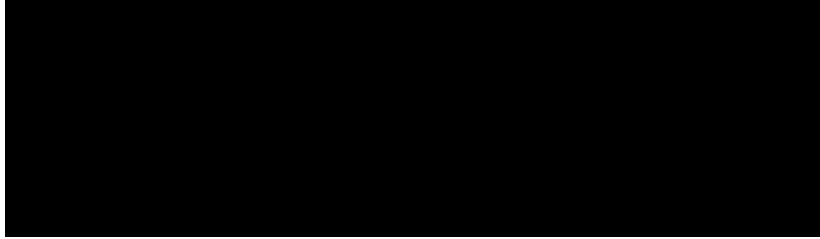
Why do you wish to serve in this position?

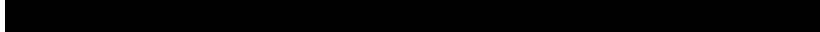
I feel I have a lot to offer to the committee and would like to help get things moving before wolves become a bigger issue.

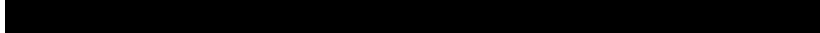
# GENERAL APPLICATION TO SERVE ON A CROOK COUNTY COURT-APPOINTED BOARD OR COMMITTEE

Position applied for:

Name:

Address: 

Phone Number: 

Email: 

Please list any relevant experience you may have that would make you effective in the position:

I have hunted and trapped all my life. I have seen the destruction that predators can cause. and also know that some get blamed for the damage that other predators cause. also, I have lost cattle to various predators.

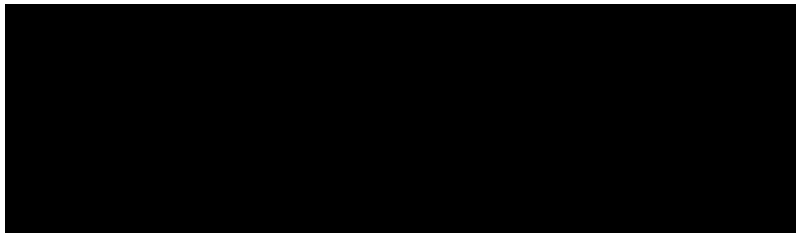
Why do you wish to serve in this position?

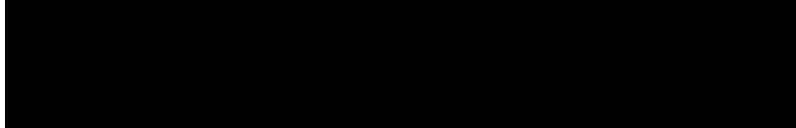
I feel that my experience would be helpful in finding solutions and compensation for problems that arise. thanks for the consideration

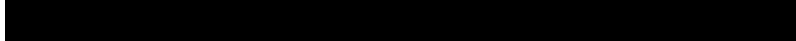
# GENERAL APPLICATION TO SERVE ON A CROOK COUNTY COURT-APPOINTED BOARD OR COMMITTEE

Position applied for:

Name:

Address: 

Phone Number: 

Email: 

Please list any relevant experience you may have that would make you effective in the position:

I am a practicing veterinarian ( 39 years serving Deschutes, Crook and Jefferson Counties) with extensive experience with livestock and both captive and free-ranging wildlife. In addition to my DVM, I hold a Masters degree in Microbiology, primarily as applied to wildlife/human/domestic animal interface diseases. This expertise requires an understanding of domestic/wild animal interactions and measures to mitigate adverse outcomes. I am also the current contract veterinarian for the High Desert Museum, and a member of the Wildlife Disease Association and the American Association of Zoo Veterinarians. I've worked successfully with both livestock producers and wildlife agencies, with no ideologic or political bias and a sincere desire for equitable problem solving that serves the best interests of those affected.

Why do you wish to serve in this position?

Community involvement is important to me and I believe I can bring a balanced and well informed perspective to the discussion. I find my work with local humane agencies, city, county, and state law enforcement agencies, and state and federal wildlife agencies exceedingly rewarding. I wholeheartedly support the animal agriculture community and am committed to finding ways to mitigate losses while fostering coexistence.

