

HARNEY COUNTY COURT MINUTES
July 3, 2013

The Harney County Court convened July 3, 2013 in Judge Grasty's office. Members attending were Judge Steven E. Grasty, Commissioner Dan Nichols, and Commissioner Peter Runnels. Also present were Nellie Franklin, County Treasurer; Cheryl Hancock, Library Director and Derrin (Dag) Robinson, County Clerk.

Public attending were; Samantha White and Chelsea Harrison.

Judge Grasty led all in the Pledge of Allegiance.

Commissioner Runnels made a motion to approve the June 19, 2013 County Court minutes as mailed. Judge Grasty seconded, the motion carried unanimously.

Financial reports and Accounts Payable were reviewed and approved by signatures of the Court.

Public comment

There was no public comment at this time.

The Court recognized receipt of and reviewed a Letter from Harney County Health District regarding issues with the Eastern Oregon Community Care Organization and GOBHI (Greater Oregon Behavioral Health Inc.) and the Health District's desire to more closely align with St. Charles Health Care and PacificSource Community Solutions. Commissioner Runnels agreed to coordinate a meeting with the Health District Representatives regarding these concerns.

The Court reviewed a letter from Larry Hammond regarding the Malheur National Forest Upper Pine project. He is very opposed to the number of miles of roads proposed to be closed in a project that the collaborative is working on right now. Judge Grasty declared a conflict of interest regarding road number FS 2855, and would not participate in discussion regarding that particular road. The Court agreed to ask the Forest Service Representatives to attend the next County Court meeting.

Nellie Franklin, County Treasurer; noted to the Court that Greater Oregon Federal Credit Union has merged with SELCO Community Credit Union, and that institution holds nearly \$100,000 in County Funds, and She has no plans to change those deposits at this time.

Cheryl Hancock, Library Director; was present to request that Karen Hendrickson be re-appointed to the Library board. Many attempts have been made to advertise for interest, to no avail. Commissioner Nichols wanted to make sure that the Court was not bound by the by-laws that Ms. Hendrickson could not be reappointed. As per County Counsel, it was suggested that it be an emergency appointment in order for the Library board to establish a quorum. Commissioner Runnels move to appoint Karen Hendrickson to the Library board under an emergency appointment in order for the board to establish a

quorum. Commissioner Nichols second. Judge Grasty asked to have the board modify the language to allow this type of appointment without it being an emergency. The Motion carried unanimously.

Commissioner Nichols moved to reappoint David Arntz to the Planning Commission, Commissioner Runnels second, and the motion carried unanimously.

Judge Grasty updated the court on the sage grouse matter, and his review of the RMP AIES. It is nearly 300 pages and is doing his best to get through it and will get comments filed timely.

The Court reviewed a letter from Jada Rupley, Oregon Early Learning System Director regarding the creation of the Early Learning Council and Youth Development Council, under the Dept. of Education. Judge recommended that he and Patty Dorroh be listed as contacts to the Grants Accountant, as requested in the letter. Commissioner Nichols suggested that it be referred to the Early Childhood Center for their recommendation for contacts for both the IGA process, and the administration of Early Learning grants. By consensus, the court agreed that Judge Grasty will check with Donna Schnitker, Director, ESD Early Childhood Center for contact information.

Judge Grasty noted that he has signed the OO Rd. right-of-way documents, and asked the court to ratify that signature. Commissioner Nichols move to ratify the signature on the Right-of-Way Grant OR 67789 Issued Rental Exempt Monitoring Fee Exempt. Commissioner Runnels second, motion carried unanimously. (JC-2013-109)

The Court reviewed the Order in the Matter of the federal court case Oregon Natural Desert Association vs. Tom Vilsack, et al, and Oregon Cattlemen's Association. The Case is in regards to the Malheur Grazing matter. Judge Grasty explained that the plaintiffs requested \$ 1,371,893 in fees costs and other expenses. The Judge reduced the amount slightly, but for the most part they were awarded what they asked for. Unfortunately this funding comes out of the Forest Service and US Fish and Wildlife budgets. Judge Grasty felt that the Cattlemen should probably have asked for more recovery of legal fees as well.

The Court reviewed the proposed BLM Decision on the Ankle Creek Livestock Crossing Permit, no action was taken.

The Court reviewed the BLM Keg Well Environmental Assessment. Judge Grasty will review further, and provide comments, relating to Taylor grazing.

Court reviewed the USDA APHIS Wildlife Services Work and Financial Plan for Harney County, Fiscal year 2013-2014. This is the Predator Control contract for this fiscal year. This commits the county to \$54,000 this fiscal year, as budgeted. Commissioner Nichols moved to sign the Work and Financial Plan for FY 2013-2014 as presented. Commissioner Runnels second, motion carried unanimously.

Tom Sharp, Emergency Management Coordinator was present and provided an Emergency preparedness update, including natural hazard mitigation. This enables the county to secure federal funding for any pre project funding and /or for assistance in the levy project. He explained that the Hazardous Materials group will be doing a study as well. He proposes to take the outcome from next week's project to a phase two follow up project of dealing with training for, and purchasing equipment

for HAZMAT disasters. He also reviewed several other grant applications he is working on currently. He updated the Court on the table top exercise they conducted last week at the Hospital. The Mock exercise involved a scenario of E-coli out-breaks from fair. The exercise dealt with how to manage this type of scenario. The outcome was the need of an incident command organization formed for response for these types of events. Now with two major up-coming events; fair, and the Cycle Oregon event, Mr. Sharp has been in contact with The Cycle Oregon Safety Officer, in preparing for this event. An All-Hazard incident stand up will be formed for these events for more organized management of possible situations.

The Court reviewed misc. correspondence, and notices of water use requests. No action was taken.

The Court discussed the FEMA A flood insurance issue. FEMA did not provide base flood elevations in the recent re-mapping. The court is asking them to go back and review the matter further, and provide funding for survey work to be done to assist in establishing base flood elevations. The court agreed by consensus to work on this, as a public benefit.

At 11:45 a.m. the Court went to executive session per ORS 192.60(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. The Court returned to regular session at 12:21 p.m. and no action was taken.

There being no further business, the Court adjourned.

Respectfully Submitted,

A handwritten signature in black ink that reads "Derrin Robinson". The signature is written in a cursive, flowing style.

Derrin (Dag) Robinson, CRA CEA
Harney County Clerk