

HARNEY COUNTY COURT MEETING

August 20, 2008

The Harney County Court convened on Wednesday August 20, 2008 at 10:00 a.m. in Judge Steven E. Grasty's office. Members attending were Judge Steve Grasty and Commissioners Dan Nichols and Jack Drinkwater. Also attending was County Court Secretary Sharon Johnson.

Public attending were Cheryl Hancock, Harney County Library Director 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 August 6, 2008 minutes as mailed, Commissioner Nichols seconded, motion carried unanimously.

Statistical and Financial reports were reviewed and vouchers approved by Court's signature.

Judge Grasty noted for the record that County Court members had met at 9 a.m. at the Crane High School Track to discuss the right-of-way issue. Those attending from Crane were: Superintendent Pat Sharp, Tina Steeves, Don Opie, Patty Dorroh, Jeff Dorroh, Linda Miller, Jerry Miller, Kenny Bentz, Debbie Bentz, Erin Maupin, Don Lindner, Matt Zander, Jim Kelley, Todd Titus, Mark Hofman and Stacy Moser. Issues discussed were: protection of the right-of-way for future use, traffic safety, snow removal, how many feet were actually needed, and institutional memory maybe not being the same a few years from now. Commissioner Drinkwater stated emphatically that the High School is the heartbeat of Crane. Commissioner Nichols asked if a public hearing was required to which Judge Grasty responded that would be the case only if the road was vacated. Commissioner Drinkwater made a motion to permit the use of 20 feet of the County right-of-way with stipulations that if any underground municipal services needed to be installed the fence would be removed, Judge Grasty seconded. The matter was tabled until County Counsel, Tim Colahan, could be present.

Cheryl Hancock, County Library Director, was present to recommend the appointment of Diane Smith to serve on the Library Advisory Board. Commissioner Drinkwater made a motion to appoint Diane Smith to the Advisory Board, Commissioner Nichols seconded, motion carried with Judge Grasty abstaining due to a conflict of interest as Ms. Smith is his sister-in-law. Ms. Hancock also updated the Court on several other Library matters.

The discussion then turned to the Oregon Water Supply Conservation Initiative. Judge Grasty said that if Harney County wants anything on the list as a potential project it needs to be submitted soon. He suggested submitting the Silvies River

studies. He also noted that the County wouldn't be committed to anything by being on the list but the potential for funding would be there. A short discussion followed.

Judge Grasty informed the Court that Tom Pettyjohn had requested that the County Court ask for a drought declaration, declaring an emergency, so that all water rights could be superseded to be replaced with stock water. Mr. Pettyjohn had said that the Silvies decree puts stock and irrigation on the same level, which is not normal. Judge Grasty then presented information on the subject provided by Ivan Gall, Eastern Region Manager of Oregon Water Resources. Discussion followed.

In the matter of an Order regarding legalization on Penland Road Commissioner Nichols made a motion to sign the Order causing a survey and a study of Penland Road to be done. Commissioner Drinkwater seconded, motion carried unanimously.

Water Use Requests were reviewed with no action taken.

The U.S. Endowment for Forest and Communities was discussed. The Endowment is seeking pre-proposals from regional intermediary organizations to become partners in "Forest Investment Zones; Co-Creating Innovation and Learning at the Regional Level." Judge Grasty stated that since The Endowment wants a regional approach maybe it would be a good idea for Harney and Grant Counties to work together if the decision is made to pursue the grant.

County Counsel Tim Colahan joined the meeting at 11:30 a.m. to discuss the Crane High School Track issue. Mr. Colahan stated that Oregon statute states that nobody can build or put anything in a County right-of-way unless permitted by the County and that a second consideration is if the use is permitted does the placement of the fence create a safety issue? Discussion followed. Mr. Colahan said that a Memorandum of Agreement could be written stating the reasons for the 20 feet being permitted so that there is a record of those reasons for future reference on the track. Commissioner Nichols stated his concerns about the precedent being set and suggested allowing use of 10 feet. Commissioner Drinkwater voiced his belief that if not for the School the town of Crane wouldn't exist. Judge Grasty suggested that the Agreement note that no permanent structures would be allowed and that the fence could be removed at the discretion of the Court. After much discussion it was decided that Mr. Colahan would draft an agreement that could be sent to the Crane School Board for their input and then presented for consideration at the September 3 County Court meeting. The Court then voted on the motion made by Commissioner Drinkwater earlier, motion carried unanimously.

Judge Grasty briefly updated the Court on the field tour he participated in with the Harney County Restoration Collaborative group on Thursday, August 14.

Court recessed at 12:10 p.m. and reconvened at 1:10 p.m.

The discussion returned to the US Endowment grant. Judge Grasty said he would contact Grant County and see what their interest is.

Judge Grasty told the Court that that Local Government Personnel Institute (LGPI) is quoting \$19,470.00 in order to do a Harney County Market Analysis. The study would include job analysis and an employee wage market study. Discussion followed. Commissioner Drinkwater made a motion to sign the Agreement between LGPI and Harney County for consulting services, Commissioner Nichols seconded, motion carried unanimously.

Judge Grasty told the Court that it would cost approximately \$7,500.00 to set up video conferencing in the Court house. He said that it costs about \$450 each time someone makes a trip to a meeting in Salem or Portland. Sheriff Glerup suggested that the Sheriff's Office and Community Corrections could use the equipment also. Discussion followed. The consensus of the Court was to pursue the acquisition of a system.

Sheriff Glerup brought up the issue of the upcoming County Surplus Items auction and suggested doing an oral auction rather than sealed bid. He also suggested having the items available a few hours before the auction for public inspection. Consensus was to proceed as suggested by the Sheriff.

It was decided that Judge Grasty would serve on the interview committee for Road Department interviews for the Office Manager job being held on Tuesday the 26th from 11 to 5 p.m. Commissioner Drinkwater will serve on the interview committee for the Drewsey Maintenance job interviews being held on Wednesday the 27th from 8 to 5 p.m.

The Court went into executive session as authorized by ORS 192.660 and returned to regular session with no action being taken.

There being no further business the meeting adjourned at 1:45 p.m.

Respectfully,

Sharon Johnson
Secretary, Harney County Court