



MEMORANDUM

FROM: John R. HuttI Curry County Counsel

TO: Curry County Planning Commission

RE: AD-1909, Kiewit Foster Rock Quarry Application

DATE: July 22, 2019

This matter was originally set for decision on July 25, 2019 at your regular Planning Commission Meeting as the hearing closed on June 20th. The record was left open for 7 days. This schedule is no longer possible to meet currently.

The record was originally left open for new evidence and testimony for seven (7) days after your last hearing. All participants then had seven (7) days to submit rebuttable to that new evidence and testimony with the Applicant having a final seven (7) days to supply final argument.

The process was set out and the County received new factual information and argument and written testimony from citizens, including a request to keep the record open for up to 14 additional days; and the County also received additional factual information and argument from the applicant.

Due to the submission of the new evidence the process begins again. Those wishing to comment may supply comment regarding the new evidence submitted by the Applicant with him again having seven (7) final days for rebuttal argument only.

SUGGESTED MOTION - A proper motion for your hearing would be to re-open the record and allow a specific number of days (seven or fourteen) for any party to submit new evidence or argument in relation to the new factual information submitted by applicant. After the public has submitted their new testimony and argument and facts, the Applicant has seven additional days for final written argument (not new facts).

Please let staff know if you have any questions.

John R. HuttI
County Counsel