

**CROOK COUNTY COURT MINUTES
OF NOVEMBER 3, 2021 KNIFE RIVER**

Be It Remembered that the Crook County Court met in a Court meeting on November 3, 2021, at 10:40 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754.

Court Members Present: Judge Seth Crawford, Commissioner Jerry Brummer and Commissioner Brian Barney

Absentees: None

Others Present in Person or Via WebEx: Legal Counsels Eric Blaine and John Eisler; Administration Executive Assistants Amy Albert; Legal Assistant Lindsay Azevedo; Director Will VanVector; Planning Technician Hannah Elliott; Ann Biere; Billie Johnson; Richard Zimmerlee; Bryan Zednik; Donald Pomraning; Adam Mikulski and Karen Mikulski; Matt Ropp; Amber Hudspeth; Chris Lindstone and Ethan Hasenstein.

Judge Seth Crawford opened the second Knife River hearing with instructions to all parties as to how the hearing would be conducted. He provided an overview of County Court's site visit on October 26th. Judge Crawford concluded by opening a public hearing.

Will VanVector, Community Development Director, gave an overview of exhibits thirty-five through fifty-five, all of which have been received since October 20th. Mr. VanVector discussed exhibit forty-eight a summary of goal five aggregate and mineral sites in Crook County, he wrote for County Court.

John Eisler, Assistant County Counsel, discussed the memo he wrote for County Court explaining how determinations are to be made.

Federal, State and Local Agencies did not participate in the hearing.

Matt Ropp, Planning Manager for Knife River, objects to the Planning Commissions 3B recommendation. Mr. Ropp does not feel the Planning Commission is objective in their recommendations regarding Knife River's application, rather their decisions are based on emotion. Mr. Ropp stated Knife River has been in compliance with all requirements and would like the site to be designated a 3C.

Neutral

Richard Zimmerlee spoke about issues he had with the field being too wet during the final cutting of hay. Mr. Zimmerlee has retained Jim Newton an engineer and geologist to provide a comprehensive report regarding impacts the mining site will have on surrounding land. Mr. Zimmerlee has requested the record remain open as Mr. Newton has not finalized his report.

Opposed

Brian Zednick requested the site be designated 3B as there will be long term impacts to the surrounding water tables and properties. Mr. Zednick stressed any issues cause by Knife River will remain after the mines have been vacated.

Donald Pomraning requested the site be designated as 3B. Mr. Pomraning stated the main concerns for himself, and his neighbors are the noise, the dust, property values and Knife Rivers past conduct.

Adam and Karen Mikulski stated the site visit held October 26th did not accurately depict the mine as Knife River had cleaned the site. The Mikulski's showed pictures of the sites daily activities and produced a recording of the noise emitted from the site.

Billie Johnson discussed the negative effects the noise and water issues caused by the mine is having on her dairy. Ms. Johnson needs to partially replace her gutters due to rust caused by the mine.

Applicant

Chris Lindstone Knife River's Hydro Geologist objected to accusations Knife River has a history of violations, stating Dogma has not received such reports. Mr. Lindstone discussed expected water patterns for the mining site and surrounding land by explaining how Knife River will be extracting rock and sand. Mr. Lindstone explained that it will be three years after the land is vacated before it returns to its former status.

Amber Hudspeth of Hudspeth Land and Water stated that she has only be measuring aquifer date points and static water levels.

Matt Ropp objected to the Court leaving the record open as the Court is not required to do so. Mr. Ropp stated that Knife River is nearly out of rock and by leaving the record open the process is unnecessarily being delayed.

The record will be left open until November 15th at 4:00 p.m. for limited evidence. County Court will hold a third hearing on this matter December 3rd at 10:00 a.m., this hearing will only be open to limited testimony.

MOTION to close open record for submittal of evidence Monday, November 15th at 4:00 pm. Motion seconded. No further discussion. Motion carried 3-0.

MOTION to continue hearing to December 3rd at 10:00 a.m. limiting arguments to written evidence. Motion seconded. No further discussion. Motion carried 3-0.

There being no further business before the Court, the meeting was **adjourned at 1:18 p.m.**

Respectfully submitted,

Amy Albert