



Fremont County Planning & Zoning Commission
Minutes
January 9, 2006
REVISED

In Attendance were: Mike Davis (Chairman), Connie Ottesen, Ron Kynaston, Kirk Mackert, Vance Derricott, Glen Pond, Cindy Roberson, Bill Smith, Kip Martindale, Evan Worrell, John Nedrow, Cindy Miller, Rod Dalling

Also in Attendance: Karen Lords (Administrator), Kathy Thompson (Compliance Officer), Molly Knox (Secretary), Owen McLaughlin District Seven Health Department), Ray Finch (Surveyor), Kevin Thompson (Surveyor), Karl Lewies (Prosecuting Attorney, Commissioner Paul Romrell, Rick Byrem (Surveyor), Paul Hopperdietzel (Developer)

Mike Davis – Meeting called to order at 7:00 p.m. and Mike welcomed everyone. Extended a special welcome to Commissioner Paul Romrell and our Prosecuting Attorney Karl Lewies. And we would like to welcome our new members this evening. Before we go any further I would like to see if Karl or Paul has anything to say or address to the board this evening?

Paul Romrell– I would like to take the opportunity to thank the Planning & Zoning Commission for completing 6 year terms. I do not think that the county appreciates or understands the magnitude that you make on the county and the decisions that you have to make. I would like to thank the out going members for time and seriousness of how you enter into your decisions. Also to the new commissioners, welcome aboard, this will be new for you for awhile, the agendas are full tonight, and next month is full and some into March. It's a huge job to complete what is already in the fire out of the way. I was thinking of size of your decisions, there is one subdivision that has come through recently that when it is all said and done will be worth 65 million dollars, just one subdivision. You are looking at three tonight, its big dollars. And what we do and the decisions that you make for the next six years will be here for a lifetime. How the county looks and what we allow and do not allow I would personally like to see growth, subdivisions and things come into the county, but I would like to see a meaning full growth. Fremont County is unique; there is no other county like it in Idaho. Our County is the most beautiful in the region and US. We have the headwaters of Snake River, we see the Tetons in almost every place in the county, Mt. Jefferson and Sawtelle. Protect those views and vistas. This group is the ones who protect those for now and in the future. I appreciate you for accepting it there is probably not a more important assignment in the county. We want to revisit our Comprehensive Plan. We were in the middle of revising it and suddenly made a change in direction. That may make some of you nervous you might think we took a big detour. We wanted to bring on our own Land Use Planner to

help us develop a further vision of what this county should look like. We would like to have them on board by the end of May, have public meetings and redoing comp plan done by the end of the year. We will need a lot of input from you folks. Karl, do you have anything to add?

Karl Lewies – I thought it would be nice for me to be here to let you see me and I see you. Part of my role as County Attorney is to advise Karen Lords of Planning and Zoning issues and legal issues that come up. We spend time on the phone every day several times a day. Mostly over matters on interpreting this Comprehensive Plan and Development Code you have. And so I am also your attorney on this. Development Code is primarily where we focus. The Comprehensive Plan which Karen has I am sure explained the overall vision of what we would like the county to look like. But the real nuts and bolts of Planning & Zoning are the Development Code. Code is an ordinance; it is an enforceable law which constitutes a criminal misdemeanor punishable by fines and jail time. People and Developers have to comply with this code. Your job is to review the applications for the developments work through the code with Karen's assistance and see if the proposed subdivision complies with the code. And those are questions of interpretation and are going to be debatable. You can go to Karen on for guidance on. Karen may refer your questions to me. Karen is planning on doing 101 training this month and work through in detail and I will lead that session. Welcome aboard and I do agree with what Commissioner Romrell said that you have the most important job in county in the way of future land use in years to come. The way the county is going to look is determined by the way you interpret the Development Code and revise the Comprehensive Plan. Welcome aboard and thank you for serving.

Karen Lords – Commissioner Romrell since you are here would you like to take the honor in handing out plaques for six years of service.

