

## CROOK COUNTY PLANNING COMMISSION MEETING

5/25/2022

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](mailto:plan@co.crook.or.us) or (541) 447-3211.

Crook County Planning Commission Acting Chair Gary Bedortha 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 Laquita Stec, Bob Lundquist, George Ponte, Les Williamson, and Susan Hermreck. No Commissioners attended via WebEx. The following County staff were present at the meeting: Planner, Katie McDonald; Permit Tech Jennifer Orozco, and Community Development Director, Will Van Vactor. Planning Manager, Brent Bybee joined via Webex.

### Excused Absences

Chairperson Mike Warren

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

### MINUTES

#### • **May 11, 2022**

Commissioner Hermreck made a motion to approve the minutes as corrected from May 11, 2022.

Commissioner Stec seconded the motion.

No discussion

- ☐ George Ponte - Abstain
- ☐ Susan Hermreck – Aye
- ☐ Laquita Stec - Aye
- ☐ Bob Lundquist – Abstain
- ☐ Les Williamson – Aye
- ☐ Gary Bedortha - Abstain

The motion passed 3-0-2

- **Record Number: 217-22-000451-PLNG** An appeal to the Crook County Court of the Brasada Phase 15 Tentative Plan, remanded to the Planning Commission for consideration of additional evidence on appeal. Approval of the staff report, adopting the amended findings with edits, to be incorporated into the original staff report for 217-21-001013-PLNG.

Commissioner Stec made a motion to approve the decision as it reflects what was decided at the last meeting and direct the chair to sign outside of the meeting.

Commissioner Lundquist seconded the motion.

Staff asked for clarification on the motion.

Commissioner Stec made an amended motion to approve the decision as it reflects what was decided at the last meeting and direct the acting chair to sign.

Commissioner Lundquist seconded the motion.

No discussion

- ☐ George Ponte - Abstain
- ☐ Susan Hermreck – Aye
- ☐ Laquita Stec - Aye
- ☐ Bob Lundquist – Aye
- ☐ Les Williamson – Aye
- ☐ Gary Bedortha - Abstain

The motion passed 4-0-2

#### **PUBLIC HEARING**

- Record Number: **217-22-000686-PLNG**; An appeal to the Crook County Planning Commission by Dennis Marston and Terrence Strom of an administrative approval of a partition (217-22-000417-PLNG), property owner: Daniel Brown; map/tax lot: 1515310003700. The subject property is 9.68 acres in size, and as proposed will be split into two properties, each to contain 4.84 acres. The proposed parcels will be accessed from a concurrently reviewed road, which accesses SW Red Cloud Rd. The appellants grounds for appeal are in regard to additional setbacks, screening, landscaping, and other requirements relative to the protection of adjoining and area land uses.

Chair Bedortha read the specific criteria for review of the appeal into the record.

May 25, 2022, there was a site visit to the subject property. Members of the Planning Commission in attendance at the site visit will now be asked to provide any comments and observations for the record.

- ☐ George Ponte – attended site visit no comments or observations
- ☐ Susan Hermreck – attended site visit – disclosed that the engineer on the application, Hayes McCoy has been employed by Commissioner Hermreck for water engineering work. She does not feel that poses a conflict of interest or will bias her decision.
- ☐ Laquita Stec– attended site visit no comments or observations
- ☐ Bob Lundquist– attended site visit no comments or observations
- ☐ Les Williamson – attended site visit no comments or observations
- ☐ Gary Bedortha– attended site visit no comments or observations

Chair Bedortha asked if any Commission member have any bias, prejudgment, personal interest, or conflicts of interest to disclose?

- ☐ George Ponte - No

- ☐ Susan Hermreck – No
- ☐ Laquita Stec - No
- ☐ Bob Lundquist – No
- ☐ Les Williamson – No
- ☐ Gary Bedortha - No

Chair Bedortha asked if any Member of the Commission had any Ex Parte Contact with the Appellant or any Member of the Public regarding this matter?

Will Van Vactor noted the applicant was at the site visit.

- ☐ George Ponte - No
- ☐ Susan Hermreck – No
- ☐ Laquita Stec - No
- ☐ Bob Lundquist – No
- ☐ Les Williamson – No
- ☐ Gary Bedortha - 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.

