



***In the County Court of the State of Oregon for Harney County
Minutes of the County Court
June 1, 2016***

The Harney County Court convened in Judge Grasty's office at 10 a.m. on Wednesday, June 1, 2016. Members attending were Judge Steve Grasty, Commissioner Dan Nichols, and Commissioner Pete Runnels. Also attending were Eric Drushella, Road Department; Brandon McMullen, Planning Director; and Tammy Johnston, Deputy Clerk.

Others in attendance including Samantha White, Burns Times Herald; Tara Thissell, BLM; Mark Owens, Barbara Cannady, Barb Kull, Herb Vloedman, Kim Rollins, Mitzi Defenbaugh, Joshua Giles, USFS; Melissa Ward, USFS; Lori Bailey, USFS; and Christy Cheyne, USFS; Terri Hellbusch, Budget Board Member; Holly Smith, Budget Board Chair.

Judge Grasty led all in the Pledge of Allegiance.

Commissioner Runnels made a Motion to approve the minutes from the May 18, 2016, meeting, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously.

Voucher Approval

Opportunity for Public Comments

Barbara Cannady asked for clarification on \$500,000 investment to the Harney County infrastructure, mentioned at the previous County Court session. She also discussed a rumor that Judge Grasty would be a consult for Harney County after his retirement. Judge Grasty dispelled the rumor. Judge Grasty stated there was no basis for the rumor and did not even want to respond to it. Judge Grasty emphasized he will be retiring as of January 1, 2017.

Kim Rollins discussed the previous County Court minutes, and asked the Court to clarify that the \$500,000 investment was from Facebook not Google. He also discussed his

concerns regarding economic development and the Commercial Sublease Agreement with MiWave. The Court discussed the history of the Archive Center and the issues associated with attracting any businesses to lease the building.

Herb Vloedman asked for information regarding the HVAC project funding. Judge Grasty directed Herb to ask this question during the Budget Board Hearing.

Old Business

Memorandum of Understanding (MOU) between Harney County and the USDA Forest Service

Judge Grasty discussed the response letter from USDA Forest Service dated May 25, 2016, and recommended the Court sign the MOU. Judge Grasty made a Motion to sign the Memorandum of Understanding between Harney County and the USDA Forest Service, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously.

Appointments to the Harney County Groundwater Study Advisory Committee

Judge Grasty made a Motion to recommend the appointment of Erin Maupin, Brenda Smith, Allison Aldous, Steve Rickman, Gary Ball, Mark Owens, Fred Otley, Karen Moon, Herb Vloedman, Wayne Evans, and Dan Nichols to the Groundwater Study Advisory Committee, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

New Business

10:15 a.m., Christy Cheyne, Emigrant Creek District Ranger, to present the draft Environmental Assessment (EA) for the Dove Project

Christy Cheyne, Lori Bailey, Melissa Ward, and Joshua Giles, USFS, discussed the Dove Vegetation Management Project and provided the Court with a project brief and maps. Melissa Ward also provided the Court with the Preliminary Environmental Assessment for the Dove Vegetation Management Project, Emigrant Creek Ranger District, Malheur National Forest, Harney and Grant Counties, Oregon, and she will e-mail Judge Grasty a link for project interactive maps and project details. The purpose of the Dove project are to: 1) Improve vegetation resilience and resistance to insects, disease and wildfire; 2) Increase the diversity and structure of forest vegetation communities; 3) Improve meadow, aspen, riparian habitats, and overall watershed condition; 4) Enhance sagebrush steppe habitats and upland shrubs; 5) Promote low severity fire on the landscape as a natural disturbance regime; 6) Reduce road related impacts to the watershed (terrestrial and aquatic habitat, and water quality); and 7) Capture the economic value of harvested timber.

