

Harney County Court Minutes
July 7, 2010

→The Harney County Court convened July 7, 2010 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 and County Clerk, Maria Iturriaga.

→Public attending were Linda Johnson, Nathan Ritches, Pete Runnels and Randy Parks from the 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 June 16 county court minutes as mailed. Commissioner Nichols seconded. Motion carried unanimously.

→Judge Grasty presented the written Energy Facility Siting Council Denial of Petition for Rulemaking submitted by ONDA (Oregon Natural Desert Association). Judge Grasty stated that his understanding is that ONDA has filed for discovery.

→Judge Grasty acknowledged the receipt of Payment In Lieu of Taxes (PILT) payment in the amount of \$995,140.00 which is \$300,000 above the budgeted amount. He stated that it was very much appreciated as the payment was received before the end of fiscal year. This funding will be fully funded for two more years.

→An application from Richard and Marilyn Musser for an approach off of Sunset Valley Lane was reviewed by the court. Eric Drushella, Road Supervisor had no objections to granting the request. Commissioner Drinkwater made a motion to approve the approach as recommended. Commissioner Nichols seconded. Motion carried unanimously.

→Resolution #2010-14 In The Matter of Approval of Sale of County Land By Private Sale. After discussion, Commissioner Nichols made a motion to approve resolution #2010-14, resolving the property described in the Resolution be advertised and sold by private sale pursuant to ORS 275.225. Judge Grasty seconded. Motion carried unanimously.

→The Harney County Commission on Children and Families Commission recently had two board members vacancies (resignation of Cody Hodges and Sonni Svejcar) John Copenhaver and Virginia Tabor have expressed interest in filling the vacated seats. Commissioner Nichols made a motion to appoint John Copenhaver and Virginia Tabor as board members to the Harney County Commission on Children and Families as recommended. Commissioner Drinkwater seconded. Motion carried unanimously.

→The Oregon Commission on Children and Families has requested that local commissions operate with bylaws and that a copy of those bylaws be provided for their files. Since the local Director was unable to find any record of such bylaws for the local commission, they have developed, reviewed and revised a bylaw document and it was unanimously approved and the Commission and was recommending the Harney County Court approve the bylaws. Commissioner Nichols made a motion to approve the amended by laws as presented by the commission. Commissioner Drinkwater seconded. Motion carried unanimously.

→Judge Grasty acknowledged the Notice of Award of the Drug Free Grant in the amount of \$125,000 and noted that the grant is also for 4 more years of the same amount.

→A document in regards to Oregon State University looking at restructuring Extension Services was reviewed by the court. The court had a discussion and expressed concerns regarding this issue. It was the consensus of the court to meet with Dustin Johnson, local Extension Agent, to listen to his perspective as to where this is moving. Linda Modrell from Benton County and Task Force chair will be asked to update the court on this issue.

→A letter from Milliman regarding GASB 45 Valuation through City County Insurance Services was reviewed by the court. Based on the information provided to their office they have concluded that the Employer has no OPEB (Other Postemployment Benefits) liability under GASB 45.

→The court reviewed NEPA (National Environmental Policy Act) actions by Federal agencies.

→Moon Reservoir Launch Ramp Facility Improvements Environmental Assessment was reviewed by the court. The court will submit comments on this project.

→Judge Grasty commented that Oregon Juvenile Department Directors were highly concerned with the proposed state funding cuts. Judge Grasty suggested a workshop with department heads who receive state funding to see how those cuts would affect their department.

→The court reviewed the BLM Press Release regarding the Wild Horse & Burro program. The county's legal counsel will submit comments.

→Elaine Kohrman, Malheur National Forest District Ranger, and Jeff Hussey, landowner in the Drewsey area, were in attendance to discuss grazing allotment monitoring in the Malheur River. The Prairie City Ranger District requested additional funding/and or assistance from the Harney County Court to implement a monitoring strategy designed to determine compliance of the grazing program with the Forest Plan. Commissioner Nichols made a motion to donate \$2,500 of Title 3 monies. Commissioner Drinkwater seconded. Motion carried unanimously.

→John Dadoly, of the DEQ quality water program, was in attendance and presented a lengthy presentation on the Malheur River Water Quality Improvement Plan. The federal Clean Water Act requires DEQ to develop a plan with goals and pollution control targets for improving water quality in watersheds where water quality standards are not met. DEQ is doing this in the Malheur River Basin by establishing limits known as “TMDL’s” (Total Maximum Daily Load), for each pollutant entering the water. The court expressed concerns over parts of the plan. The court will submit comments to the plan.

→The court had a discussion regarding the Road Department cover project cost report at the Frenchglen Landfill. The total cost account of \$11,877.46. The court requested that Eric Drushella, Road Supervisor provide a cost report with labor and fuel costs only for the next county court and this issue will be discussed at that time.

→Judge Grasty explained a resolution where all Oregon counties through AOC (Association of Oregon Counties) would sign off. This resolution’s intent is to request our congressional delegation to stop any and all action on new wilderness until such time as the issues associated with proximity to wilderness are resolved. Judge Grasty made a motion to approve the legislative concept to AOC for their process. Commissioner Nichols seconded. Motion carried unanimously.

→A letter to the Treasurer from Judge Grasty requesting a transfer from fund #642 in the amount of \$10,000 from court assessment to drug court #207 an un-appropriated ending fund balance of \$10,000 should be included and was acknowledged by the court.

→The court acknowledged the following correspondence;
A letter from Oregon State Police Medical Examiner in regards to local autopsy costs and the funding cuts to this department.

→Also a letter from Jan and Mike Steele requesting they be reimbursed for “full refund” for the permit costs associated with a pole barn which they built on their property. It was the consensus of the court that this would be a civil matter and they should take it up in the Justice Court system.

→A letter requesting the purchase of the old Crane Landfill and the surrounding acreage from Glen Adams was also acknowledged by the court. This matter will be an agenda item for next county court meeting

→Judge Grasty requested the court review an IGA among 8 counties for the creation of the Eastern Oregon Regional County Organization (EORCO) which will facilitate the pooling of resources to more effectively represent the common interests of the members. This item will be taken up at the next county court meeting.

→The court will address the cost allocation plan for the health department at next county court.

→A letter was received from Department of Revenue with information as to CAFFA account estimates for FY2010-11. Harney County estimate amount is \$173,794.

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

→Judge Grasty informed the court that the Fairboard is reconsidering their decision regarding the Lions Club issue and they will have a meeting in the near future at which this topic will be discussed.

→Judge Grasty also reported that the City of Burns is not interested in pursuing any discussions regarding the request made by several residents to have the county acquire the airport.

→The court convened into executive session at 3:45 p.m. pursuant to ORS 162.660(1)(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 4:15 p.m. No action taken.

→A letter from the Oregon Department of State Lands regarding DSL Removal/Fill Permit Application No. 44481 RF in Diamond, Oregon was acknowledged by the court.

→There being no further business the meeting adjourned at 4:20 p.m.

Respectfully submitted,

Maria Iturriaga, CCC
Harney County Clerk