Chair Bedortha asked for staff to present.

Will Van Vactor, Community Development Director presented the background of the proposal, procedural timelines, and the grounds for the appeal.

Brent Bybee, Planning Manager provided clarity regarding a condition.

Commissioners Lundquist, Stec, Ponte, Hermreck and Bedortha asked questions

Commissioners discussed conditions and exhibits.

Staff provided clarification and options for conditions.

Further discussion among the Commissioners

Van Vactor provided further staff report information

Chair asked Commissioners for further questions: none at this time.

Commissioners agreed to not set time limits.

Chair Bedortha then asked for testimony from the Applicant.

Dan Brown, Applicant provided testimony.

Chair asked Commissioners for questions of the Applicant.

Commissioners Ponte, Lundquist, and Williamson asked questions regarding the road.

Brown responded to the questions.

Chair asked Commissioners for further questions: none at this time.

Chair asked for testimony from anyone a proponent of the Applicant or Neutral to the proposal.

Monty Kurtz, resident provided Neutral testimony and questioned process.

Van Vactor and Bybee responded to the question.  
Kurtz questioned runoff, road design, and drainage.  
Chair Bedortha polled Commissioners for questions; none.

Chair asked for testimony from the Appellant.  
Dennis Marsten, neighbor, and Appellant provided testimony.  
Chair Bedortha polled Commissioners for questions of the Appellant.  
Commissioner Ponte, Stec, and Lundquist asked clarifying questions.  
Chair polled Commissioners for questions of the Appellant – none.

Terry Strum, neighbor, and Appellant provided testimony.  
Chair polled Commissioners for questions of the Appellant – none.

Chair Bedortha then asked for any rebuttal testimony from the Applicant.  
Dan Brown, Applicant provided rebuttal testimony.  
Chair asked Commissioners for further questions.  
Chair Bedortha asked a clarifying question.  
Brown provided a response.  
No further questions from Commissioners.

Chair Bedortha called for any further comments from Staff.  
Bybee provided further comments on the conditions of approval and fees.  
Commissioner Stec, Bedortha, asked a clarifying question.  
Chair called for any further questions for Staff - none.

Chair Bedortha asked if there is a request to leave the record open.

Will Van Vactor, Community Development Director, provided an explanation regarding the process for leaving the record open.  
Van Vactor stated that no request has been made.

Chair then asked if the Applicant willing to waive their final argument?  
Van Vactor provided explanation of the 7-day final argument.  
The Applicant waived their final argument.

Commissioner Hermreck moved to close the public portion of the hearing. Commissioner Ponte seconded the motion.

- ☐ George Ponte - Aye
- ☐ Susan Hermreck – Aye
- ☐ Laquita Stec - Aye
- ☐ Bob Lundquist – Aye
- ☐ Les Williamson – Aye

☐ Gary Bedortha - Aye

Motion Passes 6-0-0

Commissioner Hermreck moved to adopt amended findings keep condition number 5 the way it is stated, add condition 7 fire protection, to coordinate with Crook County Fire, and add condition 8 which would establish a road maintenance agreement prior to the land partition going through (217-22-000686-PLNG). Commissioner Lundquist seconded the motion.

Chair asked for discussion.

Commissioners and staff discussed the motion and conditions of approval.

Commissioner Hermreck proposed a 5-minute break.

Chair Bedortha called a 5-minute break.

Commissioners and staff discussed the conditions of approval.

Commissioner Stec asked a procedural question.

Van Vactor provided direction for procedure.

Commissioners and staff continued discussion of the conditions of approval.

Commissioner Hermreck made an amended motion to approve the amended findings with edits just discussed. Commissioner Lundquist seconded the motion.

No Discussion

Chair Bedortha asked for the vote.

- ☐ George Ponte - Aye
- ☐ Susan Hermreck – Aye
- ☐ Laquita Stec - Aye
- ☐ Bob Lundquist – Aye
- ☐ Les Williamson – Aye
- ☐ Gary Bedortha - Aye

Motion Passes 6-0-0

Staff requested to bring the final decision back to the next regularly scheduled meeting.

No discussion.

Chair closed this portion of the public hearing.

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

Commissioner Stec moved to adjourn. Commissioner Lundquist seconded. No discussion. All voted in favor (motion passes 6-0-0).