

**Harney County Court Meeting  
December 9, 2009**

→The Harney County Court convened December 9, 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, Herb Vloedman, Len Vohs, Mark Maliwauki, Debbie Raney, Cody Hodges, Ruth Schultz, Bob Arndt and Sam Kaiser.

→Judge Grasty led all in the Pledge of Allegiance.

→Judge Grasty made a motion to approve the November 23 court meeting as mailed. Commissioner Nichols seconded. Motion carried unanimously.

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

→The court reviewed a number of petition sheets with names in protest to the road closure of the Coal Pit Springs/Cave Gulch area Northwest of Burns off of Lone Pine Road. Bob Arndt, a concerned citizen spoke of the frustration of the closed roads. Judge Grasty stated there are issues there but worries that there will not be a local solution and it will have to go through an EA process which he fears would not be in the best interest of the local community. Judge Grasty stated that if an in-depth conversation regarding this issue is to take place all parties should be invited to enter into the discussion to see what the initial goal is and how it applies to landowners.

→Cody Hodges, CHIP coordinator was in attendance to update the court regarding the Community Health Assessment grant for \$30,000 which has been awarded to Harney County and now can move ahead with planning a school based health care program. The court will appoint a planning committee, at the next county court meeting, to figure out if this is feasible, sustainable and positive for our community. Mr. Hodges stated there are many partners collaborating in this project and feels this is a positive step to for our children which in turn will help the community. He also stated that CHIP had community meetings and has health related data which can be used for this project. Commissioner Nichols told Mr. Hodges to proceed cautiously.

→Judge Grasty noted that last Wednesday, himself, Jim Campbell, local former plant manager for LP, Sandra Lino, from GEODC, Larry Holzgang, Oregon Business Development Officer, Mark Maliwauki, Harney County Business Development Officer and Patty McNeil, Harney County Chamber of Commerce Board member and Sterling Savings Bank Branch Manager had traveled to Seattle to present a power point presentation for a Federal Grant to purchase the LP building. Judge Grasty stated that

one of Senator Wyden's staff members sat at the meeting, they did push hard for a decision, however are still waiting for a response. Herb Vloedman, a concerned citizen asked how much the grant would be for and how much the building would cost. Judge Grasty informed him the grant would be \$1,250,000.00, state funding \$350,000 and county funds of \$150,000 would add up to the purchase price. He also inquired as to how much money the county had already expended on the building, he was told that \$60,000 on the existing option agreement. Mr. Vloedman inquired as to the probability of getting federal money and extending the option. He stated he likes to use probability measure and is not comfortable as it is. The court once again reiterated that if any interested private sector wished to acquire the LP facility they would be more than willing to get out of the way to allow that to occur as the facility is available for sale to anybody.

→Judge Grasty shared a spreadsheet detailing revenue and expenses of the county owned industrial buildings since 1999. These buildings were built from federal grant funds and have earned approximately \$72,000 in the last 10 years. It is the desire of the county court to also have them in private ownership. Commissioner Nichols stated that the court is taking steps to be more professional in this type of business as they realize they have not been great landlords.

→Rimrock Recycling representatives were in attendance to present their Business Plan as requested by the county court. They have reinstated the Articles of Incorporation Nonprofit Corporation status held by Rimrock Recycling for many years and have also entered into an agreement with C&B who had agreed to be a collection point for cardboard and commingle recyclable materials at their facility. They requested start up capital from funds currently held by the County Court from the old Rimrock Recycling and offered to pay the county \$1 a bale towards the maintenance of the baler. They informed the court they will not be using the equipment owned by Bill Wilber. They will aggressively pursue all opportunities to obtain state, federal and other grants to further recycling endeavors. Also they requested rent free building but will pay the electric and heat expenses. The court requested they discuss and clarify the tax liability, if any, with the County Tax Collector and were informed that they need \$1,000,000 liability insurance and a written agreement with the county. After a lengthy discussion, Commissioner Drinkwater made a motion to approve rent free contract to be reviewed annually requiring covered costs, restrictions, liability insurance, \$1 a bale for baler maintenance and transfer \$10,000 from Rimrock Recycling funds which were turned over to the County when they ceased operation. Commissioner Nichols seconded. More discussion followed. Motion carried unanimously.

→Commissioner Nichols made a motion to re-appoint Commissioner Drinkwater as Representative from Harney County to the Board of Greater Eastern Oregon Development Corporation (GEODC). Judge Grasty seconded. Motion carried unanimously.

→Judge Grasty updated the court in regards to the Blue Mountains Forest Plan Revision. He informed the court that they had another co-convener's meeting December 3. Judge

Grasty feels that the court needs to make a decision as whether to continue to help fund this project. Harney County contributed \$10,000 three years ago.

→The Court reviewed Harney County's Title II project priority list. Judge Grasty made a motion to move Harney County Forest Opportunity the highest priority. Commissioner Nichols seconded. Motion carried unanimously. (List incorporated within these minutes).

→The court discussed the Secure Rural Schools and Self Determination Act Title III funding and Title II RAC membership. Judge Grasty informed the court that all the present RAC members were authorized except for one.

→The court reviewed public notice of water use requests from Oregon Water Resources Department. No objections expressed from the court to any of the requests.

→The court reviewed a letter from Department of Human Services to Chris Siegner Director of Harney Behavioral Health stating that Harney Behavioral Health has been found to be in "Substantial Compliance" with applicable Oregon Administrative Rules.

→The court convened into executive session as authorized by ORS 192.660(e)(d) at 1:45 p.m. Recessed for a bid opening at 2:00 p.m. It re-convened at 3:00 p.m. Commissioner Nichols made a motion to sign the agreement between Harney County and Harney County Deputies Association. Commissioner Drinkwater seconded. Motion carried unanimously.

→Opening bids for a High-Track Dozer began at 2:00 p.m. The following bids were received; Petersen Machinery – 2007 yr. - Total \$671,730  
Western Equipment – 2007 yr. - Total \$248,737

Commissioner Drinkwater made a motion to accept the lowest bid of \$248,737 from Western Equipment as recommended by Eric Drushella, Road Supervisor. Commissioner Nichols seconded. Motion carried unanimously.

→Patty Dorroh, Director of the Commission on Children and Families, was in attendance to discuss a Healthy Start Allocation Amendment to Intergovernmental Agreement HAR0911. This amendment increases the Healthy Start funding allocation through June 30, 2010. Judge Grasty made a motion to authorize Judge Grasty to sign the Amendment as presented. Commissioner Drinkwater seconded. Motion carried unanimously.

→The court reviewed miscellaneous correspondence.

→Commissioner Nichols briefly updated the court on issues with the Malheur National Wildlife Refuge Comprehensive Conservation Planning (CCP) collaborative process. Commissioner Nichols strongly encourages public input on this process. The court will invite Tim Bodeen, Refuge Manager, to attend the next county court meeting to give a CCP update.

→There being no further business the meeting adjourned at 3:15 p.m.

Respectfully submitted,

Maria Iturriaga, CCC  
Harney County Clerk