

**HARNEY COUNTY COURT MINUTES
OCTOBER 21, 2009**

→The Harney County Court convened October 21, 2009 at 10:00 a.m. in Judge Grasty's office. Members attending were, Judge Steven E. Grasty and Commissioners Dan Nichols and Jack Drinkwater. Also attending were, Eric Drushella, Road Supervisor and County Clerk, Maria Iturriaga.

→Public attending were, Mary Ausmus and Randy Parks, Burns Times Herald.

→Judge Grasty led all in the Pledge of Allegiance.

→Financial and statistical reports were reviewed and vouchers' approved by court's signature.

→Commissioner Drinkwater made a motion to approve the October 7 court minutes as mailed. Commissioner Nichols seconded. Motion carried unanimously.

→A letter from Mary Ausmus regarding employees that take public owned vehicles home was acknowledged by the court. Judge Grasty stated that he will clear this up with the Sheriff and inform Ms. Ausmus of the outcome.

→The court had a brief discussion regarding the establishment of additional recording fee of \$1 for the purpose of covering additional administrative work by the Clerk and Treasurer in regards to the additional \$15 fee collected by the Clerk and benefiting low income housing which was imposed by the last session of the Legislature. The court felt that at this time there will be no action taken.

→Cheryl Keniston, Public Health Director, was in attendance to clear off incredible rumors regarding H1N1 influenza. She stated there is a one confirmed case other three are being tested. The doctors are treating it as any other flu. As of now only those patients that are hospitalized are being tested. Mrs. Keniston stated that they have received 300 vaccines, 100 injections, and 200 nasal sprays.

→Commissioner Drinkwater made a motion to sign an Order of Sale of County Property Accts. #20267, 20442, and 20434 as discussed at the last county court meeting. Commissioner Nichols seconded. Motion carried unanimously.

→The court acknowledged a letter from a County resident requesting a waiver for the conditional use permit and site plan review fees on a hardship basis. Discussion followed. Brandon McMullen, Planning Director, stated that the County Zoning Ordinance does provide for fee waivers under hardship status. The court requested that Mr. McMullen do a financial verification of this individual. Commissioner Drinkwater made a motion that based on review of financial verification by the Planning Director he

waives the Planning Department fees on a hardship basis if she qualifies according to the Zoning Ordinance provisions on hardship cases. Commissioner Nichols seconded. Motion carried unanimously.

→Brandon McMullen, Planning Director, presented the court with an Administrative Fee Assessment & Recommendation as requested by the court to provide. At the present time there is no fee for Farm Dwelling and other Permitted Uses requiring Administrative Review. The Planning Department had gathered information regarding the fees of other county jurisdictions of similar size and work load/scope and recommendations were made accordingly. The Planning Commission will review the recommendation and the county court will take action on their November 4 meeting.

→Judge Grasty commented that he has been asked if the County is working on the Malheur Wildlife Refuge Comprehensive Conservation Plan. Judge Grasty credited Commissioner Nichols as he instigated a collaborative process for the Comprehensive Conservation Plan. Commissioner Nichols stated that the County, High Desert Partnership and other organizations are very much involved and it is strictly a collaborative process which has been quite successful and is very encouraged about it. They are emphasizing the social, economic and ecological issues and how important they are. Commissioner Nichols urges the public to get involved and make any kind of comments, such as managerial or any other suggestions.

→Judge Grasty updated the court on the Blue Mountain Forest Plan which is back to 1982 rule with a NEPA process to begin 2010.

→In regards to a letter from High Desert Designs in reference to one of the County's industrial building where they are located. A proposal to trade for the past rent debt owed to Harney County was discussed. The court will decide on this at the next county court meeting, November 4. Judge Grasty will meet with High Desert Designs and their sub-lease to review and revise the lease agreement with the County.

→The court recessed and went to visit the County industrial building.

→Becky Cunningham was present to update the court in regards to Rimrock Recycling, which, she said, at the present time is operating under the old Rimrock Recycling by-laws. She informed the court that they are meeting weekly to work on details. Ms. Cunningham inquired about the bailer and how much they would have to pay for its usage. Judge Grasty stated the \$12,000 investment the county had in the bailer should be recouped. She also stated that merchants are begging for cardboard bins. A proposal to the court will be presented in a couple of weeks. They are hoping that volunteer groups will help with this important business.

→1:55 p.m. a Public Hearing for the adoption of technical updates to the Harney County Comprehensive Plan. A letter from Oregon Natural Desert Association (ONDA) regarding the Revisions to Harney County Comprehensive Plan was acknowledged. Brandon McMullen, Planning Director, presented staff report. He stated that he feels

proud of the document as it is very user friendly. Overall it is a very concrete document. Judge Grasty stated that he would like to see the court better understand and get goal 5 before any update in this area occurs. The final decision on the Plan Amendment will be made at next county court meeting. Hearing adjourned at 2:15 p.m. Commissioner Nichols made a motion to close the record on the Harney County Comprehensive Plan Update. Commissioner Drinkwater seconded. Motion carried unanimously. The court requested Mr. McMullen prepares the ordinance for their approval and signature for the next county court meeting Nov. 4, 2009.

→Commissioner Drinkwater made a motion to appoint Margaret Amara to the Behavioral Health Advisory Board as recommended by Chris Siegner, Behavioral Health Director. Commissioner Nichols seconded. Motion carried unanimously.

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

→The court discussed the 4-R Recycling clean-up issue and deposit. They expressed their gratitude to Mr. Baron for having the building very clean inside, however not all his property is removed yet. There was a \$5,000 deposit, however property taxes are due, also rent and bailer rent, so he has not paid his obligation. It was the consensus of the court that he would be given the opportunity to pay off what's due, and if he did not that amount would be deducted from the \$5,000 deposit. Judge Grasty will write a letter to Mr. Baron informing him of the court's requirement.

→The court convened into executive session at 2:45 p.m. to discuss labor negotiations. Out at 2:55 p.m. no action taken.

→Judge Grasty reported that the grant will be awarded soon for a wood pellet facility. Grant & Harney Counties are both vying for this grant. Judge Grasty stated that he is doing everything possible to influence the decision to be made favorably to Harney County.

→There being no further business the meeting adjourned at 3:00 p.m.

Respectfully submitted,

Maria Iturriaga, CCC
Harney County Clerk