

Harney County Court Minutes
March 4, 2009

- The Harney County Court convened March 4, 2009 at 10:00 a.m. in Judge Grasty's office. Members attending were, Judge Steve Grasty and Commissioners Dan Nichols and Jack Drinkwater. Also attending were, Eric Drushella, Road Supervisor, Nellie Franklin, County Treasurer and County Clerk, Maria Iturriaga.

- Public attending were, Len Vohs, Burns Mayor, Lauren Brown, Burns Times Herald, Mark Maliwauki, Harney County Economic Development Coordinator, Ruth Schultz, Hines Mayor and Bill Burstow.

- Judge Grasty led all in the Pledge of Allegiance.

- Commissioner Drinkwater made a motion to approve the February 18, 2009 minutes as mailed. Commissioner Nichols seconded. Motion carried unanimously.

- Financial and statistical reports were reviewed and vouchers paid by court's signature.

- Ruth Schultz, Hines Mayor, expressed her concerns over the recent closure of Monaco Coach at Hines and stated that once again this is a very depressing time for our community.

- Judge Grasty expressed his gratitude and recognized the whole community as well as both Commissioners for their hard work in reaching out to legislative committee members that were deliberating the closure of OYA. Because of the response of the community and our county and state leaders the facility will remain open for at least the end of June, however there is a committee being formed to deal with this issue for the next biennium since this is going to resurface again and we need to be on top of it.

- The court reviewed a letter from Nellie Franklin, Treasurer, informing the court of monies received from the Federal Government Secured Rural School and Community Self Determination Act (Forest Receipts) and then disbursed to various districts, for a total of \$811,814.72. Also the Harney County Road Department was disbursed \$2,434,042.33 and the Title III Projects fund was disbursed \$38,154.00 Forest Receipts \$811,814.72 for a total of \$3,284,011.05 including interest earned of \$467.27. Judge Grasty stated that this represents 90 % of previous year and it will be diminishing each year.

- Judge Grasty informed the court that the OYA group will be meeting with Representative Cliff Bentz on Friday to plan and put a strategy together to deal with the issue of OYA remaining open for the next biennium.

- The court reviewed an application from Doug Gunderson for an approach off of S. Harney Rd. Commissioner Drinkwater made a motion to approve the application as

recommended by Eric Drushella, Road Supervisor. Commissioner Nichols seconded. Motion carried unanimously.

→There was a discussion regarding recycling in Harney County since the announcement of 4R Recycling closing. Len Vohs, Burns Mayor informed the court that they are working on a solution for that business and is cautiously optimistic that a solution will be found. He informed the court that a summit meeting will be held on the 17th to deal with this and other issues.

→Mark Maliwauki, Harney County Economic Development Coordinator, was in attendance to request the court's approval for a service agreement with WEDA (World Economic Development Alliance) he explained the benefits of this service, he stated this is a very valuable tool for this area and has been very pleased with their service as they market strengths that Harney County has to offer. Ultimately the main goal is to bring jobs to this area. Commissioner Nichols made a motion to sign the service agreement with WEDA. Commissioner Drinkwater seconded. Motion carried unanimously.

→Commissioner Nichols presented an overview of his attendance at the public lands council summit in Salt Lake City, Utah.

→Since the county copier was not working this morning the review of Title II projects was tabled until next county court meeting.

→The court reviewed Resolution 2009-04 In The Matter of Harney County Declaring Its Support of Renewable Energy Projects, Specifically Wind Projects. Commissioner Nichols made a motion to sign and approve the resolution. Commissioner Drinkwater seconded. Motion carried unanimously.

→The court reviewed and discussed Senator Wyden's Draft Forest Proposal (Oregon Forest Restoration and Old Growth Protection Act).

→The court convened into executive session at 11:30 a.m. 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 litigations or litigation likely to be filed. They reconvened into regular session at 11:55 a.m., no action taken.

→Judge Grasty informed the court that there were two vouchers from Harney Behavioral Health requesting payment from budgeted funds for reimbursement to two employees for Master's Program tuition fees. Judge Grasty stated that at the moment these have not been paid as procedure was not followed and he needed to discuss this with the Director before payment could be made. Nellie Franklin, County Treasurer and Maria Iturriaga, County Clerk expressed their concerns regarding tax dollars being spent to acquire college degrees for employees. Another concern expressed was the fact that these individuals were agreeing to stay on with Harney County employment for six months after they receive their Masters degree. This time frame, it was felt was not a long enough

commitment for such an expenditure. Other concern expressed was the fact that this program is not fair since employees of other departments don't have the same opportunity to get such benefit. Commissioner Nichols stated that it was his understanding that this program started because Harney Behavioral Health was having a hard time filling positions with qualified personnel that would stay. After a long discussion it was the consensus of the court that this issue should be revisited to see if changes should be made to this program.

→The court briefly reviewed a Declaration of Cooperation Support Statements for Harney County Restoration Collaborative. The signing ceremony for this project will be held March 5, 2009 at Harney County Community Center at 6:00 p.m.

→Judge Grasty informed the court that Guy McKay, Veterans' Service Officer had requested a load of gravel for the outside of the Armory as there will be a National Guard Appreciation day on March 21. The court agreed to do this for the Armory.

→A letter from Michelle Modey, Miss Oregon Teen USA 2009 was requesting a donation in helping with expenses was reviewed by the court. Members of the court and others volunteered to contribute individually.

→The court also reviewed a letter from Jim Withee requesting gravel for the Sandlot Ball Fields. The court agreed to do this.

→A letter from Joan Suther, BLM informing the court that they are rescinding the Finding of No Significant Impact and Final Decision Record for the South Steens Allotment Management Plan/Environmental Assessment was acknowledged by the court.

→A copy of a letter from the Governors' Wind Energy Coalition to President Obama in regards to the use of domestic renewable energy resources was reviewed by the court.

→Judge Grasty informed the court that he will be doing the annual recertification of financial assurance of the county disposal sites due to the Department of Environmental Quality.

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

→Judge Grasty told the court that he will be recommending a wage freeze for the coming budget year. He shared all the state funding streams and said many of those will be cut or reduced, including the Commission on Children and Families, 9-1-1, Community Corrections and others.

→Continuation of the Penland Road Legalization hearing convened at 2:02 p.m. Attending the hearing other than the court, were, Becky Rose, representing Gordon Mallon attorney for Mr. Stromple, Sheriff David Glerup, Lauren Brown from the Burns

Times Herald and County Clerk, Maria Iturriaga. Written testimony was received from Phil Olson, also a map supplied by him, BLM and Amy Blair Streck were entered into the record. Commissioner Drinkwater made a motion to approve the legalization of that portion of Penland Rd that was surveyed situated in Township 35 South, Range 33 East, W.M. to the section corner common to Sections 14, 15, 22 & 23. Commissioner Nichols seconded. Discussion followed. Motion carried unanimously. Ron Yockim, Harney County Natural Resources Attorney will prepare the Order for the court to sign at next county court meeting.

→A letter will be sent to Mr. Stromple requesting fencing as per his offer to do so and to Ed Davis and Phil Olson informing them that gates can be closed when the cattle is there and send letters to other landowners requesting they remove all gates. Hearing adjourned at 2:40 p.m.

→There being no further business the meeting adjourned at 2:40 p.m.

Respectfully submitted,

Maria Iturriaga, CCC
Harney County Clerk