Paul Romrell– I spoke about Mike Davis being chairman and have done a wonderful job in the last six years.

Mike Davis – Thank you.

Paul Romrell – Connie Ottesen - Six years

Connie Ottesen – It's been along six years

Paul Romrell– Bill Smith- six years

Bill Smith – Thank You

Karen Lords – We would like to get a picture in the paper of them. Kurt Eidam - also six years, is out of country. Thank you Commissioner Romrell

Correction to September 19, 2005 Minutes

Mike Davis – Okay, first item on agenda is correction of the September minutes. Have the members of the board had a chance to look them over? Karen, could you please explain the corrections to the board.

Karen Lords – I need to give you an update, Rick Byrem is in the audience representing Peter Valenti. And Mr. Valenti brought to my attention that, you should have a highlighted page on September 19th minutes on about on the fourth page, it should be in yellow. Mr. Valenti brought to my attention that Mr. Byrem made the statement that there is absolutely no public access to his development. I have given you an 8 ½” x 11” copy of his subdivision that we went through and approved, called Elk Ridge at Harrison Springs. Mr. Valenti would like it corrected in our minutes because when it was approved it was approved with all of my conditions and I had stated in there that if there was public access to the river that he needed to continue that public access and they are stating that there is no public access, because there is Forrest Service property across the property. For the new members it is located right at McCrea’s Bridge on the Yale Kilgore Road, it is a gorgeous parcel. On the left hand side or across the street is the former Cowbell Restaurant. So there is McCrea Ranch or subdivision, camp ground is sitting to the East across the bridge. There are boat docks there and plenty of places for fishing. The actual bridge going across the river has a walkway for fishing access. So I am asking if you would make a correction to minutes tonight stating that the approval will be same as before but we are taking out the public access portion, because he will not need to provide that. It was not in existence at the time.

Mike Davis – Are there any questions from the board members for Karen for clarification at this time?

Karen Lords – Would you like the code number?

Kirk Mackert – Just to clarify and maybe Karl would have to answer that. If you have the river there and if somebody owns property on the river bank they can actually deny public access?

Karen Lords – If it did not exist prior, it has to be historical access.

Kirk Mackert - What is the definition of that then?

Karen Lords - Mostly to Public lands.

Kirk Mackert – What creates a public access?

Karen Lords – Let me read to you.

Bill Smith - How do you get to the water then?

Karen Lords – He is stating that there was no public access to the public.

Bill Smith – I thought that you had public access from the high water mark down regardless.

Kirk Mackert – That is what I was thinking.

Rick Byrem – That is correct. I think that the issue is that they cannot cross the property to get to the river but can go along the river is okay.

Kirk Mackert – Okay, that makes sense.

Karen Lords - So this would be Chapter Eight, M.M. - Public Access (Fremont County Development Code), the first ordinance states no development shall eliminate historically existing public access through private lands to trailheads on public lands. Provision of public access to public lands or water resources shall be encouraged. The access provided may be limited to foot travel. And he is stating that there was no existing historical access across his property to the river. So if you make a motion you need to state Chapter Eight, M.M. - Public Access of the Island Park Zoning District Sections one and two.

Mike Davis - Do I hear any more questions for Karen or clarification?

Ron Kynaston – I make the motion that the board accepts no public access across the Elk Ridge at Harrison Springs on the private property in reference to Chapter Eight, M.M. - Public Access.

Glen Pond – I will second.

Mike Davis – Okay, we have a motion and it has been seconded on clarification of no public access in reference to Chapter Eight, M.M. -Public Access for Elk Ridge at Harrison Springs. Those in all in favor? Motion carries.

Approval of November 21, 2005 Minutes –

Mike Davis – The next item on the agenda is the approval of the November Minutes, did the board members have the opportunity to go through them and are there any changes that need to be made?

Connie Ottesen– I will make a motion that we approve the minutes as written.

Cindy Roberson -I will second the motion.

Mike Davis – Okay, a motion was made and has been seconded that we approve the November minutes as written. All in favor? Motion carries.

