

**HARNEY COUNTY COURT MEETING
AUGUST 19, 2009**

→The Harney County Court convened August 19, 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, Len Vohs, Mark Maliwauki, Sandy and Tom Downs, Nancy and youth from Malheur County and Randy Parks from the Burns Times Herald.

→Judge Grasty led all in the Pledge of Allegiance.

→Commissioner Drinkwater made a motion to approve the August 5 minutes as mailed. Commissioner Nichols seconded. Motion carried unanimously.

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

→Judge Grasty led a discussion on an update on recycling efforts in Harney County. He informed the court that he had a discussion with Mr. Baron and he told him that he had stopped taking recycling and will be out of the building and everything cleaned and will be out by September 14. Judge Grasty will do a walk around on September 7 to make sure everything is cleaned. Judge Grasty also told the court that the Rod & Karen Dinsmore from C&B were having a great conversation with the pending non-profit and are trying to move it ahead. Judge Grasty will work on addressing the bailer issue along with utilities and taxes expenses with an agreement.

→Ben Boswell, Training and Employment Consortium Executive Director for Region 14 was in attendance to present the T.E.C. activity report for Harney County. Also attending were Nancy Alvarado from the Employment Department in Ontario along with 4 youth from Ontario who are working on a project in regards to media outreach on youth programs offered through Training and Employment Consortium (TEC).

→Commissioner Nichols made a motion to approve and sign Resolution 2009-017 renaming Williams Creek Rd. to Williams Creek Lane according to the Harney County Zoning Ordinance Section 9. Commissioner Drinkwater seconded. Motion carried unanimously.

→Brandon McMullen, Planning Director, was in attendance to give a summary of actions taken by the 2009 legislative session. He also recommended that the Zoning Ordinance be amended to match the changes enacted from HB 3099 and SB 171, other bills briefly summarized were, House Bills, 228, 2229, 3099 and Senate Bills, 171 and 599.

→Guy McKay, Veterans Service Officer, was present with an update on the Veterans program.

→Judge Grasty and Eric Drushella updated the court on HB 2101 which provide state funding for road projects in the amount of \$5.1 million which need to be approved by the act in order to move it forward. Mr. Drushella stated the funding will be utilized for 20 miles of Double O resurfacing basically from Highway 20 in which is the worst segment, Sodhouse or Narrows Princeton Rd. when you leave the Refuge Headquarters where there is a sharp corner safety wise where it will be re-aligned as to where there is transition and safer, 26 miles East Steens where there is 5 miles that is prepped and would like to pave that portion, and Juntura cutoff if funding is available. Other projects might be added if there are funds remaining. The court expressed gratitude to Representative Bentz for his involvement in this legislation.

→The court reviewed a Cooperative Service Agreement Trust Fund between Harney County (Cooperator) and U.S. Department of Agriculture Animal and Plant Health Inspection Service Wildlife Service (WS). The court expressed deep concerns regarding two additions to the agreement requiring additional funds towards the wildlife services program in Harney County. It was the consensus of the court to request Mr. David Williams, State Director, to participate, either in person or in some other manner in the next county court meeting.

→Dan Jordan, County Insurance Agent, from Steens Mt. Insurance was in attendance with an insurance update.

→Judge Grasty updated the court on the Association of Oregon Counties summer conference which was recently held in Corvallis. He informed the court that all task forces have been formed to help set the agenda for the 2011 regular session.

→Commissioner Drinkwater made a motion to sign and adopt Resolution #2009-16 In The Matter of 2009-2011 Intergovernmental Agreement for the Financing of Mental Health, Developmental Disability and Addiction Services Agreement. Commissioner Nichols seconded. Motion carried unanimously.

→The court reviewed public notice of water use requests from Oregon Water Resources Department. There were no objections expressed by the court.

→A public hearing regarding the technical update to the County Comprehensive Plan convened at 2:30 p.m. Attending the hearing were, Brandon McMullen, Planning Director, Stan Foster, Consultant and Jon Jinings, Department of Land Conservation and Development, Regional Representative. No general public was in attendance. Written comments and testimony of concerns was received from ONDA(Oregon Natural Desert Association). Two other letters of comments were received from Jerry Miller and Earl Tiller supportive of the policy in the plan however Mr. Tiller was advocating inserting into the plan the prohibition of Oregon Water Resources Department installing measuring

devices. The court appreciated Mr. Tiller's comments however Mr. Foster cautioned the court to implement his comments as policy would be contrary to state policy and might create issues. It was the consensus of the court that all references to "as appropriate" and "when reasonable and appropriate" or "reasonable" and "cost effective" be purged from the document. In the discussion it was noted that the technical update relies on existing technical data basis. It was discussed that the county has done the inventory of resources in the county necessary under Goal 5 so it does exist and continue to rely on that and is not being ignored. It was reiterated that this is a Technical Update not a periodic review and the County is following state law and complying with statutory requirements. Staff was directed to make changes as discussed during the hearing. Commissioner Nichols made a motion to acknowledge and thank the providers of comments received, close the evidentiary hearing today and leave the option should something beneficial and substantive come up for a the evidentiary hearing to be opened. Commissioner Drinkwater seconded. Discussion followed. Motion carried unanimously. The hearing adjourned at 3:58 p.m.

→The court convened into executive session as authorized by ORS 192.660(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations at 4:00 p.m. The court reconvened at 4:12 p.m. No action taken.

→There being no further business the meeting adjourned at 4:13 p.m.

Respectfully submitted,

Maria Iturriaga, CCC
Harney County Clerk