

CROOK COUNTY PLANNING COMMISSION MEETING

2/23/2022

Meeting minutes are not a complete representation of discussions at the meeting. An audio recording is available from Crook County Community Development at plan@co.crook.or.us or (541) 447-3211.

Crook County Planning Commission Chairperson Michael Warren called the meeting to order at 4:00 p.m. The meeting was conducted by WebEx (a call-in service) and in-person at the Crook County meeting room. Commissioners attending the meeting in person were Laquita Stec, George Ponte and Les Williamson. Commissioners attending via WebEx were Vice Chair Gary Bedortha. The following County staff was present at the meeting: Community Development Director, Will Van Vactor; Planning Manager, Brent Bybee; and Senior Permit Tech, Hannah Elliott. Planner, Katie McDonald and Ann Beier participated via WebEx.

Excused Absences

Commissioner Susan Hermreck
Commissioner Pro Tem Lawrence Weberg
Commissioner Bob Lundquist

Un-Excused Absences

Parties in Attendance:

See sign in sheet

Participating via phone WebEx:

See sign in sheet

MINUTES

- **January 19, 2022**

Commissioner Stec made a motion to approve the minutes as corrected from January 19, 2022 as corrected. Commissioner Ponte seconded the motion.

- Gary Bedortha - Aye
- Laquita Stec - Aye
- George Ponte - Aye
- Les Williamson - Abstain
- Mike Warren - Abstain

The motion passed 3-0-2

PUBLIC HEARING

- **Continuation of Conditional Use Request, record number 217-21-000573-PLNG, Robert Vanier Jr. and Lani Vanier (owners/applicants)** – a conditional use permit request made by Knife River to operate an aggregate mine, the Planning Commission will conduct a public hearing for the sole purpose of considering whether to reopen the record pursuant to CCC 18.172.081 to include additional evidence and testimony into the record for the conditional use permit application, which was submitted to the

Crook County Court as part of the Applicant's related comprehensive plan amendment request (217-21-000436-PLNG).

Chair Warren read the opening statements and asked if any Commission Members have personal knowledge acquired outside of the hearing process that they will use in rendering a decision on this matter?

- Gary Bedortha - No
- Laquita Stec - No
- George Ponte - No
- Les Williamson - No
- Mike Warren - No

Chair Warren stated for the record, the Planning Commission conducted a site visit on July 28, 2021. Besides the site visit, he asked if any Member of the Commission had any Ex parte Contact with the Applicant or any Member of the Public regarding this matter?

- Gary Bedortha - No
- Laquita Stec - No
- George Ponte - No
- Les Williamson - No
- Mike Warren - No

The Chair then asked Does any Commission member have any bias, prejudgment, personal interest or conflicts of interest to disclose?

- Gary Bedortha - No
- Laquita Stec - No
- George Ponte - No
- Les Williamson - No
- Mike Warren - No

The Chair asked if any member of the public, including those participating by phone, wished to challenge any member of the Commission. No members of the public stated a challenge.

I Michael Warren missed deliberations on the comprehensive plan amendment on September 22nd and one of the continuances on this file (217-21-000573-PLNG) on January 19th. Chair Warren declared he reviewed the record and the minutes in its entirety.

Chair Warren asked if other members needed to make similar declaration.

Commissioner Williamson stated that he was new to the Commission and did not have the background on this case.

Chair Warren stated the applicable criteria and process for the hearing.

Will Van Vactor presented the staff report for the public hearing.

Commissioners and staff discussed the staff report and the options before them.

Chair Warren asked for testimony regarding reopening the record.

Matt Ropp, representative for the Applicant provided testimony and saved time for rebuttal.

Chair Warren asked for testimony in support of the applicant.

None provided testimony.

Chair Warren asked for testimony from those who are neutral of the applicant.

Dick Zimmerlee provided testimony in support of opening the record.

Chair Warren asked for testimony in opposition of the applicant.

Adam Mikulski provided testimony in support of opening the record.

Chair Warren called for rebuttal from the Applicant.

Matt Ropp provided testimony regarding opening the record for material on the County Courts decision.

Commissioners and staff discussed options regarding the material to be considered for the Conditional Use application.

Chair Warren called for a motion.

Commissioner Ponte moved to reopen the record for Planning File No. 217-21-000573-PLNG to receive the additional arguments and evidence, to include written exhibits, and oral testimony, received by the Crook County Court, and made a part of the record for, Planning File No. 217-21-000436-PLNG.

Commissioner Stec seconded the motion.

Commissioners discussed the motion.

Vice Chair called for the vote:

- Gary Bedortha - Aye
- Laquita Stec - Aye
- George Ponte - Aye
- Les Williamson - Abstain
- Mike Warren - Aye

The motion passes 4-0-1

Chair Warren called for a motion regarding the additional testimony.

Commissioner Ponte moved that the record be reopened to additional testimony from persons who participated in previous hearings and pertain only to the County Court's evidence in the record for the Comprehensive Plan Amendment, may submit in written testimony, arguments or evidence to the Planning

Department by the end of business day at 4pm on March 2nd. The applicant's rebuttal evidence and final argument to the new information received as of March 2nd, must be received by end of business day at 4pm on March 9th. Commissioner Stec seconded the motion.

Chair Warren called for the vote:

- Gary Bedortha - No
- Laquita Stec - Aye
- George Ponte - Aye
- Les Williamson - Abstain
- Mike Warren - Aye

The motion passes 3-1-1

Commissioner Ponte moved to adjourn the public hearing. Commissioner Stec seconded. No discussion. All voted in favor (motion passes 5-0-0).

Updates from staff include upcoming hearing information.

Commissioner Stec moved to adjourn. Commissioner Ponte seconded. No discussion. All voted in favor (motion passes 5-0-0).