

# HARNEY COUNTY COURT MEETING

October 7, 2009

The Harney County Court convened on Wednesday, October 7, 2009 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 Road Supervisor Eric Drushella, Economic Development Coordinator Mark Maliwauki and County Court Secretary Sharon Johnson. Public attending were Mike McArthur, Executive Director of the Association of Oregon Counties and Randy Parks of the Burns Times Herald.

Judge Grasty led all in the Pledge of Allegiance.

Commissioner Drinkwater made a motion to approve the September 16, 2009 minutes as mailed, Commissioner Nichols seconded, motion carried unanimously.

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

No public comment.

Jesse Barnes, Harney County Weed Control Coordinator, stopped by to discuss the BLM's Environmental Impact Statement "Vegetation Treatments Using Herbicides on BLM Land in Oregon". Commissioner Nichols will work with the county's natural resources attorney, Ron Yockim, to develop comments.

Mike McArthur, Executive Director of the Association of Oregon Counties, spoke to the Court about current legislative actions. Discussion followed.

Judge Grasty suggested moving the LGPI discussion to the last item of the day. He then updated the Court on the conversation held during the recent public hearing regarding allowing the OYA youth to participate in work crews outside the facility. He noted that 31 of the 50 youth are from the Department of Corrections, sentenced under Measure 11 and will never be allowed out. He said that a press release explaining the possibilities is forthcoming and that there would be additional public hearings on the matter.

Mark Maliwauki was present to bring the Court up to date on economic development in the County. He noted that things are moving forward on the purchase of the Louisiana Pacific building and that there are a couple of outside companies that have applied for the OECD grant to start a pellet mill in Harney County. He further explained that locally there are several small businesses starting up and that he has had several phone calls recently from people with business ideas. A lengthy discussion followed.

The next item of discussion was the possibility of establishing a \$1 fee for Unfunded Fee Collection Services performed by the County Clerk's office. A short discussion followed with the consensus of the Court being that they don't want to increase fees to the public.

Road Supervisor Eric Drushella mentioned that a statement should be made to the public that the County rock pits are not open for free public use.

The meeting recessed at 12:05 p.m. for lunch and reconvened at 1:10 p.m.

The Court signed a letter to Randy Trox, of the DEQ Solid Waste Program, opposing the proposed fee increase of 60% on septic system permits.

Resolution #2009-19 in the Matter of Extending Workers' Compensation Coverage to Volunteers of Harney County was reviewed. Commissioner Drinkwater made a motion to approve the Resolution, Commissioner Nichols seconded, motion carried unanimously.

Judge Grasty informed the Court of a meeting he and Planning Director Brandon McMullen had participated in with representatives of the Oregon Natural Desert Association regarding the update to the Harney County Comprehensive Plan. He said that the meeting had gone very well but was unsure whether a positive outcome will result.

The application from Roaring Springs Ranch to purchase three parcels of county owned land was reviewed. The three parcels were foreclosed on in 2008 so were not available for sale at the last County Land Sale. It was also noted that the three parcels are surrounded by Roaring Springs Ranch. Commissioner Drinkwater made a motion to approve the application to put the three parcels up for auction, Commissioner Nichols seconded, motion carried unanimously.

A discussion was held regarding the fact that there are no fees for Farm Dwelling or Lot of Record Dwelling applications even though they are the most time consuming applications that the Planning Department deals with. Discussion followed. The Planning Director, Brandon McMullen, was asked to research neighboring county fees and report back.

Mr. McMullen told the Court that the final draft of the Comprehensive Plan Amendment is out for review and that the comment period should close on October 21, 2009 during the public hearing on the matter.

The Court then discussed the Intergovernmental Agreement between the Oregon Department of Energy and Harney County. This IGA is in regards to the County's Planning Department working with the Energy Facility Siting Commission (EFSC) on any future wind project that comes under their jurisdiction. Discussion followed. Commissioner Nichols made a motion to adopt the IGA, Commissioner Drinkwater seconded, motion carried unanimously.

The Court talked about the Idaho Power Boardman to Hemingway Transmission Line siting and the possibility of it coming into Harney County. An Open House will be held on October 22, 2009 from 4 to 7 p.m. at the Senior Center for the public to obtain information.

It was decided to hold the second County Court meeting in November on the 23<sup>rd</sup> rather than the 18<sup>th</sup> due to Judge Grasty and Commissioner Nichols being at the Association of Oregon Counties annual conference during the week of November 17 through 20.

The Court discussed a report from Milliman and Associates. This report describes any future liability Harney County may expect from the current health insurance plan. The report shows there will be no liability.

Mineral rights application issues were discussed. Judge Grasty noted that a hearing has been set for December 2, 2009 in the matter of conveyance by the county of reserved or excepted mineral rights on property owned by Mark Khan. The second issue was a request by Paul Davis to have Benjamin J. Barker, PhD do a mineral rights survey on his property. Judge Grasty said that Mr. Barker is a geo-thermal expert and would probably fit better than a geologist in this case. The consensus of the Court was to allow Mr. Davis to use Mr. Barker and to send him a letter stating their decision.

The Court reviewed the Order of Appointment in the matter of appointing a pool of members for the Harney County Board of Property Tax Appeals. Commissioner Drinkwater made a motion to sign the Order, Commissioner Nichols seconded, motion carried unanimously. Those appointed to the pool of members were: Denise Christensen, Spencer McMurray, Melodi Molt and Astrid Alexander.

A discussion was held regarding recommendations made by the Local Government Personnel Institute relative to wages. No decisions were made; written recommendations will be supplied to the Court and acted upon at that time.

There being no further business the meeting was adjourned at 3 p.m.

Respectfully Submitted,

Sharon Johnson  
Secretary, Harney County Court