Public Hearing – Hotel Creek Estates Shotgun Road Brett & Reese Whitaker

Mike Davis – Okay, the next item on our agenda is our Public Hearing for Hotel Creek Estates on Shotgun Road, Brett & Reese Whitaker. Karen, have the proper notices been provided?

Karen Lords – Yes, the property has been posted, and public notices have been mailed out to the property owners within 1000 feet.

Mike Davis – Okay, I will ask one other question. Are we okay since we switched buildings as far as have notices been posted at the court house? I know we left a road map.

Karen Lords – I guess we need to ask Karl that question.

Karl Lewies - Did we leave a pretty good trail of bread crumbs to over here?

Karen Lords - Molly put bright green notices with a map

Karl Lewies - That will due.

Mike Davis – Are there any board members with a conflict of interest with this proposal? Any conflicts? Karen would you report?

Karen Lords – Hotel Creek Estates is located on the Old Shotgun Road in Island Park. This property is surrounded by Shotgun Subdivisions that were put into place in the 1960's. This property borders Hotel Creek, (Karen passing out maps). Ray Finch is the surveyor who is representing the Whitakers on this project. And I will read you my report, and then we will discuss the map.

Reese and Brett Whitaker have applied for a Class II permit application proposing a subdivision to be named "Hotel Creek Estates". The proposed subdivision requests approval for five lots and a parcel of open space to be used as pasture for horses for the property owners. The proposed subdivision is located approximately a half mile off the Yale-Kilgore Road. The proposed development is located on the west side of the Old Shotgun Road just before the bridge crossing Hotel Creek. The property is located in Section 12 and 13, Township 13 North, Range 42 East Boise Meridian, and Fremont County, Idaho. The proposed lots one, two, three, and four will contain portions of Hotel Creek. Lone Goose Environmental has determined a no build zone next to Hotel Creek for lots one, two, three and four. Lots one and two will share a driveway off the Old Shotgun Road. Access for Lots three, four, and five will be provided with a road ending in a cul-de-sac. Underground utilities will be provided to the lots. Lots one, two, four and five will provide a 15-foot snowmobile easement to the public. Conditions of approval are read aloud.

I have also included my score sheet, which lists the conditions of approval which I just read to you. We also have a letter from Fall River Rural Electric stating that they can provide service. We also have a letter from Fremont Telecom that they can provide utility service to the subdivision. The Fire department that we can read now or enter it into public comment, also Fish and Game sent an e-mail stating that they have absolutely no issues since they already have existing development around these properties with wildlife.

Mike Davis – Okay, do any of the board members have any questions for Karen? Do any of the board members wish to contest how it has been scored?

Karen Lords – I wanted to review the maps so that they understand what the development is. (Karen showing board where on maps). Individual septic and wells will be placed on property; also will have Covenants, C and Restrictions. Notice the snow machine trails on the dotted line and there is a 15-foot easement that will be placed on plat.

Group discussion concerning location of map and area

Karen Lords– If you will note, Hotel Creek is running through these parcels. There will be monument pins there in the ground. They will own to the center of Hotel Creek but they will not be able to build past the monument.

Group Discussion Inaudible

Karen Lords – And Ray Finch, (surveyor) is here if there are any questions.

Kirk Mackert – It's just about the future of Planning & Zoning, I was just noticing these setbacks along the creek and what if in five years that creek changes course 20-22 feet?

Ray Finch – The creek is defined by a lava ridge on one side and a four or five foot high berm on the other. I don't think that can change very much. Actually, the creek is only 10-foot wide and we have backed to the setback zone to over 100 feet wide to cover wetland area. It is a couple of acres that we are keeping people out of. So, even if the creek will meander, it can't meander out of that overall confined zone and we have taken that into consideration and that was a very good point because if it could meander out of a flat plain but I don't think it could.

Karen Lords – I also have pictures coming around that I took this summer so you can see what the property looks like.

Mike Davis – Do any of the board members have any more questions for Ray or Karen?

