

CROOK COUNTY PLANNING COMMISSION MEETING

3/16/2022

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 4:02 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 Gary Bedortha, Laquita Stec, George Ponte, and Susan Hermreck. No Commissioners attended via WebEx. The following County staff were present at the meeting: Community Development Director, Will Van Vactor; Planning Manager, Brent Bybee; and Senior Permit Tech Hannah Elliott. Planner, Katie McDonald, and Permit Tech Jennifer Orozco joined via Webex.

Excused Absences

Commissioner Bob Lundquist
Commissioner Les Williamson
Commissioner Pro Tem Lawrence Weberg

Un-Excused Absences

Parties in Attendance:

See sign in sheet

Participating via phone WebEx:

See sign in sheet

Items for Consideration

- **217-21-001013-PLNG, approval of the final staff report for the 15th Phase of subdivision development at Brasada Ranch Resort.**

Chair Warren asked for any questions of staff or recommended revisions.

Commissioner Hermreck moved to approve the final staff report for 217-21-001013 and have Mike Warren sign. Commissioner Stec seconded the motion.

No discussion. Chair Warren called for the vote.

- Gary Bedortha - Aye
- Susan Hermreck - Aye
- Laquita Stec - Aye
- George Ponte - Aye
- Mike Warren - Aye

Motion Passes 5-0-0

PUBLIC HEARING

- **Continuation for Deliberations of Conditional Use Request, record number 217-21-000573-PLNG, Robert Vanier Jr. and Lani Vanier (owners/applicants)** – Conditional use approval for aggregate mining operations on the property. The property is identified as Township 14 South, Range 15 East, WM, Section 14, tax lot 103. The property is zoned Exclusive Farm Use – Prineville Valley and Lone Pine Areas (EFU-2) and is located at the corner of Stahancyk Lane and Lamonta Road.

Chair Warren stated that the statutory timeline for the County to take final action was extended by the Applicant until March 16, 2022. The Applicant has indicated to staff that if the Planning Commission makes a decision tonight, it is willing to further extend the deadline to April 1, 2022, to allow staff time to finalize the written decision.

Matt Ropp, Knife River confirmed they would extend the timeframe to April 1st.

Do 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
- Susan Hermreck - No
- Laquita Stec – No
- George Ponte - No
- Mike Warren - No

For the record, the Planning Commission conducted a site visit on July 28, 2021. Besides the site visit, has 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
- Susan Hermreck - No
- Laquita Stec – No
- George Ponte - No
- Mike Warren - No

For the record, the Planning Commission conducted a site visit on July 28, 2021. Besides the site visit, has 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
- Susan Hermreck - No
- Laquita Stec – No
- George Ponte - No
- Mike Warren - No

Chair Warren stated code requires that if a Planning Commissioner missed any public hearings on the matter before them, that the member declare that they have reviewed the record in its entirety and announce they have done so prior to participating. The he asked if there are any Planning Commissioners who missed a meeting that need to make such a declaration?

Commissioner Hermreck stated that she had missed the February 23rd hearing and on February 25th listened to the recording of the meeting.

Chair Warren stated that he had missed the September 22nd and one of the Continuances for file number 217-21-000573 on January 19. However, he has reviewed the record in its entirety.

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.

Billie Johnson, Community Member, asked if Commissioner Bedortha had recused himself because of an aggregate pit he has in the east part of the county.

Commissioner Bedortha stated that he had disclosed at the first meeting that he had a registered mine, but a different type of rock and on the other side of the county. There were no challenges when he made the disclosure.

Chair Warren read the approval criteria for review into the record.

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

Will Van Vactor, Community Development Director presented a PowerPoint with applicable criteria and links to applicable code sections, timeframes, and process up to date.

Commissioners asked Staff questions specific to the Staff Report and proposed Conditions.

Chair Warren called for any further questions for staff.

Commissioner Hermreck moved to close the hearing. Commissioner Ponte seconded the motion

- Gary Bedortha - Aye
- Susan Hermreck - Aye
- Laquita Stec - Aye
- George Ponte - Aye
- Mike Warren – Aye

Motion Passes

Commissioner Pointe moved to approve application 217-21-0005373-PLNG conditional use application for an aggregate mining operation subject to conditions to address substantive criteria in the comprehensive plan as amended by Oregon’s 328, County Code 18.16, 18.144, 18.160, 18.180 and applicable state law.

Commissioner Bedortha seconded the motion.

Chair Warren asked for discussion.

Commissioners discussed all conditions of approval of the application.

Chair Warren asked for the vote.

- Gary Bedortha - Aye
- Susan Hermreck -No
- Laquita Stec - No
- George Ponte – Aye
- Mike Warren – No

The motion fails 2-3-0

Commissioner Hermreck moved to deny Knife River CUP 217-21-000573-PLNG.

Commissioner Hermreck then stated that it came down to the general criteria in 18.160.020: Taking into account location, size, design and operation characteristics, the proposal will have minimal adverse impact on the (a) livability, (b) value and (c) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright. She felt the proposal would have maximum impact on the abutting properties and also was shown in the ESEE report.

Commissioner Stec seconded the motion.

Chair Warren asked for discussion.

Chair Warren asked for the vote.

- Gary Bedortha - No
- Susan Hermreck -Aye
- Laquita Stec - Aye
- George Ponte – No
- Mike Warren – Aye

The motion passes 3-2-0

Commissioner Stec moved to authorize Chairman Warren to sign the final decision outside of meeting.
Commissioner Hermreck seconded the motion.

Chair Warren asked for discussion.

Commissioner Bedortha asked that staff send the decision to all of the Commissioners at the time Chair Warren signs.

Commissioner Hermreck seconded the amendment to the motion.

Chair Warren asked for the vote.

- Gary Bedortha - Aye
- Susan Hermreck - Aye
- Laquita Stec - Aye
- George Ponte – Aye
- Mike Warren - Aye

The motion passed 5-0-0

Staff provided next steps for the decision.

Commissioner Hermreck moved to close that portion of the hearing.

Commissioner Stec seconded the motion.

Chair Warren asked discussion.

Chair Warren asked for the vote.

- Gary Bedortha - Aye
- Susan Hermreck - Aye
- Laquita Stec - Aye
- George Ponte – Aye
- Mike Warren - Aye

The motion passed 5-0-0

Chair Warren asked for updates from staff.

Staff provided updates on Community Development activity and upcoming hearing information.

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