

**Harney County Court Meeting
April 1, 2009**

→The County Court meeting convened April 1, 2009 at 10:00 a.m. in Judge Grasty's office. Members present were, Judge Steven E. Grasty and Commissioners Dan Nichols and Jack Drinkwater. Also attending were, Eric Drushella, Road Supervisor, Nellie Franklin, Treasurer and County Clerk, Maria Iturriaga.

→Public attending were, Mark Malwauki, Harney County Business Development Coordinator, Gail Mackey, Slater Grade School Principal, Tammy Wheeler, Circuit Court Trial Court Administrator, Susan Lowe, Ivan Gall, Water Resource Department, Tony Rutherford, Water Master, Debbie Raney, Burns Times Herald, and Alicia Andrews.

→Judge Grasty led all in the Pledge of Allegiance.

→Financial and Statistical reports were reviewed and vouchers paid by court's signature.

→Commissioner Drinkwater made a motion to approve the March 18th court minutes as mailed. Commissioner Nichols seconded. Motion carried unanimously.

→Nellie Franklin, Treasurer was in attendance to inform the court that \$10,099.25 was received from the former Rim Rock Recycling which is the amount left from their volunteer recycling program. Also there was a sale of items at auction on 9/19/08 that belonged to Rim Rock Recycling. Those items totaled \$3,290.00. The total dollars acquired from Rim Rock Recycling is \$13,389.25. The \$10,099.25 amount was deposited to the Treasurer's Revolving Fund and later transferred to Fund #219, Nuisance Abatement Fund. The \$3,290.00 was deposited to the General Fund. The court will establish a special fund for recycling and will prepare a resolution for them to sign.

→Tammy Wheeler, Trial Court Administrator, was in attendance to request approval of Jennifer Barrows, M.A. as court Mediator. Commissioner Drinkwater made motion to approve Ms. Barrows as mediator for Circuit Court as recommended. Commissioner Nichols seconded. Motion carried unanimously. Mrs. Wheeler mentioned that John Stauffer is a mediator as well.

→Mrs. Wheeler presented the court with the facilities report summary for them to review and approve. The court did a change on how the county would fund projects for circuit court facilities.

→Ivan Gall, Water Resources from Baker City, was in attendance to update the court on water issues and stated that Water Resources Dept. faces cuts in personnel.

→Maria Iturriaga, County Clerk, reminded the court to file the Annual Verified Statement Of Economic Interest and also the quarterly statement with the Oregon Government Ethics Commission. They are to be postmarked no later than April 15, 2009.

→Judge Grasty updated the court and others in attendance in regards to the OYA facility. Judge Grasty has written a letter to the Governor expressing the impact to this community if OYA closes, as of today there has been no response. However, when it arrives it will be shared with the community. Judge Grasty commended Susan Lowe, Gayle Mackey, Cliff and Peggy Ausmussen for the great job they did when they all met with Governor's chief of staff. Judge Grasty encouraged all to continue e-mailing and telling the story about the impact of the proposed closure to this community.

→Commissioner Nichols made a motion to appoint Phil Kissinger to the Harney County Library advisory board as recommended. Judge Grasty seconded. Motion carried unanimously.

→An application for an existing approach from Andy Dunbar was reviewed and Commissioner Drinkwater made a motion to approve the application as recommended by the road supervisor. Commissioner Nichols seconded. Motion carried unanimously.

→Mark Maliwauki, Harney County Economic Development Coordinator, was in attendance to update the court on economic development issues.

→Chad Abel, Fish Program Manager for the Burns Paiute Tribe, was in attendance to discuss management actions in High Lake in Grant County to remove non-native brook trout and help restore bull trout. He explained proposed actions which would likely occur in the fall. The court requested that communities' input be a part of this process.

→Brandon McMullen, Harney County Planning Director, requested that Findings & Decisions documents for file #95-18 and File #95-21 which were approved in 1995 however never finalized be approved. Commissioner Drinkwater made a motion to approve Findings and Decision In The Matter of the Application of the Harney County Road Department for a Conditional Use Permit to Establish Two Sites For The Exploration, Mining And Processing Of Aggregate (Gravel) In The EFRU-1 Zone And A Comprehensive Plan Amendment To Add The Sites To The Aggregate Inventory. Commissioner Nichols seconded. Discussion followed. Motion carried unanimously.

→Judge Grasty informed the court that the state will not be helping with predator control funding.

→Joan Suther, BLM, was in attendance to discuss the South Steens Allotment Management Plan/Environmental Assessment and Juniper cutting project at Frenchglen. She stated that several acres more will be cut at a later date.

→The court discussed HB 3411 which establishes mandatory grounds for denial of tax credit certification of certain large renewable energy facilities. Judge Grasty stated that AOC is against it and will fight it.

→The court reviewed and discussed a Memorandum of Understanding between the BLM and the Oregon Energy Facility Siting Council.

→2:05 p.m. Asphalt bid opening; Albina Asphalt and Idaho Asphalt were the two bids received. After reviewing the bids, Eric Drushella, Road Supervisor recommended the bid be awarded to the lowest bidder Idaho Asphalt. Commissioner Drinkwater made a motion to award the bid to the low bidder Idaho Asphalt as recommended by the road supervisor. Commissioner Nichols seconded. Motion carried unanimously. (Bids can be reviewed at the Road Department)

→Sheriff Glerup informed the court that he had just attended a forfeiture hearing with Judge Cramer who ruled for forfeiture of the horses and cows from Roxanna Still therefore they would probably be sold next week unless the court's set bond amount is met.

→Judge Grasty shared with the court a History of Harney County Judges which was compiled by Derrin Robinson, Chief Deputy Clerk, the information was taken from a Burns Times Herald article in 1963. Mr. Robinson added the last two county judges, Dale White and Steven E. Grasty.

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

→The court recessed at 2:30 p.m. Re-convened into session at 3:45 p.m.

→Commissioner Drinkwater made a motion to sign and adopt Resolution #2009-05 In The Matter of a Resolution in support of The Formation of a Regional Micro Enterprise Assistance Program and a Grant Application to Lane MicroBusiness. Commissioner Nichols seconded. Motion carried unanimously. This resolution is a continuation from last year's.

→There being no further business the meeting adjourned at 3:50 p.m.

Respectfully submitted,

Maria Iturriaga, CCC
Harney County Clerk

