

**HARNEY COUNTY COURT MEETING MINUTES/BUDGET BOARD
HEARING TO APPROVE THE 2008/2009 BUDGET
JUNE 4, 2008**

- The Harney County Court convened June 4, 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 and County Clerk, Maria Iturriaga.
- Public attending were, Mary Ausmus and Debbie Raney from the Burns Times Herald.
- Judge Grasty led all in the Pledge of Allegiance.
- Financial and statistical reports were reviewed and vouchers paid by court's signature.
- Commissioner Drinkwater made a motion to approve the May 19 county court minutes as mailed. Commissioner Nichols seconded. Motion carried unanimously.
- It was suggested by Judge Grasty that a transcript be made of the hearing in the matter of the formation of the rural fire district, for historical informational purposes, as the petition has been withdrawn.
- Judge Grasty mentioned that he had attended the last Fair board meeting, with their budget and financial over-expending being discussed. It was the consensus of the court that a joint meeting needs to take place as soon as possible to discuss a plan on how to reduce expenses and talk through the issues. This issue will be discussed later with the budget board.
- Fred Flippence, Library Foundation board member, was in attendance to update the Court on the Harney County Library Claire McGill Luce Endowment Fund of The Oregon Community Foundation and provided the court with the quarterly statement for the fund. He noted that a check for \$85,000, which is disbursement of interest funds, had been deposited to the Library Department. It was also noted that a new librarian, Cheryl Hancock, has been hired as of June 30, 2008 and a retirement party for Jolyn Wynn, the current librarian, will be held June 30, 2008 from 3-7 p.m. at the Library.
- The court had high praises and complimented the library foundation for all their excellent efforts.
- An application for approval for underground cable and conduit from Oregon Idaho Utilities on the Fields - Denio Road was reviewed by the court. After the recommendation from Kerry Landers, Road Supervisor, to approve it, Commissioner Nichols made a motion to approve the application as recommended. Commissioner Drinkwater seconded. Motion carried unanimously.

→Jerry Gardner, from Oregon Department of Agriculture, via telephone, and Mark Maliwauki, Economic Development Coordinator, presented the court an update of the dairy and a dairy products processing recruitment plan.

→Mark Maliwauki explained and provided a copy of the quarterly Economic Development Update. He feels that attending the World AG Expo in Tulare, California is not the best and most productive use of economic development fund and it might be time for a different idea in lieu of attending the show. Other updated topics were, Lane MicroBusiness, Industrial Lands Certification, Biomass Projects, CRT Committee, Archive Center and Current new business opportunities. (A copy of the update is filed in the Commissioners' Journal in the Clerk's office)

→Commissioner Drinkwater made a motion to sign the Maintenance Assistance Program Agreement (MAP) for Fiscal Year 2008/09 Oregon State Marine Board. Commissioner Nichols seconded. Motion carried unanimously.

→The Title III projects were reviewed by the court. Judge Grasty noted that the comment period had expired and no comments had been received. Commissioner Nichols made a motion to approve Title III projects as listed, Training and Employment Consortium \$38,760, Burns High Agriculture Program \$11,000, Landscape Scale NEPA Planning with Forest Service \$250,000, Search & Rescue \$5,000 and Historical Society \$4,000. Commissioner Drinkwater seconded. Motion carried unanimously.

→Judge Grasty mentioned that the Oregon Water Resources Commission had met in Harney County, and took a field trip in which they learned a lot about our county.

→The court reviewed Public Notice of Water Use Requests from Oregon Water Resources Department. No objections expressed by the court to any of the requests.

→The budget board hearing to approve the Fiscal Year 2008-2009 budget convened at 1:30 p.m. Present were, County court members and budget board members, Pete Runnels, Jean Cain and Holly Smith. Judge Grasty informed the budget board of the Fair budget lines being over spent. After discussion it was the consensus of the court and the entire budget board to meet with the Fair board as soon as possible to discuss ways of cutting expenses.

→Judge Grasty suggested that the following funds and or line items be changed: All fuel line items to be increased across the board by 10% for a total of \$66,300. Industrial Building Fund, revenue line item for property tax payments be in the amount of \$2,500. From General Fund Non-Departmental transfer \$25,000 to the nuisance abatement fund as per resolution. Transfer from fund 642, (Court Assessment) as per ORS 137.308, \$72,765 to Harney Behavioral Health for Drug Court and expenditure line items for drug court were added. Increase of \$27,000 to Harney County Fair board Fund only to be disbursed by the county court. Pete Runnels made a motion to approve the Fiscal Year

2008-2009 budget with the changes, total amount of \$31,937.932 for all funds. Jean Cain seconded. Motion carried unanimously.

→2:00 p.m. public hearing on the voluntary remand from LUBA on the land use appeal regarding the approved application to establish a Non-Farm Dwelling in the EFRU-2 Zone by Randolph Hogrefe and appealed by Thurston (Rusty) Inglis.

→Judge Grasty explained procedures he noted that only new testimony will be received. Tyler Smith, attorney, presented legal argument on behalf of Randolph Hogrefe, applicant. He stated that he felt that the court made the right decision the first time and staff had met all the legal requirements. He went on to address state law and local policy points. Proponents testifying were, Barbara Cannady and Brandon Baron.

→Ms. Cannady testified that in the 1970's the county sold numerous small parcels.

→Mr. Baron testified as well, that there are many small parcels.

→Thurston (Rusty) Inglis, opponent and Jack Hoffman, attorney for Mr. Inglis, presented evidence (pictures) and stated that this land is suitable for farm use and raised concerns about the noise level that his livestock would be subjected to the dwelling was built. Other opponents testifying were, Susan Ramsay, Shane Otley on behalf of the Farm Bureau, and Don Schellenberg, Associate Director of Governmental Affairs for the Farm Bureau noted that the Farm Bureau "opposes the establishment of more non-farm dwellings in Exclusive Farm Use Zones on agriculture land". Rebuttal testimony was presented by Randolph Hogrefe, applicant and Tyler Smith, attorney. Written testimony from various individuals is part of the record. (A complete recording can be obtained or reviewed at the Planning Department).

→The record will be left open for 7 days for the opponent to submit additional testimony. Then the applicant chooses to respond to the new evidence he will have an additional 7 days. The court set June 18, 2008 at 4:00 p.m. for the decision.

→There being no further business the meeting adjourned at 4:15 p.m.

Respectfully submitted,

Maria Iturriaga, CCC
Harney County Clerk