

***In the County Court of the State of Oregon for Harney County
Minutes of the County Court
March 16, 2016***

The Harney County Court convened in the Court room at 10 a.m. on Wednesday, March 16, 2016. Members attending were Judge Steve Grasty, and Commissioner Pete Runnels and Commissioner Dan Nichols. Also attending were Eric Drushella, Road Supervisor; Deanna Atwell, Finance; and Derrin (Dag) Robinson, County Clerk.

A list of others in attendance is on file with these minutes.

Judge Grasty led all in the Pledge of Allegiance.

Commissioner Runnels made a Motion to approve the minutes from the March 1, 2016, meeting, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously.

Voucher Approval

Accounts Payable was approved by court signature, and a list of vouchers is on file with these minutes.

Opportunity for Public Comment

Richard Paul, Interim Fair Manager, introduced himself to the court. Mr. Paul previously had served as Fair Manager for the Multnomah County Fair for 20 years. He explained he is retired, and is currently volunteering his services while the Fair Board searches for a permanent fair manager. He has made many recommendations to the board, so folks will see a few changes.

Rob Frank asked the court about the recall petition being circulated against Judge Grasty, and asked the court what the reasons for denying use of the memorial building for the group wishing to meet there. Judge Grasty explained the fair board never did receive a formal request to rent the building. However, it was the court's decision for public safety reasons, to not allow use of the building for the purpose of Mr. Bundy to speak.

Barbara Cannady requested all portions of the comprehensive plan review be open to the public. The court explained all meetings relating to that are public.

Late Items:

Judge Grasty explained there would be a special County Court meeting on March 23, 2:00 p.m. in the matter of a mass gathering.

Judge Grasty noted the secure rural schools payment should come to the road dept. at around \$1.2 million dollars, by the end of the week.

The court recognized the resignation of Kenny Delano as county surveyor, and will begin the process to re-fill that appointment.

Brendan Cain, BLM Burns District Manager was present to discuss community relations program, Tara Thissel, BLM Public Information Officer shared their plan for publications in the paper, on a variety of issues, getting staff involved with current organizations, sharing who the people are and how they fit into the community, helping the community to connect with the agency. Commissioner Nichols expressed that “education” is a very broad concept. He said it is difficult for agencies to be able to do that, and is hopeful that staff is given the ability to step out and educate the community and commends the agency for stepping up. The court asked Mr. Cain to please help with the overload of NEPA documents, and provide some sort of flow chart as to what projects are out there now, and where each one is, and what the deadlines are.

Commissioner Nichols discussed the watershed council meeting the night before. He expressed how people need to know about litigation, and the impacts it has on the district, the cost, and what it takes away from the objectives of the agency.

Judge Grasty stated he received a letter regarding cooperating agency status for the Sagebrush Focal Area Withdrawal Project. Judge Grasty moved that Harney County become a cooperating agency on the project. Commissioner Nichols seconded, motion carried unanimously.

Commissioner Nichols said we need an expert to develop a matrix of social and economic benefits/detriments to an action. University of Oregon and Oregon State University have sociologists that know what this is and how to gauge it and that expertise needs to be used in these processes.

Judge Grasty shared with the court his attendance at the Recent 9th Circuit Court of Appeals hearing on the Echanis Wind Project. Judge Grasty was optimistic. He said the hearing was about 45 minutes, and is hopeful it will remain permitted.

The Court reviewed the Mineral Evaluation Report regarding a Petition from Nathan MacAlevy to retain the Mineral Reservations on his property. Commissioner Nichols explained how the process came about, and how it works. He expressed this is one example that shows a respect for private property rights, and the respect for owners to

be able to obtain the mineral rights on their property retained by the county at some point due do tax foreclosure. Geologist William Burstow's review determined there were no reasons for the County to retain the mineral rights. Commissioner Runnels moved to allow Nathan MacAlevy to pay the process fees, and the County to release the mineral reservation to Nathan MacAlevy at that point. Judge Grasty seconded, and the motion carried unanimously.

Derrin Robinson, County Clerk provided an update and explanation of the certification process for the election tally system, and shared the Certificate of Approval by the Oregon Secretary of State, for use of the ClearVote Voting System, including Clear Count 1.1.1 and Clear Design 1.1.1.

The Court discussed the road view meeting in Fields, regarding Fields-Folly Farm Road. Rep. Bentz was there and talked about funding, and stated basically, if you want road improvements in Harney County, we will have to gas tax ourselves. Judge Grasty would like to continue those meetings, and go to the rural communities and ask for input on county road needs.

Representatives of Rim rock recycling were present to ask for assistance from Community Corrections for volunteer community service worker assistance. Lodi Presley, Community Corrections Director stated she would work with Rim rock representatives and would provide community service workers, if available.

Correspondence

-Vale District /Boise District BLM- regarding fuel breaks inside and outside the Fire perimeter.

-Bell "A" Grazing Cooperative- Hammond support for grazing permits. It was the consensus of the court to have Judge Grasty send a reply, explaining what steps have been taken to date.

Judge Grasty stated the next meeting of the court would be a Special meeting on March 23rd, at 2:00 p.m. regarding a mass gathering.

Judge Grasty briefly explained the difference between coordinating agency status and cooperating agency status. Judge Grasty said there is no documentation for coordinating status. But for cooperating agency status, there is a documented process in place. It allows the court to be a voice at the table from the beginning.

The Court reviewed the financing process for the High Desert Biomass Cooperative, including a Resolution Authorizing a Promissory Note with High Desert Biomass Cooperative and the relationship to the update of the courthouse heating system, and School District heating systems. This Resolution explains the process used to develop

the cooperative heating system, including the Thermal Energy Services Agreement with Harney County Community Energy, LLC. Commissioner Runnels moved to sign resolution 2016-02, In the Matter of Authorizing a Promissory Note with High Desert Biomass Cooperative. Commissioner Nichols seconded, the motion carried unanimously.

The Court reviewed a Memorandum of Agreement between Harney County, and High Desert Biomass Cooperative. Commissioner Nichols moved to sign the Memorandum of Agreement. Commissioner Runnels seconded, and the motion carried unanimously.

The court reviewed the Courthouse Improvement Intergovernmental Agreement, Oregon Judicial Dept. Contract No. 160059, between Oregon Judicial Department, and Harney County, relating to upgrading the heating system for the Harney County Courthouse. Commissioner Nichols moved to sign Intergovernmental Agreement, Contract No. 160059. Commissioner Runnels seconded, and the motion carried unanimously.

At 1:35 p.m., the court recessed from regular session, and went into Executive Session as authorized by ORS 192.660(2) (h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. At 2:27 p.m., the court reconvened in regular session, no action was taken.

There being no further business, the court adjourned.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Doni Robinson". The signature is written in black ink and is positioned above the typed name of the Harney County Clerk.

Harney County Clerk