Crook County Wolf Committee Meeting: Called to order: December 18, 2024 12:09 pm.

Present:

Ellie Gage

Bill Elliott

Libby Rodgers (virtual)

Andy Gallagher

Elaina Huffman (virtual)

John Dehler

Seth Crawford

Bill Elliott read the minutes from 2/8/2024

Andy Gallagher made a motion to approve minutes, Bill Elliott seconded it.

Reviewed applications for open committee positions:

Hunter Neuharth: livestock producer position

David Condrin: business owner position

Tony Oddo: coexist/conservation position

Seth made a motion to move the applicants forward to the county court. Libby seconded the motion. Voted and approved by Ellie, Seth, Libby and Elaina.

Seth amended the previous motion: to move Hunter forward as livestock producer and David as business owner. Libby seconded it. Voted and approved by Libby, Elaina, Ellie, Seth.

Ellie will speak with the county to open another application period.

Reviewed reimbursement requests:

4 Squawk box sound generators: \$2000

26 Fox lights: \$2210

McCormack Ranch hours and fox lights: \$1465.98

Krebs Livestock: \$1080 night pen

Neuharth Ranch: \$2550 (50% compensation) for night vision monocular

Total: \$9305.98

Libby made a motion to accept the list of items to be reimbursed to the total of \$9305.98, with the remainder of the funds going to shipping costs or being returned to the State wolf fund. Voted and approved by Ellie, Seth, Libby and Elaina.

Meeting adjourned at 1:31 pm.



## AGENDA ITEM REQUEST



**Date:**

*January 2, 2025*

**Meeting date desired:**

*January 8, 2025*

**Subject:**

*IGA for Septage Treatment with City of Prineville*

**Background and policy implications:**

*As discussed previously, the County's contract with 2 Springs Ranch for land application of the filtered septage deposited at the Landfill terminated on December 24<sup>th</sup>. As part of the new arrangement with the City, the septage at the Landfill needs to be transported to the City's wastewater treatment facility.*

*Attached is the Intergovernmental Agreement with the City for them to accept our filtered septage.*

**Budget/fiscal impacts:**

*\$0.07 per gallon*

**Requested by:**

*John Eisler; Asst. County Counsel  
John.Eisler@CrookCountyOR.gov  
541-416-3919*

**Presenters:**

*Jacquie Davis  
John Eisler*

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

*Legal drafted*



## WASTEWATER DISPOSAL AGREEMENT

THIS WASTEWATER DISPOSAL AGREEMENT (“Agreement”) made and entered into as of the date last written below (the “Effective Date”) is by and between the City of Prineville (“City”), an Oregon Municipal Corporation and Crook County (“County”), a political subdivision of the State of Oregon. Each City and County may be referred to as “Party” and collectively “Parties.”

### RECITALS

- A. City operates a Wastewater Treatment Plant (“WWTP”) within Prineville, Crook County, Oregon.
2. County operates a county landfill facility that receives septage, biosolids, and wastewater (collectively “wastewater”) at its operation.
3. The Parties desire to enter into this Agreement to govern the terms by which County may dispose of wastewater created from its operation of the landfill.

### AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is hereby agreed by and between each of the Parties hereto as follows:

1. **Wastewater Disposal.** City hereby grants to County the nonexclusive right to deliver wastewater, via a contracted third party, subject to the terms, conditions, and specifications set forth herein, and County accepts such nonexclusive right to deliver wastewater to the WWTP as provided herein.
2. **Term.** The term of this Agreement shall commence on the Effective Date and unless otherwise terminated as provided herein, shall continue for six (6) months with an option to renew for an additional six (6) months. County shall provide written notice to City of its election to exercise the option at thirty (30) days prior to the expiration of the initial term.
3. **Termination.** This Agreement may be terminated by City upon the occurrence of any of the following, provided that notice of such occurrence is provided to County:
  - 3.1 **Change in Governmental Regulations.** A material change in the governmental or regulatory requirements governing the disposal of wastewater into the WWTP, which in the sole opinion of City makes the continuation of this Agreement commercially unreasonable, shall be reason for City to terminate this Agreement. Notwithstanding the foregoing, upon notice by City, County shall first be provided with thirty (30) days to provide a reasonable plan to contribute to the costs of compliance of such new requirements to allow continued operation of the WWTP. City shall have sole discretion to determine whether such plan provided by County is sufficient to continue the operation of the WWTP.

