



***In the County Court of the State of Oregon for Harney County
Minutes of the County Court Session***

October 2, 2019

The Harney County Court convened in County Court Chamber at 9:15 a.m. on Wednesday, October 2, 2019. Members attending were Judge Pete Runnels, Commissioner Patty Dorroh, and Commissioner Mark Owens. Also in attendance were Tammy Johnston, Deputy Clerk; Derrin “Dag” Robinson, County Clerk; Eric Drushella, Roadmaster; Tim Colahan, County Counsel; Deanna Atwell, HR/Finance; Lori Cheek, Juvenile Director; Jordan Bennett, Fair Director; and Jolene Cawlfeld and Kelly Novak, Harney County Health Department.

Public attending was Rick Paul, Lynn McClintock, Holly Smith, Herb Vloedman, Barb Kull, Melodi Molt, Mary Tyler, Manfred Bobbitt, Mark Creighton, Zellely, Mary Ausmus, Barbara Cannady, Mark Gronso, Sam White, Burns Times-Herald; and Joshua Giles, USFS.

Work Session 9:15 a.m. – 10:00 a.m.

Voucher Approval

The Court reviewed accounts payables, signed checks, and approved the vouchers by Court signature.

Judge Runnels led all in the Pledge of Allegiance.

Minutes

Commissioner Owens made a Motion to approve the Minutes from the September 18, 2019, County Court session and Commissioner Dorroh seconded the Motion. With no further discussion, the Motion carried unanimously.

Public Comment

Public comment and questions were received from Mary Ausmus, Mark Gronso, Holly Smith, Tim Smith, and Mark Creighton. Topics of discussion included appointment of the Harney County Sheriff, issues associated with the Sheriff’s department and the jail facilities, Second Amendment Sanctuary Amendment, and the Harney County budget.

Old Business

Ordinance 2018-89 Establishing Criminal History Record Check Policies Concerning Applicants for Employment and Appointed Volunteers

Commissioner Owens made a Motion to approve Ordinance #2018-89 Establishing Criminal History Record Check Policies Concerning Applicants for Employment and Appointed Volunteers second reading by title only (CJ2019-148; #2019-1276), and seconded by Commissioner Dorroh. With no further discussion, the Motion carried unanimously.

New Business

10:00 a.m. Kelly Novak, Tobacco

Kelly Novak discussed the importance of making all Harney County properties tobacco-free. She presented a document to the Court entitled "Making Harney County Properties Tobacco-Free." The County Court will discuss the topic of making all Harney County properties tobacco free including the associated costs and the drafting of a Harney County Ordinance.

10:30 a.m. Josh Giles, Update on Tree Hazard BOX Fire

Joshua Giles, USFS, gave an update of the Box fire and recent hazard tree sales.

Acknowledgement/Discussion of Signatures Received for Proposed Second Amendment Sanctuary Ordinance (SASO)

Tim Smith provided the Court with a document entitled "2019 Harney County State of Oregon Second Amendment Sanctuary Ordinance" and the original signatures of support (approximately 350 signatures in support). Tim Smith asked the County Court to refer the ordinance so it can be placed on the November ballot. Dag Robinson, Harney County Clerk, discussed the referral process. If the County Court refers the ordinance, it will be placed on the next ballot because it is initiated by the Court. If the Court does not refer the ordinance then the interested parties would need to go through the initiative process. Commissioner Dorroh and Commissioner Owens are in support of the Court's referral of the ordinance. Tim Colahan, County Counsel, and Dag Robinson, County Clerk, at the request of the Court can make an analysis of the petition and advise the Court of their opinion. The Court will wait to make their decision regarding the referral of this ordinance after they have reviewed the document and received an analysis from County Counsel and the County Clerk; this agenda item will be further discussed in November 2019.

Jordan Bennett, Fair Update

Jordan Bennett, Harney County Fair Manager, presented the Court with the 2019 Harney County Fair Rodeo and Race Meet Financial Review.

Commission Mark Owens, Update on Blues Intergovernmental Council (BIC) and Eastern Oregon Counties Association (EOCA)

Commissioner Owens discussed the Blue Mountain Forest Plan and the process to draft a new plan by the U.S. Forest Service (USFS). EOCA and commissioners have been meeting with the regional forester and forest supervisors to come to some agreement on how the process for the new plan will come about. They are currently working on forming a Blues Intergovernmental Council (BIC), a government-to-governmental forum for Blue Mountain Forests issues. BIC will include USFS, EOCA representatives, federal and state regulatory agencies, and tribes that will form subcommittees such as social economic committee and an IDT team. They would convene monthly in order to review the work that has been completed on the plan so there would be no surprises and they would have the monthly check in to voice their support or concerns. It also takes part in the consultation regarding the biological opinion piece of the plan. It doesn't subvert any of our NEPA options so if we don't like how the BIC turns out we can still comment, object, or litigate but it gives us an opportunity that we've never had before to have influence on how the plan is written in monthly meetings. Commissioner Owens is in full support of the BIC and has taken a lead for Eastern Oregon on it. The public will have more of an opportunity to be involved in the process. The County Court is in support of Commissioner Owens representing Harney County.

Discussion/Possible Review, Oregon Water Resource Department Letter

Commissioner Owens discussed the Oregon Water Resource Department letter that has been sent to individuals with water right permits. The letter was sent to sixty (60) people in Harney County who still have permits but have not filed a claim of beneficial use. There will be a meeting on Wednesday, October 16, 2019, 2-6 p.m. so they understand the policies and procedures that have changed.

