

**HARNEY COUNTY COURT MEETING
AUGUST 1, 2007**

→The Harney County Court convened August 1, 2007 at 10:00 a.m. in Judge Grasty's office. Members attending were, Judge Steven E. Grasty and Commissioners Dan Nichols and Jack Drinkwater. Also attending were, Kerry Landers, Road Supervisor and County Clerk, Maria Iturriaga.

→Public attending were, Debbie Raney, Carl Voegtly, Pete Merritt, Chris Siegner and Mary Ausmus.

→Judge Grasty led all in the Pledge of Allegiance.

→Commissioner Drinkwater made a motion to approve the July 18 minutes as mailed. Commissioner Nichols seconded. Motion carried unanimously.

→Financial and Statistical Reports were reviewed and vouchers paid by court's signature.

→The Court had a lengthy discussion regarding the recent local wild land fires. Judge Grasty said he's had numerous conversations with the Forest Service and the fire teams. He said that at times those were frustrating conversations and informed the court that the Forest Service Supervisor in John Day has committed to rebuilding fences that were burned. Judge Grasty said he's been working off the Resolution on fire disaster signed at last county court meeting and talking through the same steps in trying to get assistance from the government and state to replace grazing resources, begin the restoration work and recover the value of salvage logging and fast. He informed the court that Grayback, a corporation out of Grants Pass with an office in Grant County has been awarded a million or perhaps a multi million dollar contract to do mop up and follow up restoration work. He has asked the Forest Service and BLM why they did not allow the bid to go through locally and was told that there was no one locally that could do it, that the size of employees was the issue. Judge Grasty stated that, without a doubt, he thought there were people in Harney County that could do the contract. Judge Grasty said he's trying to find processes where they look for solutions and put them on the table to see how to get rid of obstacles so that local contractors get those restoration jobs. Commissioner Nichols commented that one avenue locally is to go through the Wild Fire Management Plan as a tool to start a discussion on processes. Judge Grasty commented that they are considering closing the entire burn area for hunting this year and he had asked them to involve the Oregon Hunters Association and also Oregon Department of Fish and Wildlife to help in that decision. He also informed the court that he had written a letter to the Forest Service and BLM asking for cooperating agency status on the restoration project but as yet has not received a response. Judge Grasty said he would like to have a meeting in September and see if they can identify a reasonable size group of people most affected by this fire to sit down and talk through solutions to the issues and see how much of this can be institutionalized locally.

→Brandon McMullen, Planning Director, was in attendance to invite the court to a Subdivision Conference for the proposed subdivision of Jay Winn, which will be held August 7, at 3:00 p.m. in the Harney County Basement Meeting Room. Commissioner Nichols committed to attend.

→Commissioner Nichols made a motion to sign the West Ridge II Subdivision plat submitted by Robinson & Owen Investments, discussed at the last county court meeting. Commissioner Drinkwater seconded. Motion carried unanimously.

→Commissioner Drinkwater made a motion to sign a Quitclaim Deed from Harney County to Harney County Health District in order to clear title. Commissioner Nichols seconded. Motion carried unanimously.

→Judge Grasty commented on an old tax liability of the Health District on the Burns Clinic. State law changed several years ago changing the situation and allowing Health Districts to be exempt from property taxes. Prior to that exemption a tax liability for our Health District was incurred and has never been paid. Under State Statute the county cannot charge it off nor can the county collect it. Judge Grasty recommended seeking legislation to correct this issue. Mary Ausmus expressed objections to the Health District's unwillingness to pay the property taxes due on the clinic. She said everyone else have to pay or be foreclosed on.

→Commissioner Nichols made a motion to sign Resolution #2007-015 In the Matter of Intergovernmental Agreement for the Financing of Mental Health, Development Disability and Addiction Services Agreement. Commissioner Drinkwater seconded. Motion carried unanimously.

→Judge Grasty presented the 2007/2008 revenue projections from the Oregon Department of Veterans Affairs (ODVA) for the Community Veterans Service Officer.

→Judge Grasty informed the court that Senator Gordon Smith will be in town August 13, and because of a prior commitment Judge Grasty will be not be available to meet with him, however Commissioners Nichols and Drinkwater will meet with him.

→The court discussed Senate Bill 994 which is the Legislature's One Time Support for County Road Program. Judge Grasty said that Harney County will receive a little over \$1.9 million. Kerry Landers, Road Supervisor said that projects have been lined out. He also explained that the funding distribution is based on the amount of certain classifications of roads and said that Harney County has many collectors and not arterial roads. He also said that these funds can only be spent on maintenance and preservation congestion and safety projects, cannot be put in reserves or purchase equipment. He recommended doing overlays, chip seal and graveling.

→There was a re-bid opening for two Sheriff's office trucks as the last bid was unable to deliver. The following bids were submitted; Burns Ford – two (2) 2008 full size, crew cab, short box, four-wheel drive pickup in the amount of \$27,600 each for a total of \$55,200. Teague Motor Co. – two (2) 2008 Dodge ½ ton mega \$26,999 each for total of \$53,998. Sheriff Glerup will review the bids and have a recommendation later in the afternoon.

→The court discussed the procedure they would follow during the hearing for the legalization of East Steens Rd. later in the afternoon.

→The court received a copy of the Final Decision Record and FONSI (Finding of No Significant Impact) on the Cap Harney/Cow Creek Ecological Restoration Project. The objective of the project is to remove western juniper and other conifers from vegetative communities where conifers are encroaching. No action taken.

→The court received a letter from the Harney County Watershed Council offering their assistance to those ranchers who were devastated by the recent fires in Harney County. No action taken.

→A meeting notice inviting the court to attend the County Emergency Board (CEB) meeting was reviewed.

→The court had a discussion regarding the formation of a county wage review committee. Judge Grasty stated there are four positions within the county employment where the department head believes to be below comparable rates of pay for equivalent jobs in this community and in similar size counties. It was the consensus of the court to form a committee, of which the majority would be made of private sector members with knowledge of wages and review those positions only.

→A Public Hearing in the Matter of the legalization of moving a road convened at 2:00 p.m. There were 17 members of the public present. Judge Grasty explained the process and said there are two pieces to the legalization. This process came about because the request from a landowners generally on the Andrews area on the East Steens Rd. essentially what it does it moves the road that now runs through the middle of Andrews to the East side of most private property. The other piece of this is to re-align the corner where Penland Rd. comes in. Judge Grasty stated that two letters, one from South Harney School District #33 board of directors and the other from George Shull, in opposition had been received. Judge Grasty stated that an issue for the court is the fencing of this. However he said that landowners have said they would pay for the fencing. If they move forward with this project and since the landowners have said they will pay for the fencing the court would like to have something in writing clarifying whose going to do the fence, whose going to put it up and cover the cost of it. There were a number of landowners who spoke in support. No one spoke in opposition although there were some concerns expressed. The court will take this issue under advisement. The hearing closed at 3:20 p.m. The record will remain open for additional written comments for a week, until Wednesday, August 8 at 5:00 p.m. and if rebuttal is requested

a week will be allowed for that purpose. For further information the record can reviewed at the Harney County Court House.

→ Public notice of water use requests from Oregon Water Resources Department. No objections were expressed by the court.

→Commissioner Drinkwater made a motion to accept the low bid of \$53,998 for two (2) 2008 four-wheel drive pickups from Teague Motor Co. as recommended by Sheriff Glerup. Commissioner Nichols seconded. Motion carried unanimously.

→There, being no further business the meeting adjourned at 3:25 p.m.

Respectfully submitted,

Maria Iturriaga, CCC
Harney County Clerk