3.2 **DEQ Approval.** City may terminate this Agreement upon loss of DEQ or other necessary governmental approval through no fault of City or County.

3.3 **Adverse Effects to Wastewater Treatment Plant.** City may suspend this Agreement for up to thirty (30) days upon evidence of adverse effects to the WWTP created by this Agreement. Upon the expiration of said suspension if the adverse effects created by this Agreement, in the sole opinion and discretion of the City, make the continuation of this Agreement unreasonable, the Agreement may be terminated.

3.4 **Breach.** After a thirty (30) day opportunity to cure following written notice, City may terminate this Agreement upon a breach of this Agreement by County.

3.5 Either Party may terminate this Agreement without cause by providing the other with a sixty (60) day notice.

4. **Consideration.** County shall pay to City a rate of \$.07 per gallon. City shall provide a monthly invoice to County for payment to City within thirty (30) days.

5. **Permitted Use.** County shall dispose of all wastewater using the wastewater uploading facility (“Wastewater Dump”) located at a location designated by the City, and shall be limited to delivery during the hours of 8:00 a.m. to 3:30 p.m. Monday through Friday. County shall be limited to disposing of five-hundred thousand (500,000) gallons of wastewater in the Wastewater Dump per month, which may be monitored by City at its discretion. County shall ensure that all wastewater meets or exceeds the specification mandated by the Oregon Department of Environmental Quality from time to time, including, but not limited to removing plastic, rocks, and other solids prior to delivery. City shall notify County upon receipt of any change to the specifications and County shall promptly comply with the same. County shall comply with all applicable laws, regulations and requirements when disposing of wastewater using the Wastewater Dump.

5.1 **Suspension.** City, upon notice to County, shall reserve the right to temporarily suspend receiving deliveries due to a breakdown or repair required at the WWTP or Wastewater Dump.

## 6. **Indemnity.**

6.1 **Indemnity of County.** Except for loss or damage arising from County’s acts or omissions, City shall defend, indemnify and hold County harmless from any and all costs, claims, damages or liability of any kind (including attorney fees) arising from the operation, ownership or use of the WWTP.

6.2 **Indemnity of City.** Except for loss or damage arising from City’s acts or omissions, County shall defend, indemnity, and hold City harmless from any and all costs, claims, damages, or liability of any kind (including attorney fees) arising from acts or omissions of County, County’s use of the Wastewater Dump and any breach or default in the performance of County’s obligations as set forth in this Agreement.

**7. Maintenance of Wastewater Dump.** City shall ensure that the Wastewater Dump and WWTP are maintained in good condition and repair. City will ensure that it maintains all permits and other certifications necessary to operate the Wastewater Dump and WWTP in a similar manner in which it was operated as of the Effective Date.

**8. Environmental Provisions.** County shall not cause or permit any Hazardous Substance (“Hazardous Substance”) defined as any hazardous or toxic substance, material or waste, including but not limited to, those substances, materials, and wastes listed in the United States Department of Transportation Hazardous Material Table (49 CFR 172.101) or by the United States Environmental Protection Agency as Hazardous Substances (40 CFR Part 302) and amendments thereto, petroleum products, or other such substances, materials and wastes that are or become regulated under any applicable local, state, or federal law, to be released into the WWTP. County agrees to indemnify, defend, and hold City, its officials, officers, employees, contractors, and agents harmless from any and all claims, judgments, damages, penalties, fines, expenses, liabilities or losses (including attorney fees) arising from the release or disposal of Hazardous Substances into the WWTP by County. The indemnification provided in this section shall cover all costs incurred in connection with the investigation, clean up, remediation and/or restoration associated with such Hazardous Substance, and shall survive the expiration or termination of this Agreement indefinitely.

**8.1 Notice.** In the event that County disposes of a Hazardous Substance or fails to comply with any federal, state or local regulations with regard to the disposal of the wastewater, County shall notify City within two (2) days of such release or failure to comply with law.

