

## CROOK COUNTY PLANNING COMMISSION MEETING

10/12/2022

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 Chairperson Warren, called the meeting to order at 4:01 p.m. The meeting was conducted by WebEx (a call-in service) and in-person at Crook County Annex. Commissioners attending the meeting in person were Chair Mike Warren, George Ponte, Susan Hermreck, Bob Lundquist, and Les Williamson. No Commissioner 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 attended via WebEx;

### Excused Absences

Commissioner Pro Tem Lawrence Weberg  
Commissioner Gary Bedortha  
Commissioner Laquita Stec

### Un-Excused Absences

### Parties in Attendance:

See sign in sheet

### Participating via phone WebEx:

See sign in sheet

### Minutes

- **September 28, 2022**

- Chair Warren commented on the minutes**

Commissioner Hermreck made a motion to approve the minutes as corrected.

Commissioner Ponte seconded the motion.

- ☐ George Ponte - Aye
- ☐ Susan Hermreck - Aye
- ☐ Les Williamson – Abstain
- ☐ Bob Lundquist - Aye
- ☐ Mike Warren – Aye

The motion passed 4-0-1

### Items Not on the Agenda

None

### Items for Discussion

- **Grandridge Phase 3 Final Plat**

Staff provided an update regarding the final plat for Grandridge Phase III.

Commissioner Hermreck made a motion to approve and sign the plat for Grandridge Phase III.

Commissioner Lundquist seconded the motion.

- ☐ George Ponte - Abstain
- ☐ Susan Hermreck - Aye
- ☐ Les Williamson – Aye
- ☐ Bob Lundquist - Aye
- ☐ Mike Warren – Aye

The motion passed 4-0-1

- **Review of 217-22-000778-PLNG – Pulguero Conditional Use review and sign final decision**

Staff presented the Conditional Use final decision for PC review and signatures

Commissioners and staff discussed concerns and codes.

Commissioner Ponte made a motion to approve the Conditional Use application 217-22-000778-PLNG.

Commissioner Hermreck seconded the motion.

- ☐ George Ponte - Aye
- ☐ Susan Hermreck - Aye
- ☐ Les Williamson – Aye
- ☐ Bob Lundquist - Aye
- ☐ Mike Warren – Aye

The motion passed 5-0-0

Commissioner Ponte made a motion to have the chair sign the recommendation to Crook County Court for Comprehensive Plan Amendment, 217-22-000777-PLNG.

Commissioner Hermreck seconded the motion.

- ☐ George Ponte - Aye
- ☐ Susan Hermreck - Aye
- ☐ Les Williamson – Aye
- ☐ Bob Lundquist - Aye
- ☐ Mike Warren – Aye

The motion passed 5-0-0

#### **Public Hearing**

- **Record number 217-21-000438-PLNG**, a continued hearing for deliberations only for a conditional use permit to operate a commercial energy facility, submitted by applicant: Jacob Stevens, property owner: Kevin Spencer; map/tax lot: 1615000000800 & 1615000001900. The request is for a 320-acre photovoltaic energy facility, a conditional use review

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

Chair Warren asked if any Commissioner has any bias, prejudgment, personal interest, or conflicts of interest to disclose?

- ☐ George Ponte stated that he sits on the Board of Crook County Fire and Rescue that his wife sits on the Deschutes Land Trust board. Both organizations are mentioned as potential recipients of mitigation funds. His decision will not be impacted from the involvement on the boards.
- ☐ Susan Hermreck - No
- ☐ Les Williamson – No
- ☐ Bob Lundquist - No
- ☐ Mike Warren - No

Chair Warren asked if any Commissioner has had any Ex Parte Contact with the Appellant or any Member of the Public regarding this matter?

- ☐ George Ponte -No
- ☐ Susan Hermreck - No
- ☐ Les Williamson – No
- ☐ Bob Lundquist - 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.

Brent Bybee, Planning Manager, provided a brief overview of exhibits that have come in, corrections to staff report, and recommendations, via PowerPoint presentation.

Commissioners asked clarifying questions.  
Staff responded.

The Planning Commission entered deliberations.

Commissioner Ponte moved to find that the applicant has met its burden of proof and approve the applicant's request for a conditional use permit, file number 217-21-000438-PLNG. With this motion, we direct staff to prepare a final written decision and ask the chair to sign the decision outside of a hearing.

Commissioner Ponte amended the motion with the recommended changes to the conditions of approval from staff and my recommended suggested change to 4b.

Commissioner Hermreck seconded the motion.

The Planning Commission entered deliberations.

Commissioner Ponte moved to find that the applicant has met its burden of proof and approve the applicant's request for a conditional use permit, file number 217-21-000438-PLNG. With this changes to the conditions of

approval, specifically, 3C at the 1.5-acre ratio be changed to 2-1-acre ratio, along with conditions 4b which is to include reference to the mitigation funding equation, and staff recommendations. Also basing the 2-1 ratio on past practice requiring 2-1 mitigation, along with ODFW's testimony in the record, and the fact the mitigation equation the Applicant has accepted accounts for a 2-1 mitigation; we direct staff to prepare a final written decision and ask the chair to sign the decision outside of a hearing.

Commissioner Hermreck seconds the amended motion.

Chair called for further discussion.

Chair called for the vote.

- ☐ George Ponte - Aye
- ☐ Susan Hermreck - Aye
- ☐ Les Williamson – Aye
- ☐ Bob Lundquist - Aye
- ☐ Mike Warren - Aye

Motion passes 5-0-0

Chair Warren asked for staff updates.

Will Van Vactor, Community Development Director, announced that Commissioner Ponte was accepted to the Central Oregon Landwatch academy and asked if the Commissioners were comfortable with Commissioner Ponte representing Crook County Planning Commission.

Commissioners affirmed the representation by Commissioner Ponte was valuable for the commission as a whole.

Staff provided Community Development updates and upcoming hearings.

Commissioner Hermreck moved to adjourn. Commissioner Ponte seconded.

Chair Warren asked for the vote.

- ☐ George Ponte - Aye
- ☐ Susan Hermreck - Aye
- ☐ Les Williamson – Aye
- ☐ Bob Lundquist - Aye
- ☐ Mike Warren - Aye

The motion passes 5-0-0