

CROOK COUNTY PLANNING COMMISSION MEETING
October 27, 2021

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 Chair 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 Susan Hermreck, Laquita Stec, and Commissioner Pro Tem Lawrence Weberg. Commissioner George Ponte attended via WebEx. The following County staff was present at the meeting: Community Development Director, Will Van Vactor; Planning Manager, Brent Bybee; Planner, Katie McDonald and Senior Permit Tech, Hannah Elliott. Planning Permit Tech, Jennifer Orozco and Ann Beier, Crook County participated via WebEx.

Parties in Attendance:

See sign in sheet

Participating via phone WebEx:

See sign in sheet

MINUTES:

Minutes from September 22, 2021 were reviewed; Commissioner Stec asked that the spelling of her name be consistent through the document.

Commissioner Stec moved to approve the minutes as amended. Commissioner Ponte seconded the motion.

Chair Warren - Aye

Commissioner Ponte – Aye

Commissioner Hermreck – Aye

Commissioner Stec – Aye

Commissioner Pro Tem Weberg – abstain

The motion passed 4-0-1

PUBLIC HEARING

- **Continuation for deliberations only 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 noted this is a continuation for deliberations by the Planning Commission on a request by the Applicant, Knife River Corporation Northwest, to authorize the extraction of sand and gravel from the site

(Conditional Use Application 217-21-000573-PLNG). 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). He noted that the comprehensive plan amendment was still being heard by the Crook County Court.

Chair Warren read the opening statements and asked the commissioners if they had any Ex Parte Contact, Conflict of Interest, Bias:

Chair Warren mentioned the site visit from July that is already on record.

Commissioner Ponte – no

Commissioner Hermreck – no

Commissioner Stec – no

Commissioner Pro Tem Weberg stated that after one of the meetings he was approached by people outside of the meeting and engaged in discussing the application and information with them. He will recuse himself from voting on the matter.

The Chair then 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 Warren then polled the Commissioners to see if there were any questions regarding staff's recommendation for the continuation:

Commissioner Ponte asked if he could submit written comments for deliberations.

Community Development Director Will Van Vactor stated that he could call in, but to introduce written comments during deliberations would not be allowed.

Commissioner Hermreck – no

Commissioner Stec – no

Commissioner Pro Tem Weberg – abstain

Commissioner Stec moved to continue the hearing for deliberation on file 217-21-000573-PLNG on December 8th before this Commission at 4pm.

Commissioner Hermreck seconded the motion.

Chair Warren - aye

Commissioner Ponte – no

Commissioner Hermreck – aye

Commissioner Stec – aye

Commissioner Pro Tem Weberg – abstain

The motion passes 3-1-1

Chair Warren then opened the second hearing item.

- **Wine Down Ranch, LLC (owner), & Darcy Bedortha (applicant), filed a Conditional Use Application, Record number 217-21-000677-PLNG**, seeking approval for Equine and Equine-Affiliated Therapeutic and Counseling Activities. The property is identified as Township 13 South, Range 16 East, WM, Section 0, tax lot 1800. The property is zoned Exclusive Farm Use Zone, EFU-2 (Prineville Valley-Lone Pine Areas). The situs address is 6500 NE McKay Creek Rd, Prineville, OR 97754.

Chair Warren then read the opening statements and applicable criteria into the record. He then asked the commissioners if they had any Ex Parte Contact, Conflict of Interest, Bias:

Chair Warren stated he has no conflict.

Commissioner Ponte – no

Commissioner Hermreck disclosed that she met Darcy at a social function 8 years ago.

Commissioner Stec disclosed that she knows Darcy as an acquaintance when she was working with Heart of Oregon Corp. It will not bias her decision.

Commissioner Pro Tem Weberg disclosed that he knows Darcy when she applied for a Grant with the Crook County Foundation for this project years ago. It will not bias his decision.

No Conflict of Interest was stated by the Commissioners.

Chair noted that no other members of the public were present for the meeting.

Brent Bybee, Planning Manager then provided an overview of the project and staff report, highlighting key criteria.

Commissioner Pro Tem Weberg asked about other commercial uses on the property by the property owner. Bybee clarified that other intensive commercial uses would need to be reviewed by staff.

Commissioner Pro Tem Weberg then clarified his statement by stating other commercial farming activities by the owners would not be limited.

Commissioner Ponte then asked if the verbiage from Conditional Use review vs. Conditional Use permit.

Bybee said it meant the same thing and just different jargon.

Commissioner Stec noted that the application number was not included in the staff report on the front page.

Bybee thanked the Commissioner and stated he would add the file number.

Chair Warren asked if there was a limit that staff looks for regarding trips per day.

Bybee responded that staff did not identify a numerical limit.

Chair Warren's concern was for the future expansion of the use.

Bybee stated that staff could review that through a modification.

Chair asked to hear from the applicant.

Darcy Bedortha, Founder and Director of Horses On The Ranch, provided a summary of the work that they do and clients they work with. She provided overview of the nature of the work and the benefits of working in nature, privacy and horses. She stated they have seven horses and long term plans for regeneration of the meadows and education regarding the native plants along with history of the area.

Chair Warren then read into the record criteria regarding providing testimony.

Chair Warren asked if there were any questions from the Commissioner's for the Applicant.

Commissioner Ponte stated that he applauded the work they do. He asked if there would be any chance of evening hours or any hours outside of the proposed hours.

Darcy answered that there has been an occasional fundraising event in the evening or outside of the proposed hours. She stated that the 5 clients that are seen per day is intense for staff, horses and the clients, therefore extending hours was not in the plans. She added that a day permit for a special event may be needed but not ongoing.

No further questions from the Commissioners.

Commissioner Stec asked the Applicant after reviewing the staff report did she have any concerns.

Darcy responded that there was no concern.

Chair Warren then asked the applicant if they would like to waive the 7 day final written argument.

Darcy responded that a decision tonight would be good.

Chair Warren asked if staff had any further comment.

Bybee responded no.

Commissioner Ponte asked staff about the condition regarding signage, would it need to come back to the Commission or could it be handled by staff.

Bybee stated that it could be handled by staff.

Chair Warren asked if they could include that in the motion.

Commissioner Hermreck asked to strike, reviewed by planning commission out of the condition.

Bybee cited code and said there appears to be flexibility and direct staff to handle that instead.

Commissioner Hermreck moved to approve Conditional Use Review file number 217-21-000677-PLNG, seeking approval for Equine and Equine-Affiliated Therapeutic and Counseling Activities with the nine conditions of approval as presented in the staff report with the exception of must be approved by the planning commission be deleted from condition number eight and allow staff to make the decision: also the addition of file number to the staff report.

Commissioner Ponte seconded the motion

Chair Warren called for discussion.

No discussion

Chair Warren called for the vote:

The motion passes 5-0-0.

Bybee asked the Commission to make a motion to approve the

Stec moved to authorize staff to the Chair sign the decision within 10 days outside of a meeting.

Commissioner Hermreck seconded the motion.

The motion passes 5-0-0

Chair read the notice dates and criteria into the record.

Staff provided an update for upcoming meetings.

Commissioner Stec asked about the recommendation before the Court and if they had decided.

Staff responded that there is no indication and the record is open for the Court process.

Further discussion regarding process and new materials for the Knife River file between staff and Commissioners took place.

Staff asked for a special meeting in December.

Discussion for an additional meeting in December – December 15

Bybee noted there is an open position for the Commission, there is an application online, and to get the word out there. He also added that staff would be keeping track of unexcused absences.

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