

**HARNEY COUNTY COURT MEETING**  
**March 19, 2008**

→The Harney County Court convened March 19, 2008 at 10:00 a.m. in Judge Grasty's office. Members attending were, Judge Steve Grasty and Commissioners Dan Nichols and Jack Drinkwater. Also attending were, Kerry Landers, Road Supervisor, Jesse Barnes, Weed Control Coordinator, Sheriff Dave Glerup, District Attorney Tim Colahan and Derrin Robinson, Chief Deputy County Clerk.

→Public attending were State Representative Cliff Bentz, Mary Ausmus, Sam Kaser and Debbie Raney, of the Burns Times Herald.

→Judge Grasty led all in the Pledge of Allegiance.

→Commissioner Drinkwater made a motion to approve the March 5th minutes as mailed. Commissioner Nichols seconded. Motion carried unanimously.

→Judge Grasty extended a heartfelt thank you to Commissioner Nichols and Commissioner Drinkwater for stepping in the last couple weeks, and taking care of business during Judge Grasty's absence. Their efforts during that time were greatly appreciated, and meant a great deal to Judge Grasty.

→Public Comment: Sam Kaser commended the Frenchglen Education Foundation for their efforts.

→Jesse Barnes, Weed Control Coordinator, was present to discuss the expansion of the weed control agreement with BLM, in which the weed control dept. anticipates and additional \$57,500.00. The expansion would require additional space for equipment, and further budget appropriation. The court discussed issues relating to the expansion of the Weed Dept. equipment storage outside the County Road Dept. yard, and costs related to it, specifically, Insurance. After a lengthy discussion, Commissioner Nichols moved to sign resolution 2008-07, In the Matter of Appropriating Funds Due to an Unexpected Occurrence or Condition in the Weed Department of the General Fund. Commissioner Drinkwater second. The motion carried unanimously.

→Judge Grasty presented the court with Resolution 2008-5, and explained that The State Victim/Witness program provided funds to Harney County that are necessary to be accounted for separately from General Fund expenditures, requiring a resolution for adjustments. Commissioner Drinkwater moved to sign Resolution 2008-5 Appropriating Funds Due to an Unexpected Occurrence or Condition in the Victim/Witness Fund 226. Commissioner Nichols second. The motion carried unanimously.

→ District Attorney Tim Colahan; Sheriff Dave Glerup; Darrel Gilmer, Tribal police Chief; Wanda Johnson, Tribal Chair and Tribe Manager Don Munkers were present to discuss the County's Plan for cases of Officer's Use of Deadly Physical Force, a plan required by the Attorney General, under Senate bill 111. Mr. Colahan reviewed the policy and/or plan that the Planning authority has prepared and in essence has been following to date. It mandates that certain techniques and procedures are used by the agencies in these cases or incidents. This plan be approved by two thirds of the governing bodies in the county and then submitted to the Attorney General. Mr. Colahan asked for approval of the plan by the court. Commissioner Nichols wished to table it until later in the afternoon, until he had time to further review the document.

→ State Representative, 60<sup>th</sup> District, Cliff Bentz was present to discuss with the court the Governor's Headwaters To Ocean (H2O), which is a gubernatorial initiative ensuring Sustainable Water Resources for Oregon's Future growth and Livability. Rep. Bentz explained that this is the Governor's attempt to get ahead of global warming. He stated that there is a positive focus on water storage, but the "easy ones" have already been done. There is and will be much discussion on groundwater studies, Representative Bentz stated that based on what he's seen from this water resource issues will be a big topic of discussion in the 2009 Legislature.

→ Jerry Gardner, Oregon Dept of Agriculture, and Mark Maliwaukie, Harney County Business Development Coordinator, were present to discuss a dairy recruitment presentation that they are working on that is uniquely different than what has been done in the past, and why they feel it has merit and greater chance of success. Mr. Gardner explained the plan they've come up with, and how it is a different approach that addresses issues that have come up in the past. The Court welcomed, and thanked Mr. Gardner for the Dept. of Agriculture's interest in this recruitment effort.

→ The court reviewed a letter from Governor Kulongoski regarding the Harney County Restoration-based Resource project being designated as an Oregon Solutions Project. There will be a conference call on Friday at 1:00. Judge Grasty stated that he will push for a date to get it started.

→ Karen Moon, Watershed Coordinator, was present to ask the court's approval and appointment of Steve Rickman to the Silvies Sub-basin position on the Harney County Watershed Council. Commissioner Nichols moved to Appoint Steve Rickman to the Silvies Sub-basin position on the Watershed Council, Commissioner Drinkwater second. The motion carried unanimously.

→ Ms. Moon also discussed the proposed basin groundwater study by the Watershed council. Both she and the court shared concerns about having it done, and not having it done.

→At 1:33 p.m. The court went in to executive session in accordance with ORS 192.660(2)i, to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. The court resumed regular session at 1:55 p.m., no action taken.

→The court then immediately reconvened into executive session in accordance with ORS 192.660(2)e, and 192.660(2)j, to conduct deliberations with persons designated by the governing body to negotiate real property transactions, and to carry on negotiations under ORS Chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments. The court reconvened to regular session at 3:00 p.m., no action taken.

→The court reviewed a Letter from Chief Justice Paul De Muniz, Oregon Supreme Court, and Bill Bellamy, President of the Oregon Association of Counties regarding an upcoming comprehensive assessment of court facilities in Oregon. It addresses the county court systems and facilities. Judge Grasty expressed that it is very welcoming that the State Judicial Dept. is taking some responsibility for the upkeep and maintenance of their portion of the county buildings that house State Courts.

→After reviewing the Plan dealing with Deadly Physical Force, presented earlier in the day, Commissioner Nichols moved to approve the Plan. Commissioner Drinkwater second. The motion carried unanimously.

→The Court reviewed notices of water use requests. There were no objections to any request.

→The court reviewed and compared calendars for meetings in the coming weeks and scheduled attendances.

→There being no further business, the court adjourned at 3:20 p.m.

Respectfully Submitted,

Derrin Robinson, C.R.A., C.E.A,  
Chief Deputy County Clerk