Review Association of Oregon Counties (AOC)/Federal Land Management Sub Committee Discussion

Commissioner Owens gave an update of the AOC Natural Resource Committee (NRC), Federal Land Management Sub Committee. Those dues are prorated off our secure rural schools payment with Harney County dues being around \$3,000.00. A portion of the dues go to a federal lobbyist in order to propel issues for AOC but the Eastern Oregon Counties Association (EOCA) no longer uses this federal lobbyist. Commissioner Owens does not believe we should continue to pay for a federal lobbyist to represent us at AOC that we didn't feel comfortable representing us at EOCA. Harney County currently has two (2) votes. This will be a topic of discussion at the AOC conference. There are three (3) choices for Harney County per Commissioner Owens: 1) continue as it is now, 2) pull out of the Federal Land Management Sub Committee, or 3) pay less dues and not pay for a lobbyist with a portion of our dues. This year, Harney County will not be asking for a refund but next year, if the sub committee can agree on a

couple of federal land management policies and if AOC retains a different federal lobbyist, Harney County would support it. If they continue with the same lobbyist then Harney County would reduce the dues but remain in the Federal Land Management Sub Committee. Judge Runnels and Commissioner Dorroh are in support of Commissioner Owens' recommendations.

Ordinance #2019-87 Establishing Video Taping of County Court Meetings of Harney County (1st Reading)

Commissioner Owens made a Motion to approve Ordinance #2019-87 Establishing Video Taping of County Court Meetings of Harney County first reading by title only, and seconded by Commissioner Dorroh. With no further discussion, the Motion passed unanimously. The second reading of the Ordinance will be on October 16, 2019.

Ordinance #2019-88 Amending Established Harney County Uniform Fee Schedule for Various Departments Established Under Ordinance #2018-81

Commissioner Owens made a Motion approving Ordinance #2019-88 Amending Established Harney County Uniform Fee Schedule for Various Departments Established Under Ordinance #2018-81 (CJ2019-147; #2019-1275), and seconded by Commissioner Dorroh. With no further discussion, the Motion carried unanimously.

Budget Board Appointment for 2019-2021

The County Court received letters of interest for the 2019-2021 Harney County Budget Board from Rick Paul and Herb Vloedman. It was determined that the Budget Board must consist of six (6) members, three (3) members from the governing body and an equal number of appointed members. Commissioner Dorroh made a Motion to appoint Rick Paul to the 2019-2021 Harney County Budget Board, and seconded by Judge Runnels. With no further discussion, the Motion carried unanimously.

Fair Board Appointment

The Harney County Fair Board currently has two (2) open positions. The Court has received one (1) letter of interest from Kerry Opie. Commissioner Owens made Motion to appoint Kerry Opie to the Harney County Fair Board, and seconded by Commissioner Dorroh. With no further discussion, the Motion carried unanimously.

Review of Water Use Requests

Executive Session 2015 ORS 192.660 May be called for the purpose of (2) The governing body of a public body may hold an executive session: (d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Correspondence

Hand delivered letter from the Climate Strike March

USDA Forest Service Malheur Prairie City Ranger District sealed bids Cow Decks Sale
Timber Sale Contract 2400-2

United States Department of the Interior BLM is having a meeting on October 9, 2019,
1-3p, Harney County Courthouse meeting room to discuss potential wildfire use within
the Moon Hill area

Scheduling

Town Hall meeting with Senator Wyden at Burns High School Gymnasium, October 7, 2019

County Court Meeting Schedule:

Wednesday, October 16, 2019

Wednesday, November 6, 2019

Tuesday, November 26, 2019

Wednesday, December 4, 2019

Wednesday, December 18, 2019

Wednesday, January 8, 2020

Wednesday, January 22, 2020

Budget Committee Schedule Change:

Tuesday, October 15, 2019, 9a

Set Rural Meetings:

Drewsey, October 9, 2019, 5:30-7:00 p.m.

Riley, October 15, 2019, 5:30-7:00 p.m.

Late Items

Harney County Sheriff Appointment

The County Court discussed the process of appointing an interim Harney County Sheriff. It is County Court's responsibility to determine how to appoint and who to appoint to the position of Harney County Sheriff. The discussion also included Derrin "Dag" Robinson, Harney County Clerk, and Tim Colahan, County Counsel. After some discussion, Commissioner Dorroh made a Motion to change the language on the

Harney County interim Sheriff position posting to exclude the wording “those applying for the interim position acknowledge and affirm that they will not be a candidate in the next year’s election,” and seconded by Commission Owens. The Motion passed with Judge Runnels opposing. Dag Robinson will change the position posting on social media and Kerry Opie will make changes to the other postings.

Harney County Tax Assessor/Tax Collector

Commissioner Owens made Motion to appoint Karen Zabala to the position of Harney County Tax Assessor/Tax Collector effective December 1, 2019, and seconded by Commissioner Dorroh. With no further discussion, the Motion carried unanimously.

Employee Recognition

Deliberation by the Court (no decisions will be made)

For the Record

Adjournment

County Court recessed at 12:00 p.m. and reconvened at 1:00 p.m. County Court reconvened for Executive Session at 1:00 p.m. County Court reconvened at 2:02 p.m. and there being no further business, County Court adjourned at 2:04 p.m.

Respectfully Submitted,

Tammy Johnston
Deputy Clerk