

CROOK COUNTY PLANNING COMMISSION MEETING

9/21/2022

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 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 Crook County Annex. Commissioners attending the meeting in person were Gary Bedortha, Laquita Stec, George Ponte, Les Williamson, and Susan Hermreck. 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 and Permit Tech, Jennifer Orozco attended via WebEx;

Excused Absences

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

- **August 10, 2022**

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

Commissioner Stec seconded the motion.

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

The motion passed 5-0-1

Items Not on the Agenda

Mike Dunn, Powell Butte resident, provided testimony regarding development and water concerns in Powell Butte area.

Staff and Commissioners discussed the concern regarding water.

Items for Consideration

- **Brasada Phase 15 Final Plat**

Staff provided a quick overview and all conditions of approval have been met.

Adam Conway, DOWL provided testimony.

Chair Warren called for a motion.

Commissioner Stec made a motion to approve the plat, sign, and forward the plat to County Court.

Commissioner Hermreck seconded the motion.

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

The motion passed 5-0-1

- **Grandridge Discussion**

Staff and Commissioners discussed upcoming final plat.

Public Hearing

Record Number: 217-22-000152-PLNG & 217-22-000153-PLNG, a continuance hearing before the Crook County Planning Commission for a conditional use permit and comprehensive plan amendment to operate a commercial energy facility, submitted by Applicant: Brian Walsh, Property Owners: Powell Butte Vistas LLC, Kevin Spencer; Steve & Stephanie Christensen; Bill Phillips and Doug McGee; and the Oregon Department of State Lands. Map/tax lots: 1615000002000, 1615000000800, 1615000002300, 1615000002800, 1615000002301, 1615000002400. The request is for a modification to the approved 320-acre Aurora Solar Facility (216-16-000373-PLNG), to expand the footprint from 528 acres to 1,553 acres, increasing generating capacity from 56 megawatts to 103 megawatts, and add an optional 103 megawatt battery energy storage system.

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

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

- Susan Hermreck - No
- Gary Bedortha stated that he sits on the board of Crook County Soil and Water Conservation District, there is a possibility they would receive funding, he is a volunteer for the District. His decision will not be influenced by his involvement with the CRWC.
- Laquita Stec - No
- George Ponte stated that he sits on the Board Crook County Fire and Rescue that his wife sits on the Deschutes Land Trust board. Both organizations are mentioned in the application and the staff report. His decision will not be impacted from the involvement on the boards.
- Les Williamson – 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?

- Susan Hermreck - No
- Gary Bedortha - no
- Laquita Stec - No
- Bob Lundquist – 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.

Chair asked for any comment from public, none were stated.

Chair asked staff to present the staff report.

Brent Bybee, Planning Manager, provided a summary of the proposal and highlighted specific criteria. His presentation included a power point slide show.

Commissioner Bedortha asked a clarifying question.

Staff responded.

Chair asked for testimony from any federal, state, or local agencies.

Greg Jackle, District Biologist for Oregon Department of Fish and Wildlife in Prineville provided testimony.

Commissioners Ponte and Stec had questions for Jackle.

Jackle responded.

No other federal, state, or local agencies provided testimony.

Chair asked for testimony from the applicant.

Paul Hicks with TetraTech; Elaine Albrich, permitting legal counsel for the Applicant; Eric Hawkinson with TetraTech; Brian Walsh, Avangrid; Matt Hutchinson, Project Manager with Avangrid and Rachel Walker, Permit Manager for Empire – provided testimony regarding the proposal.

Commissioners Hermreck, Ponte, and Williamson asked clarifying questions.

Applicant team responded.

Staff provided clarification regarding a specific condition.

Commissioner Bedortha asked clarifying questions.

Staff responded.

Commissioners discussed the specific condition.

Chair asked for testimony from the anyone in a neutral position of the proposal.

None

Chair asked for testimony from the anyone in opposition of the proposal.

None

Chair asked Jackle to speak regarding a condition.

Jackle provided testimony regarding the condition and history.

Commissioners discussed the condition.

Chair asked for the Applicant for rebuttal testimony.

Albrich, provided testimony.

Chair asked for further comment from Staff.

Bybee provided additional comments.

Chair asked the Applicant if they would like to waive their 7-day final argument.

Applicant so moved.

Commissioner Hermreck moved to close the public hearing.

Commissioner Ponte seconded.

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

Motion passes 6-0-0

Commissioner Hermreck moved to approve the goal 3 exception for 217-22-000153-PLNG.

Commissioner Bedortha seconded the motion.

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

Motion passes 6-0-0

Commissioner Ponte moved to approve application 217-22-000152-PLNG with the following changes to the staff report, condition number 24 should include the language in exhibit 7, from the County Fire Marshall, and have staff prepare the final decision for the chair to sign outside of a hearing.

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

Motion passes 6-0-0

Commissioner Bedortha asked if there ongoing conversations with ODFW.
Commissioner Ponte asked which solar projects are still pending.

Staff provided Community Development updates and upcoming hearings.

Commissioner Stec moved to adjourn. Commissioner Bedortha seconded.
Chair asked for the vote.

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

The motion passes 6-0-0