Karen Lords- Speak up, if you have any questions this is the time to ask them.

John Nedrow- I have a question. I assume that all of the requirements are taken care of with the building permit process?

Karen Lords – All of the conditions that I have stated are for the zoning permit approval that they are asking for. So if approval is given tonight we will need to state that if you are in agreement with the conditions that I have found, because as commission members you have the right to agree or disagree.

Group Discussion Inaudible

Computer Connective Problems Loss of Power Meeting put on hold due to issue

Mike Davis – Okay, we were in the process of asking questions to Karen & Mr. Finch on the proposal. Board Members have any further questions for Ray or Karen?

Kirk Mackert – What is the one blue line that cuts thru lot four?

Ray Finch - There is a dark blue line that is close together, that is the creek. There are contours the longer dash lines are the perimeter. There is actually an acreage table on the revised one and bearings and distances along the creek that is going to be the line that you are talking about. The long dashes that are blue are actually going to be an open space easement that is defined on the preliminary plat. The reduced copies might have them on it. All of these lines of bearing and distance are the setbacks we will actually monument that line so that the owners of properties will know where the no build line is. Visually sensitive, the power poles are down. We are going to have the gates nice and decorative, the Covenants, C and Restriction's will state earth tones or muted colors (for homes) and landscaping, wildlife corridor, no buildings or fences in that area.

Mike Davis - Owen, you been up there and checked this?

Owen McLaughlin – Last fall, I think they will be okay. The two lots on the East, no problem at all. Lot three on the west, there could be some problems with rocks. Standard systems, but we thought we could look around. I will require test holes on each.

Ray Finch – Depending on the depth for standard or we could do the sand mound or something.

Mike Davis- Are there any questions for Owen?

Glen Pond – Yes, where are the utility easements?

Ray Finch – The snow machine trail as well as the street, Yale-Kilgore are easements as for the 15-foot additional snow machine easement is going to have underground utilities. The 60-foot private road that the serves lots five, four and three will also serve as easements and that gives us access to all the properties.

Mike Davis - Any other questions? Mr. Reynolds is not here this evening, but we heard about roads in the sketch plan what they are planning on doing.

Karen Lords– I think we might want to talk about the roads a little so that the new members understand what was said.

Ray Finch– I can co over that a little. We have two access points that we are going to use share a driveway for lots one and two, off the Old Yale Kilgore road and has been put at the crest of a ridge and at a straight of way good visually. The other accesses are on the private road that 60 foot not allowed to come out onto the Old Yale-Kilgore Road.

Kirk Mackert – Didn't we determine another access in the Open Area?

Ray Finch – There will be two on the Open Area, they are putting a gate on the North East entrance of that internally. And there is an old coral that we are going to keep. It will get very minimal use, weekend use for horses probably.

Cindy Miller – When you said a gate will you explain what you mean by gate and what type of fencing is allowable there.

Ray Finch – A couple of horses in there a 12-foot metal gate on wood rail fence. The driveway entrances will have three rail wooden posts with some shrubs and plants around those.

Cindy Miller – The fencing around where the horses go?

Ray Finch– Right now its wire but we want to take it down the front and replace with rail to dress it up a little bit, but the back will stay wire.

Cindy Miller– Is there any cattle grazing anywhere around this property? Do you need cattle guards?

Ray Finch – No, surrounding this property is subdivisions such as Shotgun 10. There used to be cattle but not any more.

Karen Lords – Mostly large homes on 20 acre parcels and no cattle grazing anywhere around.

Ray Finch – Some horses but no cattle.

Mike Davis – Bill any questions?

Bill Smith – No, just talking about this common area for the horses it's just for land owners.

Ray Finch– Yes, just land owners.

Mike Davis– Are there any other questions for Karen or Ray?

Karen Lords – Did we state that the open space is a no build area?

Ray Finch – It says in the note and will be in the covenants that the open space along the creek is a no build no fences area.

Kirk Mackert– Maybe it says in the covenants the usage of recreational ATV's in the area?

