



***In the County Court of the State of Oregon for Harney County  
Minutes of the County Court  
October 19, 2016***

The Harney County Court convened in Judge Grasty's office at 10 a.m. on Wednesday, October 19, 2016. Members attending were Judge Steve Grasty, Commissioner Dan Nichols, and Commissioner Pete Runnels. Also attending were Tammy Johnston, Deputy Clerk; Eric Drishella, Road Supervisor; Nellie Franklin, Treasurer; Brandon McMullen, Planning Director; and JR Johnson, Watermaster;

Others in attendance including Samantha White, Burns Times Herald; Tara Thissell, BLM; Representative Cliff Bentz; Lisa Moody, TVCC; Mitzi Defenbaugh, Mark Owens, Louis Smith, Barb Kull, Paul Hyland, Darlene Wingfield, Ron Copeland, and Barbara Cannady.

Judge Grasty led all in the Pledge of Allegiance.

Commissioner Runnels made a Motion to approve the minutes from the October 5, 2016, meeting, with the amendment to include the names of the individuals appointed to the Board of Property Tax Appeals, seconded by Commissioner Nichols, with no further discussion the Motion carried unanimously. Tammy Johnston advised the Court that the audio file for the October 5, 2016 County Court session was accidentally deleted.

**Voucher Approval**

**Opportunity for Public Comments**

Judge Grasty discussed the threats, hate mail, and negative e-mails received by the individuals who testified in the recent Malheur Refuge trial. Judge Grasty has been contacting these individuals directly and inviting them to meet face-to-face for a discussion.

## **Old Business**

### Discussion regarding the drought declaration

Commissioner Nichols made a Motion to approve and sign Resolution #2016-17 (CJ2016-130) In the Matter of a Declaration of Local Disaster and Request to Declare a State Drought Emergency for Harney County Oregon, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

The Court approved Judge Grasty's signing of the letter to Dr. Brenda Bateman, Division Administrator, Oregon Water Resources Department and Co-Chair, Oregon Drought Readiness Council; and Matt Marheine, Section Manager, Oregon Office of Emergency Management and Co-Chair, Oregon Drought Readiness Council, regarding the Harney County Drought.

### Heating system update

Judge Grasty advised the Court the heating system will be turned on and tested on October 31, 2016.

## **New Business**

### Discussion regarding the Groundwater Study Advisory Committee and appointments to the Committee

Mark Owens discussed the Cooperative USGS/OWRD Study Scope of Work and concerns regarding the language of the plan. He has concerns if the County does not come up with a water management plan, the Oregon Water Resources Department could come into Harney County and take regulatory action and shut off junior water rights. He identified three (3) possible outcomes of this study: 1) no more permits issued or development in the County, 2) resources are fully allocated and the County can only maintain what we currently have, and 3) the County is over-appropriated which cause senior groundwater risks and regulatory action will cause the shutting off of junior water rights. The Court will draft a letter addressing the plan and the changes in language.

Commissioner Nichols made a Motion to appoint Angie Ketscher and Tony Hackett to Groundwater Study Advisory Committee, seconded by Commissioner Runnels, with no further discussion the Motion carried unanimously.

### 10:30 a.m., Brandon McMullen, County Planning Director, with an update on draft flood maps and a Planning Department update

Brandon McMullen gave an update on the Harney County Planning Department flood plain mapping. Topics of discussion included outstanding/unresolved mapping issues to date, local work towards flood mitigation objectives (tools for improving our flood situation), and follow-up/next steps. Discussion also included the Harney County Planning Department Annual Report 2016.

11:00 a.m., Rep Cliff Bentz with a presentation regarding the transportation package

Representative Cliff Bentz provided the Court with a PowerPoint presentation regarding the transportation package, Oregon infrastructure issues, and the proposed gas tax.

1:30 p.m., Lisa Moody from TVCC with the 2016/2017 Contracts Out-of-District

Commissioner Runnels made a Motion to approve and sign contract IGRA #16-119 2016-2017 School Year – Contracts Out-of-District Payment for Treasure Valley Community College, seconded by Commissioner Nichols, without no further discussion the Motion carried unanimously.

### **Correspondence to Review**

OR-OSHA – extension of time

Forest Service, Blue Mountain Ranger District – Timber Sale

Forest Service, Prairie City Ranger District – Timber Sale

Forest Service, Blue Mountains Forest Plan Revision Team – meeting notice

Water Resources – Fall Synoptic Groundwater Level Measurement

Wildlands Defense – Appeals submitted

### **Scheduling**

### **Late Items**

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

### **For the Record**

### **Adjournment**

County Court recessed at 12:00pm, and reconvened at 1:30 p.m. The Court adjourned at 1:45 p.m.

Respectfully Submitted,

Tammy Johnston  
Deputy Clerk