Decision on Draft Findings and Decision for Local File No. 16-02, Harney Rock and Paving, Conditional Use Permit – Expansion of Existing Aggregate Mine

Brandon McMullen discussed the changes to the decision including access coming off the Hines Logging Road and the 1,500' self-imposed buffer. Commissioner Nichols made a Motion to approve the Findings and Decision for Local File No. 16-02 Harney Rock and Paving Conditional Use Permit – Expansion of Existing Aggregate Mine,

seconded by Commissioner Runnels, with no further decision the Motion carried unanimously.

Decision on Draft Ordinance No. 2016-77, Amending the Harney County Comprehensive Plan Mineral and Aggregate Inventory and the Application of the Maro Zone

Commissioner Nichols made a Motion to approve Ordinance No. 2016-77 Amending the Harney County Comprehensive Plan Mineral and Aggregate Inventory and the Application of the MARO Zone to be read by title only, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

Commissioner Runnels made a Motion to approve Ordinance No. 2016-77 Amending the Harney County Comprehensive Plan Mineral and Aggregate Inventory and the Application of the MARO Zone to be read by title only, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously.

Decision on the Road Maintenance Agreement between Harney County and the BLM
Eric Drushella discussed the agreement. The Harney County Road Department has a verbal agreement with BLM to provide the road maintenance of (BLM) road 6274. No previous written agreement has been located so this formalizes the agreement. Judge Grasty made a Motion to sign the road maintenance agreement between Harney County and the BLM, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

Approval of the 2016-17 Maintenance Assistance Program (MAP) grant with the State Marine Board

Commissioner Runnels made Motion to approve the 2016-17 Maintenance Assistance Program (MAP) grant with the State Marine Board, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously.

Review of the Application to Business Oregon for the Juntura Cutoff Road construction project

Judge Grasty presented the Court with the completed application for the funding of the Juntura Cutoff Road construction project. An issue was raised regarding the portion of the road located in Malheur County, and whether Harney County will be responsible. Judge Grasty suggested the drafting of a Memorandum of Understanding with Malheur County, and he will contact Ron Yockim to draft a letter to Malheur County outlining their responsibility for the portion of road located in Malheur County.

Review of Water Use Requests

1:30 p.m., Hearing to Approve the 2016/2017 Budget

Budget Board Members in attendance were Judge Steve Grasty, Commissioner Pete Runnels, Commissioner Dan Nichols, Holly Smith, and Terri Hellbusch. Others in attendance included Mark Owens, Herb Vloedman, and Barbara Cannady

Judge Grasty discussed updates to the budget. Holly Smith made a Motion to accept the budget as proposed with the changes as discussed, seconded by Terri Hellbusch, with no further discussion the Motion carried unanimously.

Judge Grasty made a Motion to levy the tax at the permanent tax rate of 4.5016, seconded by Terri Hellbusch, with no further discussion the Motion carried unanimously.

Correspondence to Review

Office of Pharmacy Affairs

Scheduling

By consensus, the Court agreed to change the next County Court meeting to Wednesday, June 22, 2016, at 10:00 a.m.

Late Items

Judge Grasty discussed the Paiute Tribe participation in the ceremonial planting of salmon in the Malheur River. Judge Grasty attended the event and was privileged to observe the pride and happiness of the tribal members who participated. Judge Grasty has requested a letter from ODF&W to clarify this was not a reintroduction of salmon but a ceremonial event incredibly important to the Paiute Tribe, and the Court is in support of the event.

Judge Grasty received a letter from the Fire Marshall regarding fireworks permits outside the city limits. Anyone with requests should contact the County Court office.

The Landfill Financial Assurance report to DEQ was due on March 31, 2016. It will be submitted by Friday, June 3, 2016. Judge Grasty recommended the hiring of an engineer to review the permanent closure cost.

Rick Paul gave an update on the issues with the floor in the Memorial Building. The Fair Board will be notified of the problem.

General Deliberation by the Court (no decisions will be made)

For the Record

Adjournment

County Court recessed at 12:10 p.m., and reconvened at 1:32 p.m. for the Hearing to approve the 2016/2017 Budget. With no further discussion, the meeting adjourned at 3:00 p.m.

Respectfully Submitted,

Tammy Johnston
Deputy Clerk