Ray Finch – We met with The Forrest Service and Parks & Rec., that snowmobile trail is a snowmobile trail ATV's will not be allowed. If you have seen what they are doing to Hotel Creek you would understand. The Forrest Service is adamant.

Mike Davis- Are there any other questions?

Vance Derricott – Does this commission address these cabin rentals?

Mike Davis – I don't believe we do at this time.

Karen Lords – It is sitting before County Commissioners at the moment.

Vance Derricott - When you are talking about covenants. I was just wondering.

Karen Lords – You have the right to ask that question.

Mike Davis – Are these going to be cabin rentals? Do you know Ray?

Ray Finch – I am afraid that I cannot answer the question because I have not discussed it with the Whitakers. They are intending to sale the lots; so far they have been pretty strict with that covenants and what they want put into place. I can't answer, I am sorry.

Mike Davis – That would be an individual thing with the person who bought that and are building the home.

Bill Smith – What you are saying is there is a sore spot? This would not be the time to address it because we can not control the covenants. That's where you control 99% of your problems is in you're covenants.

Ray Finch – They need to upgrade substantially with the new era.

Mike Davis – Let's get back to the current proposal, any further for Ray or Karen at this time? Okay, then at this time we will open to public comment. Is there any one signed up? No, okay then is there anyone in audience who would like to comment on this proposal? Okay, then Karen you had some letters to read?

Karen Lords – I think we just want to make note in the record that we received an email dated January 4th from Idaho Fish and Game, Kim Ragotzkie.

I was just now routed the announcement for the Class II Permit public hearing for the Brett and Reese Whitaker subdivision. Considering it is in an area already getting built up and subdivided. Idaho Fish and Game has no comment on this proposal. Thanks for keeping us on the mailing list. Kim

We also have a letter from Fremont Telecom, dated December 16, 2005

RE: Hotel Creek Estates

Section 12&13 Township 13N, Range 42E, Boise Meridian, and Fremont County, Idaho. We appreciate your contacting Fremont Telecom with regard to placing communication lines with in your proposed subdivision.

This parcel known as Hotel Creek Estates, divided into five lots is part of Fremont Telecom's service area. Telecom would be capable of providing telecommunications services to all lots of the proposed subdivision. Finances for construction, labor, materials, and engineering would be dependant on developer fro in plat, communication lines. Sincerely, Corey Packer Fremont Telecom OSP/Construction Manager. We also have a letter from the Island Park Fire District, dated December 16 2005, this letter is to inform you that Island Park Fire Department intends to provide service to the new Hotel Creek Estates subdivision located on the Old Shotgun Road. Sincerely; Kenny Strandberg Island Park Fire Department

Mike Davis – Karen, have you had any phone calls?

Karen Lords – No, I did not.

Mike Davis – All right then, is there any other comment? Okay, then at this time we will close to public comment. Board Members, it is open to you to discuss at this time.

Mike Davis – It looks like clean proposal.

Glen Pond – Are we just looking for a motion to let them go on to final plat or public hearing?

Karen Lords – This is the public hearing for the preliminary plat. They will need to come back before you as a commission for the final plat, but it will not be open to public comment. It will be for you to looking at the final plat drawing. So at this public hearing you will be noting the conditions I have stated in my report and decide if there are any conditions you want to add or delete.

Glen Pond – I will make a motion to accept with conditions outlined by Karen.

Mike Davis- Okay, a motion has been made do I hear a second?

Kirk Mackert – I will second.

Mike Davis – A motion made and seconded for Hotel Creek Estates Brett & Reese Whitaker to go to final plat with the conditions that Karen has stated. All in favor none opposed motion carries.

