

HARNEY COUNTY COURT MEETING

July 18, 2007

The Harney County Court convened on July 18, 2007 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 were, Kerry Landers, Road Supervisor and County Court Secretary, Sharon Johnson.

Public attending were Mary Ausmus, John Copenhaver, Gordon Perlot, BLM Burns District Manager Dana Shuford, Sheriff Dave Glerup, Harold Gibson, Hines Mayor Ruth Schultz, Wayne Evans, Debbie Raney of the Burns Times Herald, Hoot Raney, Pauline Braymen, Phil Petersen, Lane Grey and Shaun Urell.

Judge Grasty led all in the Pledge of Allegiance.

Commissioner Drinkwater made a motion to approve the July 3, 2007 minutes as mailed, Commissioner Nichols seconded, motion carried unanimously.

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

Judge Grasty suggested that due to the number of people present, the update on fires in the County should be discussed first. Donna Nemeth, Information Officer with the Pacific Northwest Incident Management team was in attendance to provide the update; Ms. Nemeth explained that they are the second team that came in to manage the fire and the team that assumed full responsibility of the complex a few days prior to this meeting. Ms. Nemeth began the update by giving an overview of what was happening on the fire. She went on to explain the terminology used and what is happening each day. Commissioner Nichols asked how aggressively the crews were fighting during the night. Ms. Nemeth explained that everything being done during the day is also being done at night with the exception of air support. Several ranchers were in attendance and expressed concerns about the firefighters. Judge Grasty explained to the group that the fire people present were information officers and not team leaders and that because of calls by several ranchers, Congressman Walden would be in town on Saturday at the Fairgrounds to discuss fire concerns with the Incident Management team and local citizens. He suggested that if the ranchers wanted their concerns heard by the Forest Service, the BLM and the fire crew, that the best place to present those concerns would be during the meeting with the Congressman. Ms. Nemeth said that their crew could not speak to the actions of the crew before them but that she would carry the concerns expressed during the Court meeting to the Incident Commanders. Judge Grasty then informed the group that the County did get a FEMA declaration, which would be helpful in some areas. A lengthy discussion followed. Sheriff Glerup noted that the current team has done more on the fires in the three days they have been in Harney County than the previous team did in the nine days prior. BLM District Manager Dana Shuford explained the BLM/Forest Service part in the early fire suppression efforts.

During the Public Comment portion of the meeting, Pauline Braymen commented that she thought when faced with drought conditions, high fire danger, etc. the County should get the drought declaration done early. A short discussion followed.

Judge Grasty told the Commissioners that Harney County Fire Chief Chris Briels had spent a high number of hours on the fire without compensation. He said that he believed the FEMA Declaration would compensate the County for 75% of all costs including time like Mr. Briels spent and that he would like to reimburse Mr. Briels. Judge Grasty also informed the Court that the County would be reimbursed for the cost of law enforcement officers on duty during the fire.

The Court then discussed the Memorandum of Agreement between the cities of Burns and Hines and Harney County for the construction of a fire line. Judge Grasty said that the Road Department had flagged the route and the BLM did the construction. Discussion returned to the fire. Judge Grasty told those present that the Conflagration Act that was enacted on July 9, is only about protected lands, which is Burns and Hines and no where else. He said that if there were a rural fire district it would make a great deal of difference. He suggested putting focus on it again to see if people would look at it and vote on it. Commissioner Drinkwater commented that it would save homeowners a lot of money in insurance costs although taxes would increase somewhat. Discussion followed.

John Hodges from Fields came by to ask the Court about the proposed realignment of the East Steens Road through Andrews. Judge Grasty told him that there will be a public hearing on August 1 and suggested that he and any concerned citizens should attend that hearing where discussion and input will be allowed. A short discussion followed.

Pat Thompson and Mike Owen of Robinson and Owen Heavy Construction paid a visit to the Court with a request that the County Court sign off on the plat for the West Ridge Subdivision, phase 2, which is lot #6 of the original plat divided it into 15 single family lots and 12 cottage lots. Discussion followed. Mr. Thompson said that he would bring the plat in later in the day.

A discussion was held regarding Resolution #2007-14 in the Matter of Declaring a Drought to Exist. Commissioner Drinkwater made a motion to approve the Resolution, Commissioner Nichols seconded, motion carried unanimously. The Court then discussed a draft Fire / Disaster Declaration.

The Court received the preliminary plat from Robinson and Owen by email. Mayor Schultz looked at it and said it looked fine. The Court reviewed the plat and discussed it briefly.

The Court then broke for lunch at 12:00 p.m. and reconvened at 1:25 p.m.

The Court resumed the discussion regarding the Fire / Disaster Declaration. The draft Resolution, #2007-16, was edited during the lunch break utilizing verbiage suggested by the County's natural resources attorney, Ron Yockim. Commissioner Nichols made a motion to adopt Resolution #2007-16, Commissioner Drinkwater seconded, motion carried unanimously.

The Court reviewed the Findings and Decisions documents prepared relative to land use actions that were approved by the Planning Commission and upheld by the County Court for Planning Files #07-15, #07-16 and File #07-17 which was reversed by the County Court. Commissioner Nichols made a motion to approve Findings on Appeal for Files #07-15, #07-16 and #07-17, Commissioner Drinkwater seconded, motion carried unanimously.

Judge Grasty informed the Court that damage had been done to the Public Health Building when a vehicle was accidentally driven into the building. It was estimated that the damage amounted to approximately \$1,000.00. The driver's insurance covered the damage.

Planning Director Brandon McMullen was present to discuss changes to the Harney County Comprehensive Plan and the Zoning Ordinance. Judge Grasty said that he had spoken with Mr. McMullen about having an outside source look at the two documents and do the revisions. Mr. McMullen said that Technical Assistance Grants would be available from the Department of Land Conservation and Development in August to pay for the revisions. He explained that the work would be done as two projects; correcting the typos, missing information and outdated references to the Oregon Revised Statutes would be Project #1 and Project #2 would encompass updating the documents.

Pat Thompson of Robinson and Owen returned to discuss the plat for their development in Hines that had been discussed briefly earlier in the day. The Court discussed the reasons for the need for the County to sign-off on a plat in Hines. Consensus of the Court was to sign the plat at the next County Court meeting on August 1, 2007.

The Court then discussed a letter from Thurston Inglis regarding a proposed land use action. Judge Grasty had prepared a draft response that was also reviewed. Court members then discussed the procedures followed in land use actions.

A follow-up discussion was held regarding Resolution #2007-06 in the Matter of the 2007 Election to Receive National Forest Related Safety-net Payments Under PL 106-393, which was originally discussed at the July 3, 2007 County Court meeting. Consensus of the Court was to change the election from 80/20 to 50/50 for expenditure on Title II and Title III projects. Commissioner Drinkwater made a motion to amend Resolution #2007-06 to change the election percentages, Commissioner Nichols seconded, motion carried unanimously.

There being no further business, Court adjourned at 3:25 p.m.

Respectfully,

Sharon Johnson
Secretary, Harney County Court