



***In the County Court of the State of Oregon for Harney County  
Minutes of the County Court  
December 16, 2015***

The Harney County Court convened in Judge Steven E. Grasty's office at 10 a.m. on Wednesday, December 16, 2015. Members attending were Judge Steve Grasty, and Commissioner Pete Runnels and Commissioner Dan Nichols. Also attending were Eric Drushella, Road Department; and Tammy Johnston, Deputy Clerk.

Others in attendance included Mark Owens, Shana Withee, Barbara Cannady, and Samantha White, Burns Times Herald.

Judge Grasty led all in the Pledge of Allegiance.

Commissioner Runnels made a Motion to approve the minutes from the December 2, 2015, meeting, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously.

**Voucher Approval**

**Opportunity for Public Comment**

None

**Old Business**

None

**New Business**

**Review of an Application by John and Cheryl Williams for an Approach off of East Steens Road**

Eric Drushella reviewed and approved the application by John and Cheryl Williams for an improvement to the already existing approach. Commissioner Runnels made a Motion to approve the application by John and Cheryl Williams for an approach off of

East Steens Road, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously.

#### Discussion regarding a Memorandum of Understanding with the Burns Paiute Tribe

Judge Grasty discussed the history behind the Memorandum of Understanding with the Burns Paiute Tribe. This is a cooperative agreement between the Tribe and Harney County to develop a plan for clarifying right of way issues for the property identified as the Kassler Parcel and the right of way for West Loop Road. Commissioner Runnels made a Motion to approve the Memorandum of Understanding with the Burns Paiute Tribe, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously.

#### 10:45 am Executive Session as authorized by 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

Commissioner Nichols made a Motion to appoint Judge Grasty to represent Harney County in the settlement negotiations on the Transportation Management Plan, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

#### 11:30 am bid opening for a new HVAC system in the Courthouse

Bid closing scheduled for December 16, 2015, at 5:00 pm. The Court will reconvene on December 17, 2015, at 8:30 am, to open bids and review. The Court discussed funding of the project. The current boiler is condemned and must be replaced by September, 2016.

The County received three (3) sealed bids: Custom Plus Heating & Air Conditioning (Burns, Oregon) \$535,300.00, Central Oregon Heating & Cooling (Redmond, OR) \$612,613.00; and Bend Heating & Sheet Metal (Bend, OR) original bid was \$572,600.00 with modification and clarifications to the bid adjusting it to \$530,000.00. There are some activities the County can perform to lower costs on the project, such as removal of the old boiler. Bids will be given to Anthony Dickman, Engineer on the HVAC system, for review.

#### Review of Water Use Requests

Judge Grasty will find out if Bryce Mertz, Harney County GIS, can provide the Court with a map to locate water use requests during County Court meetings in the future.

#### Correspondence

##### Rod Klus, ODFW – Management Objective Review for deer and elk

Commissioner Runnels will attend the meetings.

BLM, Oregon State Office – Lands identified as Sagebrush Focal Areas in the Federal Register

BLM, Prineville – District-wide integrated noxious weed management program

### **Scheduling**

Tony Svejcar's Retirement party on Saturday, January 23, 2016, at the Burns Elks Lodge.

Next County Court on Wednesday, January, 6, 2016, at 10 a.m.

### **Late Items**

Request for lease of County owned land for grazing

PILT Full Funding Provided in FY16 Omnibus, NACo Legislative Affairs Department

Senator Wyden's Outdoor Recreation Bill, discussion draft outline for feedback

Bureau of Labor and Industries, Notice of Public Works, Emergency Bridge Replacement, form mailed November 30, 2015

### **General Deliberation by the Court (no decisions will be made)**

### **For the Record**

Bureau of Labor and Industries Notice of Public Works

### **Adjournment**

The meeting recessed at 11:45 am. The meeting reconvened on Thursday, December 17, at 8:30 am. With no further discussion, the meeting adjourned at 8:40 am.