Sketch Plan – Sand Creek Ponderosa Division #2 – 30 Lots Kevin Thompson

Overview of project:

Karen Lords, Planning & Zoning Administrator, reported that on April 21, 1997, Mr. Hopperdietzel came to the Planning & Zoning Commission with 66 lots and was approved for 66 lots. With all Class II permits for developments, he was only given two years to complete the project, the time has lapsed and he is coming back to ask for 30 lots. The roads already exist but they will need to be improved; there will be a 60 foot road right of way with the 24-foot road surface. They do not have to be paved. One issue may be access to this development. It is a dirt two track road. The County goes out and improves it about twice a year. There will be individual septic and wells. Most of lots are a little over acre in size, one is little over four acres, and a few that will be about three acres in size. Kevin Thompson from Thompson Engineering is here to respond to questions asked. Kevin is showing the board where old location of subdivision is done and where the new is being asked to be put. Showed where old home site located. This sketch plan is for Division Two. The difference to increase the common area and safety concerns they are going to pull back a cul-de-sac. The map in the packet has included contours, building pads, building footprints, calculations for number of lots. This was I believe one of the first subdivisions that was completed with the score system. Because this was more then 60 lots because he asked for 66 it became a large scale development which is determined by our code. It was turned over to our then Land Use Consultant, Lee Nellis, who went through and did the scoring on the project. Kevin has completed the remaining in reflection of that scoring system. Kevin offered to answer questions that

were asked. Question asked is Division One sold out or not? Kevin answered, no about ten or so lots are left. Question asked, is there going to be Division Three? Kevin answered no, that all of the remaining land was going to be common area, that all of the west side and the half of the north side is covered by Fish and Game. Question asked, are there any roads out there now? Kevin no, there is a four-wheeler trail that is out there right now. So essentially there will not be any more subdividing on the west side of the ponds or reservoirs that is common area. Question asked, is the way you access Division Two is through Division One? Kevin answered yes, that is the way to access Division Two. Kevin stated that they have left access into Tom Brooks property, also mentioned of future development of property pointed out by Kevin, not related to this project. Question of, coming from the South what is the main access road? Kevin answered, that the main road is unofficially called Hopperdietzel Road. Group discussion of location of road and how you can get there. Discussion of the Sand Creek Road is taken four or five miles out, you would end up at the project location. It can be reached either from Ashton or St. Anthony. The Lower Arcadia Reservoir that is located a 1/4 mile off of the map that Kevin is holding. There is also a man-made dam. That is stocked with fish; no motorized boats are allowed just row boats tubing. Location of Tom Brooks's property discussed. Question: Will the same Covenants apply to Division Two that are being used in Division One? Kevin and Paul answered yes, in those Covenants fishing is by permit by the association, no motorized boats, on this. Fish and Game has no jurisdiction over that area. It is a commercial pond permit. Man made dam located south of property which makes a "line" to have a Fish and Game permit to fish. When Division One was completed it was all placed the North Fremont Fire District. Weldon has not been contacted concerning roads and Owen has not been out but has been talked to briefly. They will of course have to meet the setbacks. Other issue is that we do have a clause in our Zoning Ordinance that due to weather we can postpone a public hearing until we can complete an onsite of the property. Karen needs to get out there to take pictures, see what the condition the roads are in. Question asked if a snow mobile trail is groomed out there or not. Paul answered that there has been in the past but not this year, but they probably will. Paul says that the roads have been graveled entirely about two months ago, including 4.5 miles of county roads so that we could even reach the subdivision. Weldon has been out there and he has seen it and stated that the county is too broke to take over the maintenance of the roads. It was discussed the schedule that it may be in March or April before they will be able to get on the agenda. Then the board could still go out to see the project location for an on-site review. The road has been plowed once in late December when a landowner was building. Question asked of; down the road, is it just going to be snowmobile access only in the winter? Paul replied that at one point the county had promised that they would take over the road and properly plow it, the information I was given in late September is that the county has no money to do so

and do not plan on it happening. This could possibly be something that a homeowners association would be interested in maintaining the subdivision roads as per county specs. Paul commented that the county road to the subdivision is not up to county specs. Karen let the new board members know that a sketch plan is an informal meeting to discuss the project with the developer. You are giving them the go ahead to go forward to public hearing with the project. It is the beginning of several steps.

