



***In the County Court of the State of Oregon for Harney County
Minutes of the County Court
April 20, 2016***

The Harney County Court convened in the Courthouse Basement Meeting Room at 10:00 a.m. on Wednesday, April 20, 2016. Members attending were Judge Steve Grasty, and Commissioner Pete Runnels. Commissioner Nichols was not in attendance due to a speaking engagement at Yale University. Also attending were Eric Drushella, Road Department; Shana Withee, OSU Extension; Deanna Atwell, Finance; Tim Colahan, County Counsel; and Tammy Johnston, Deputy Clerk.

Others in attendance included Daniel Hauser, Association of Oregon Counties; Samantha White, Burns Times Herald; Becky Cunningham, Rimrock Recycling; Tara Thissell, BLM; Forrest Keady, Herb Vloedman, Mary Ausmus, and Barbara Cannady.

Judge Grasty led all in the Pledge of Allegiance.

Commissioner Runnels made a Motion to approve the minutes from the April 6, 2016, meeting, seconded by Judge Grasty, with no further discussion the Motion carried unanimously.

Voucher Approval

Opportunity for Public Comment

Mary Ausmus asked County Court to advise the Harney County Weed Department to not spray the weeds in front of her house. She did not want to make this request to the Weed Department directly. Judge Grasty will make the request known to the weed department. One of the challenges is if the weeds are not sprayed is it gives an opportunity for weeds to get established. Judge Grasty reiterated it is the homeowner's responsibility to manage the weeds in the area if they are not sprayed.

Becky Cunningham reported Rimrock Recycling is in desperate straits. They are overwhelmed by the amount of materials due to a lack of volunteers to bail and prepare it for shipping and sale. In order to hire part-time employees, Rimrock would have to pay a \$2,000.00 deposit to SAIF. Rimrock has the funds to pay some part-time employees but requested help from the County with the SAIF deposit. Judge Grasty will attempt to contact SAIF to determine if there is a creative solution regarding the deposit. Commissioner Runnels made a Motion to assist Rimrock Recycling with the deposit to SAIF in the amount of \$2,000.00 or less to be paid back to the County, seconded by Judge Grasty, with no further discussion the Motion carried unanimously.

Old Business

Review of the Memorandum of Understanding between BLM and Harney County regarding the Environmental Impact Statement for the Proposed Sagebrush Focal Areas Withdrawal and Cooperating Agency Status, with changes

Judge Grasty reported there were two out of the three changes made to the Memorandum of Understanding with BLM. The issue that has been raised is the difference between cooperating agency and coordination. Harney County has been involved in both since the 1990s and Judge Grasty believes this will always be the case for Harney County. Judge Grasty discussed with Ron Yockim, Legal Counsel, if this will limit Harney County because it is a cooperating agency in doing the other option, the coordination. Ron Yockim said absolutely not, they are two separate laws and they don't apply to each other, this is a separate issue. This document keeps Harney County at the table during the scoping process before it ever gets publically released and allows us to help craft it. Judge Grasty made a Motion to approve the signing of the Memorandum of Understanding between BLM and Harney County, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

Decision regarding the opportunity for a \$200,000 revolving loan fund

Judge Grasty discussed the \$200,000.00 intermediary revolving loan fund. Harney County has the opportunity for this loan fund package because another community returned it to the USDA. Forms are due by 5:00 p.m. today. Judge Grasty identified two risks; 1) Harney County is responsible for the interest which is 1% of \$200,000.00 per year (\$2,000.00 per year, \$1,000.00 for the first 3 years), and 2) Harney County loans out the money and it doesn't get repaid. Judge Grasty made a Motion to tentatively approve the revolving loan fund upon ratification by the full Court, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

Discussion regarding the Juntura Cut-off Road Project

Judge Grasty reported Malheur County called and asked the County to loan them the funds for the project. This decision does not need to be made immediately but Judge Grasty wanted the Court to be aware of it. Expenditure for this project will be in the 2018 budget but the Court wanted Eric Drushella, Harney County Roadmaster, to be in the discussion regarding how the funds for the project will be managed. Should the Court put the \$125,000.00 for the project in one of the reserves today or should we wait until 2018 and let the Court address it then? Eric suggested dealing with the funding issues in 2018.