**8.2 Corrective Action.** In the event that any investigation, site monitoring, containment, clean up, removal, restoration or other remedial work (collectively, “Remedial Work”) of any kind is necessary or required by any governmental agency or any third person as a result of such release of Hazardous Substance by County, City shall assume the responsibility by County immediately upon receipt of an invoice for such Remedial Work.

**9. Assignment.** Neither Party may assign its rights or obligations under this Agreement without the prior written consent of the other Party, which consent shall not be unreasonably withheld, conditioned or delayed.

**10. Miscellaneous.**

**10.1 Binding Effect.** All of the terms and conditions contained shall apply and inure to and bind the heirs, successors, and to the extent permitted hereby, the assigns of the respective Parties hereto.

**10.2 Non-Waiver.** Failure by either Party at any time to require performance by the other Party of any of the provisions hereof shall in no way affect the Party’s right hereunder to enforce the same nor shall any waiver by the Party of any breach hereof be held to be a waiver of any succeeding breach or a waiver of this non-waiver clause.

**10.3 Attorney Fees.** In case litigation is instituted, including any bankruptcy or arbitration proceedings, arising out of this Agreement, the losing Party shall pay the prevailing Party's reasonable attorney fees, together with all expenses which may reasonably be incurred in taking such action, including but not limited to, costs, incurred in searching records, the costs of title reports and expert witness fees, and anticipated post judgment collection services. If an appeal is taken from any judgment of the trial court, the losing party shall pay the prevailing party in the appeal its reasonable attorney's fees and costs in such appeal.

**10.4 Integration.** This Agreement, together all other documents referenced herein, embodies the entire agreement of the Parties, hereto related to its subject matter. There are no promises, terms, conditions, or obligations other than those contained herein. This Agreement supersedes all prior communications, representations, or agreements, verbal or written, between the Parties hereto and shall not be amended except in writing duly subscribed by the Parties hereto.

**10.5 Employment of Attorneys.** The law firm of Law Office of Jered Reid, LLC has been employed by City to prepare the documents in conjunction with this Agreement, and such attorneys represent only City in this matter. County is hereby encouraged to seek the advice of counsel of their choosing. The rule of construction that a written agreement is construed against the party preparing or drafting such agreement shall specifically not be applicable in the interpretation of this Agreement, and any documents executed and delivered pursuant to or in connection with this Agreement.

**10.6 Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon, without regard to conflict-of-law principles.

**10.7 Exclusive Jurisdiction and Venue.** In any action or proceeding seeking to enforce any provisions of, or based on any rights arising out of, or related to or concerning this Agreement, the Parties hereto consent to the exclusive jurisdiction of the courts of the State of Oregon and of any duly appointed arbitrator. In any such action or proceeding, venue shall lie exclusively in Crook County, Oregon, and in no other location. The Parties further agree that in any such action or proceeding the Parties shall appear for deposition at their own expense in Crook County, Oregon

**10.8 Headings.** The headings used in this Agreement are solely for convenience of reference, are not part of this Agreement, and are not to be considered in construing or interpreting this Agreement.

**10.9 Severability.** If any provision of this Agreement is determined to be illegal or unenforceable, the validity of the remaining provisions hereof shall not be affected hereby; and such illegal or unenforceable provision shall be deemed modified to the minimum extent necessary to make it consistent with applicable law and, in its modified form, such provision shall then be enforceable and enforced.

**10.10 Counterparts, Facsimile and Electronic Signatures.** This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Facsimile or email transmission of

any signed original document, and retransmission or email of any signed facsimile or email transmission, shall be the same as delivery of an original.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date last written below:

**County**

**City**

**Crook County, Oregon**

**City of Prineville**

By: \_\_\_\_\_  
Name: Seth Crawford  
Its County Commissioner

By: \_\_\_\_\_  
Name: Rodney J. Beebe  
Its Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: Brian Barney  
Its County Commissioner

By: \_\_\_\_\_  
Name: Steve Forrester  
Its City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: Susan Hermreck  
Its County Commissioner

Date: \_\_\_\_\_