A concern brought up by a board member is that if the project is fully approved and if all 30 lots are sold and the county is unable to take care of the roads could there possibly be law suits? Kevin Thompson responded that individuals purchasing these lots are and will be aware that they may not be year round access. It is more of seasonal use, not sale your home and move up here. It's not a retirement area.

Bill Smith commented that that was how Island Park used to be.

The utilities right now are power poles located and pointed out on his map, the only use of cell phones in the area. Question: If Fremont Telecom had thought of putting service in the area. Fremont Telecom has not decided to do that as of yet.

Paul discussed the Tom Brooks property and the right-of-way up east side of his property. Power comes from Sarilda.

Question concerning Water and sewer, water and sewer are individual – due to closeness of water the water and sewer are going to be put into common area as a common system. This is what was done in Division One. Most wells are usually 140 feet.

Owen was out last summer, there is shallow rock but could be done in a common area as proposed.

Question asked if the two year limitation as in 1997 or has that changed since then?

As in the project prior to this one, I will send them a letter stating that they have two years to complete and if it takes them longer. We are usually looking at a phasing process; each phase can only be one year. Discussion regarding power has to be run and the sewer system has to be in, but homes do not have to be on the lots. There are some concerns on the shared septic. Kevin explained that they each would have their own tank but those tanks would be again pumped to the larger shared holding tank that is in the common area.

Commission felt that is sounds good and is well thought out. Not approving just giving them the go ahead to further with the project.

A list is needed to be sure that we address at public hearing: Roads in and access to subdivision, sewer systems, fire protection, future ground water quality, wildlife habitat, if Fish and Game have any say on it? Concern if the power lines are an eyesore.

It will need to be checked if area is a visually sensitive area. A "hit list" is used to send notices to state and federal agencies, etc. to respond with in five days and if there are any problems they are to send letters that will be read at the public hearing. As of right now we will ask for a letter from whom ever the power supplier is going to be and if they can

service them. If it's Utah Power and Light, they will not send one. They request a final plat before they will state anything. Fall River Electric is the best at sending information. The project is in Utah Power and Light, with all new poles thorough the land. Question of if any of the lots have rolling hills on them I see that there are contours and building envelopes on this, setbacks from water, on developers map in grey area is where can build. The slopes are to be reviewed with Karen.

Kirk Mackert – I will make a motion to let them move ahead with the project.

Bill Smith – I will second the motion.

Mike Davis – A motion has been made and seconded to let Sand Creek Ponderosa Division #2 – 30 Lots continue. All in favor? Motion carries.

Sketch Plan – Henrys Lake Area Subdivision - ? Lots – Kim Lolo

Overview of Project

Rick Byrem is here to represent the Lolo's. If any of you are familiar with driving up Hwy 87 towards Ennis, there is an old subdivision, Yellowstone Acres, where some homes were run down and some that never got built. A gentleman purchased this property and has really made some improvements. The reason I am telling you this is this project is just west of there, also on Highway 87. We are looking at approximately 27 acres and 11 lots with individual septic and individual well. A loop road which is required if there are 6 or more lots or a cul-de-sac, then there is a limited amount of length the cul-de-sac can be. The roads will have to have a 60-foot road right-of-way with a 24-foot road surface. Most of the lots are going to be two acres or more. We just had an appeal hearing on a project in Island Park and the density rule for the Chapter in Island Park Zoning has been a great heated debate over this appeal. It has been determined a two-acre minimum in Island Park. In the past I and my predecessors have looked at having ½ acre lots if they were connected to a community sewer system. That is wrong. Rick had it drawn up one way and has had to make changes on it, he has addressed that. Rick is here if there are any additional questions for him.

Rick Byrem, asking if everyone is clear on where location of project it is? This property is completely surrounded by public lands. Idaho Department of Lands and Forest Service. Surrounding land cannot be built on or used for anything. Kim Lolo lives in Yellowstone Acres and has done a few small developments the past year, in front of this board. Cross slopes are about 6%, relatively flat, so there should be no problems putting the road in.

