

Crook County Board of County Commissioners Minutes of July 28, 2026, Special Executive Session

Be It Remembered that the Crook County Board of County Commissioners met in a Special Executive Session on July 28, 2026, at 11:00 AM in the Crook County Annex Meeting Room, located at 320 NE Court Street, Prineville, OR 97754.

Special Executive Session Agenda

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

Board Members Absent:

Others Present in Person or Via Zoom: Special Counsel Tommy Brooks; Executive Assistant Breyanna Cupp; and Justin Alderman.

The meeting was called to order at 11:00 AM.

A discussion took place regarding the legal basis for the executive session and whether members of the media could be excluded. Justin Alderman asserted that exclusion is permitted only under an executive session held pursuant to ORS 192.660(2)(h) (pending litigation), and not under ORS 192.660(2)(f), citing guidance from the Oregon Government Ethics Commission and applicable administrative rules. They expressed concern that the agenda referenced both subsections and argued that combining them should not expand the authority to exclude the media.

Special Counsel responded that the records discussed under subsection (2)(f) were attorney-client privileged and directly related to the pending litigation under subsection (2)(h), making the discussion effectively one matter. To eliminate any ambiguity, the governing body agreed to proceed solely under ORS 192.660(2)(h) and confirmed that the executive session concerned the pending litigation involving Justin Alderman. Based on that determination, the individual who was both a party to the litigation and a member of the media was excluded from the executive session. Justin reiterated that, for future reference, exclusion of the media is authorized only in the limited circumstances specifically provided by law. Commissioner Crawford confirmed on the record that the executive session would proceed exclusively under ORS 192.660(2)(h).

At 11:06AM the Board of Commissioners convened into Executive Session under the following statute(s): ORS 192.660 2(h) To consult 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

1. ORS 192.660 2(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed

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

MOTION: Susan Hermreck moved to designate Will Van Vactor as the primary point person for the litigation filed against Crook County and the members of the Crook County Fair Board and authorized him to work with county counsel and outside counsel to take all actions necessary to protect the county's interest in this litigation. Brian Barney seconded. No discussion. Seth Crawford votes Aye, Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 3-0.

At 11:33AM the Board of Commissioners convened into Executive Session under the following statute(s): ORS 192.660 2(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

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

There being no further business before the Board of Commissioners, the meeting was **adjourned at 11:50 AM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant