

**CROOK COUNTY COURT MINUTES
OF DECEMBER 3, 2021 KNIFE RIVER MEETING
Open Portion**

Be It Remembered that the Crook County Court met in a Court meeting on December 3, 2021, at 10:00 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 Counsel John Eisler; Administration Executive Assistants Amy Albert; Director Will VanVector; Manager Katie McDonald; Planning Technician Hannah Elliott; Ann Biere and members of the public.

Judge Seth Crawford opened the third Knife River hearing with instructions to all parties as to how the hearing would be conducted. The applicant and parties in opposition were limited to thirty minutes and were instructed not to introduce new evidence. Judge Crawford concluded by opening a public hearing.

Will VanVector, Community Development Director, gave an overview of exhibits fifty-seven through sixty-four. John Eisler, County Counsel submitted an updated overview of the Knife River case, this will be added to the record as exhibit sixty-five.

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

Matt Ropp, Planning Manager for Knife River, asked for clarified on today's rules.

Opposed

Hank Simmons, discussed his concerns with Knife River infringing upon his and his neighbors farming lifestyle. Mr. Simmons' requested the Court use their authority to protect the land surrounding the proposed Knife River site.

Jim Newton, Cascade Geo Engineering, was retained by Dick Zimmerlee to assess Knife River's conditional use application. Mr. Newton testified to his concerns of Stantec's poor and haphazard data. Mr. Newton used exhibit fifty-nine, as an example of his findings of shallow aquifers.

Mr. Ropp, Planning Manager for Knife River, objected to Mr. Newton's statement regarding the measurement of static wells, this objection was upheld as Mr. Newton's testimony introduced new evidence. Although, Mr. Newton was allowed to use data from Amber Hudspeth's memo, listed as exhibit sixty-one.

Mr. Ropp, Planning Manager for Knife River, objected to Mr. Newton's statement that the Woodward/Varnier site would be a failed site and his statements regarding his concerns with Stantec's research and reports. The Court upheld Mr. Ropp's objection to

Mr. Newton's assessment that the Woodward/Varnier site would fail but it was pointed out Mr. Newton's concerns over Stantec's research and reports was clearly stated in his report, listed as exhibit sixty-two.

Applicant

Matt Ropp, Planning Manager for Knife River, stated that the final reclamation plan from Knife River has not been submitted.

Chris Lindstone Knife River's Hydro Geologist, spoke to the concerns raised by Mr. Newton and stated he is comfortable with the proposed mitigation plans.

Matt Ropp, Planning Manager for Knife River, will submit the final written rebuttals. Mr. Ropp stated the objective of the Court hearings are so the County can administer a goal five program.

County Counsel will prepare their findings and present them to County Court. Mr. Ropp asked to review the drafts of County Counsel's findings, this request was denied.

MOTION to direct staff to prepare findings. Motion seconded. No further discussion. Motion carried 3-0.

MOTION to continue deliberations to January 5, 2022, at 9 a.m. at the annex. Motion seconded. No further discussion. Motion carried 3-0.

There being no further business before the Court, the meeting was **adjourned at 11:39 a.m.**

Respectfully submitted,

Amy Albert