Question of entrances to property one on Hwy 87? Yes, one on both ends. Both are off of Hwy 87, one is already an existing access. And Kim has already spoken to the Idaho Hwy Department to purchase another permit. The access runs parallel to the Highway.

But will be an access for the whole subdivision not just for one lot. There is no public access across the property now but there is nothing blocking anything off. All driveways have to loop access and recommendations can be put on to plat. We will not allow any driveways off of the Hwy, either will the State Hwy Department.

Owen has not been out there yet, but he will later in the year. Fall River REA will be providing power. The board is up against the same weather conditions and the snows in order see the property. Also to see if it is the Island Park Fire District that will cover for fire.

Kirk Mackert – I make a for the Henry’s Lake Area Subdivision to move ahead.

Glen Pond – I will second the motion.

Mike Davis – A motion made and seconded for the Developer to move ahead with the Henry’s lake Area Subdivision. All in favor? None opposed? Motion carries.

Administrators Report:

Karen explained the Administrators report. Listing of approved building and zoning permits so that the board is aware and as a courtesy to you of what goes on in the Planning & Building Office.

Discussion of Steering Committee for Comprehensive Plan Revision.
Job Description for County Land Use Consultant / Planner

The discussion of voting in a new Chairman and Vice Chairman for the Planning and Zoning Commission Board.

Glen Pond nominated Kip Martindale - Vance Derricott seconded the nomination. Kip with much thought and consideration, respectfully withdrew his nomination.

Kip Nominated Cindy Roberson – She declined.

Kirk Mackert nominated Glen Pond – Rod Dalling, seconded the nomination. Glen respectfully declined, due to life is too busy to dedicate more time into position.

Cindy Roberson nominated Kirk Mackert – Ron Kynaston seconded the nomination. Kirk declined due to holding Vice Chairman Position. Kirk expressed his concerns in an “old” person being put into the position when there are so many “new” people that could take the position.

Cindy Miller nominated Evan Worrell – Rod Dalling, seconded the nomination.

Bill Smith made the motion that nominations cease. – Rod Dalling, seconded the motion. Nominations cease.

Glen Pond withdrew his nomination of Kip Martindale to move this along. Kip agreed.

Nominations of either Evan Worrell or Kirk Mackert, with written ballot Evan Worrell is the new Chairman over the Planning & Zoning Commission.

Nominations of Vice Chairman - Rod Dalling nominated Kirk Mackert; he also made a motion to cease nominations - Glen Pond – seconded on both cases. All board members in favor on both issues. Kirk Mackert - New Vice Chairman.

Karen stated the State Law requires that we hold nine meetings a year. I do eleven meetings, but with what is all on the table there might be more. Karen explained the books sitting on table for each board member, also given a new Comprehensive Plan and Development Code Binder, also were given the copy of Western Planner Magazine. Spoke about trainings that are available and we will let the board know when these trainings are taking place.

Also the backgrounds check paperwork that is needed to be completed by the board and returned to Karen.

Letter from Realty Quest – Concerning Roy Stegelmeier wanting ordinance changes. Karen explained scoring in determining productive cropland to new board.

Scoring based on soil types, calculation number used on product index, on the flip side there is five questions asked. Karen will go over at training.

Discussion of being sure that it is all or nothing not hit and miss of who is having financial troubles and needs to sell some property to get out of. Discussed that we make recommendations to the County Commissioners, they are the Governing Board.

Calendar of meetings handed out for the year.

Discussion of training meeting with Karl in January needs to decide on a date, all decided on the 23rd of January, 2006 at 7pm at the ML Building.

Discussion of February agenda – and what future projects are coming.

Adjournment

A motion was made by Cindy Roberson to adjourn the meeting at 10:30

Cindy Miller Seconded the motion.

Mike Davis – A motion was made and seconded to adjourn the meeting and it has been seconded those in favor? All

Motion to Approve: _____

Motion Seconded by: _____

Motion Approved:

Evan Worrell, Chairman