New Business

10:15 a.m., Daniel Hauser of the County Road Program at the Association of Oregon Counties to discuss the Oregon Association of Surveyors and Engineers Intergovernmental Agreement to establish the OACES as an ORS 190

Daniel Hauser discussed the OACES (Oregon Association of County Engineers and Surveyors) and the Intergovernmental Agreement establishing it as an ORS 190. OACES provides annual meetings and conferences, advocacy, representation in Salem and Washington DC, and provides many other services to County road officials, surveyors, and engineers. OACES has amassed a relatively large fund balance and needs to insure they are properly accounting for, and being good stewards of, the public resources. The agreement would establish the OACES as an ORS 190 intergovernmental entity, and the agreement needs to have at least 10 signatory Counties. The benefit of this agreement would be it retains autonomy over these resources for the OACES board and members, while also providing the ability for AOC to provide shared services and to still utilize AOC staff members. Judge Grasty made a Motion to approve the signing of the Intergovernmental Agreement creating the Oregon Association of County Engineers and Surveyors (OACES), seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously. Tim Colahan, County Counsel, will draft an ordinance but the Court can sign the Intergovernmental Agreement prior to signing an ordinance.

10:45 a.m., review of the Partnership Agreement between Oregon Building Codes Division and Harney County

The Partnership Agreement was previously discussed in a County Court session but was not signed. Commissioner Runnels made a Motion to approve the signing of the Partnership Agreement between Oregon Building Codes Division and Harney County, seconded by Judge Grasty, with no further discussion the Motion carried unanimously.

Discussion regarding the Memorandum of Agreement with DEQ Relating to Permitting and Inspection of Onsite Wastewater Treatment Systems

Judge Grasty made a Motion to approve the signing of the Memorandum of Agreement with DEQ Relating to Permitting and Inspection of Onsite Wastewater Treatment Systems, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

11:00 a.m., opening of Paving Asphalt bids

The Court opened three (3) bids for paving asphalt from Albina Asphalt, Western States Asphalt, and Idaho Asphalt Supply. After review of the bids, Eric Drushella recommended the Court accept the bid from Idaho Asphalt. Commissioner Runnels made a Motion to accept the bid from Idaho Asphalt, seconded by Judge Grasty, with no further discussion the Motion carried unanimously.

Consideration of renewing Cooperating Status for Blue Mountains Forest Plan

Judge Grasty provided background on the Blue Mountains Forest Plan. Judge Grasty presented a draft letter for review by the Court. Commissioner Runnels made a Motion to send the letter requesting coordination timing and acknowledgment prior to signing the Memorandum of

Understanding, seconded by Judge Grasty, with no further discussion the Motion carried unanimously.

Review of the 2nd Quarter Schedule of Proposed Action for the Malheur National Forest
Information was reviewed by the Court.

Review of Water Use Requests

Correspondence to Review

BLM, Vale District – May 26 field tour for the NW Malheur Habitat Restoration Project

Malheur National Forest – upcoming timber sales

Shana Withee pointed out a discrepancy between the letter and the attachments. The attachments do not seem to show upcoming timber sales but previous sales. Judge Grasty will contact the Forest Service regarding the correspondence.

DEQ – Approval of Harney Watershed 2015 Opportunity to Recycle Program

Raven Wing, John Simpkins – East Steens Road paving project

Scheduling

Budget Board Meeting – April 27, 2016, 10:00 a.m. to 4:00 p.m., Basement Meeting Room.

Next County Court scheduled on Wednesday, May 4, 2016, 10:00 a.m. in Courthouse Basement Meeting Room.

Late Items

Funding Request from the Harney County Fair

Judge Grasty discussed the need to replace the current lighting with energy efficient LED lights in the Memorial Building with Rick Paul, Harney County Fairgrounds Manager. Rick Paul discussed this with OTEC and received a bid from Burns Electric for \$4,495.00 to replace the lights with LEDs. OTEC will pay \$2,130.00 with a final cost to the County of \$2,365.00, which is available in the Building Fund. Judge Grasty made a Motion to approve spending \$2,365.00 out of the Building Fund to upgrade the lighting in the Harney County Fair Memorial Building with written confirmation from the Harney County Fair Board Chair approving this project, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously. Judge Grasty suggested Rick Paul investigate the lighting in all the fairgrounds and address any needs in the next budget session.

Funding Request from Harney County Little League

Judge Grasty reported the Harney County Little League has requested funding for the electrical permit on improving the access to power and additional lighting on the fields. The County Court will not be able to fund the permit but Judge Grasty believed there will be donations to cover the cost.

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

For the Record

Adjournment

With no further discussion, the meeting adjourned at 11:45 a.m.

Respectfully Submitted,

Tammy Johnston
Deputy Clerk