

**Fremont County Planning
& Zoning Commission
Minutes
May 7, 2007
6:00 pm
South Fremont High School Auditorium**

The Fremont County Planning & Zoning Commission met in regular session on May 7, 2007, in the South Fremont High School Auditorium. **Members in attendance were:** Evan Worrell (Chairman), Ron Kynaston, Vance Derricott, Glen Pond, Kirk Mackert (Vice Chairman), Cindy Miller, Kip Martindale, John Nedrow and Steve Pinther

Staff and others present: Jeff Patlovich (P&Z Administrator), Molly Knox (P&Z Secretary), Lisa Benson (Planner I), Joshua Chase (Planner II)

The chairman called the meeting to order at 6:02pm

1. Moratorium – Kip Martindale

Mr. Worrell stated that the FCPZ read from first page
Reminded cell phone shut off, sign up sheet and time limit.
Thanked them for coming and it showed that they cared about the county
Opened it to public hearing

In favor sign up sheet first.

Bill Smith Island Park lives in IP and in St Anthony previous. I am for the moratorium for the reason to have time to finish the Comprehensive Plan and Development Code. In the time that I was on the commission the 6 years on it we never came to that decision of completing the code. You need it to be able to have a current accurate document for the public and yourselves to go by.

Larry Johnson Stonegate Island Park for 11 years looked at sewer and groundwater problems and no answer was come up with. Nothing has been done with the old systems that are polluting systems. A centralized sewer system is not the answer to the problem. I am in favor of the moratorium because we do not know where we stand currently on different issues

Mrs. Miller questioned if it was an imminent peril?

Mr. Johnson stated that no he did not consider it an imminent peril but, it is something that needs addressed.

Chan Atchley with Smart Growth Coalition is the representative of over 200 individuals. Property ranges from small acreage to large acreages. Want to preserve wildlife and farmland. Wildlife is natural asset that will diminish each year. Believe it is necessary to pause and take a breath to be sure that everything is in order. The land does not go away nor do the developers. Better development plans. List and speech available in file.

Kathleen Stevens two pieces of property on Sherwood. Coming up here since child and in favor of moratorium until such time that the code is completed. Stated that there is not as much wildlife as there used to be. There are more houses then anything.

Dan James, Idaho Falls Idaho member of the Smart Growth Collation. Stated that his family had been coming for generations and that the issues of impacting the surrounding areas and the visual areas of the area. Discussed the 7 Bar Ranch Development and the items that will be affected if it is passed. Brought up the fact of the Nature Conservatory is right across the highway from this proposed development. The James are for the moratorium to allow for completion of the written Code.

Beverly Thomas 1475 N Ashton for the moratorium due to nothing is wrong in waiting to complete the comp plan and development code.

Tom Nubel 4026 Tyghee Lane. Lived here 19 months and feel that you are doing things right from what I read in the papers. I never knew how funny of a place Island Park is. Everything is illegal in Island Park. I am more for a 3 month moratorium not a one year.

Opposed to Moratorium:

Alan Packer Opposed to Moratorium

Stephen Loosli stated that I speak for myself and for the Fremont County Landowners Con. Whom are all opposed. The finding in the State of Idaho is that to have a Moratorium is imminent peril. Spoke of Teton County's moratorium and the reasons that theirs was turned down. Opposed for several reasons because we feel you are doing accurate things at this time.

Peter Young I am against the Moratorium for many reasons there are no reasons of imminent peril
Read from speech.

Bob Riley St. Anthony I am against this thing. Let's not get to the point that Teton County was. Lets get to a middle ground and figure something that works. Many property owners lost their sales due to the "moratorium".

Cathy Stegelmeier 242 Cherry St. Ashton concern about moratorium is you think you are backed up now just wait until after .

Tom Atchley Squirrel ID. Commended P&Z on work that is done and time and effort that is put into your job. I have always had the opportunity to look out my back yard and see what they see. But he had that right to do so. If I wanted to see that then I should have bought it. I understand that there is to be restrictions but lets get in there and do it right.

Marla Pain 3875 Bills Loop Rd. IP opposed to Moratorium.

Mr. Worrell stated that being that there are no other comments the public is closed and it is for the board to discuss.

Mr. Patlovich stated that he wanted Mr. Worrell to read what was read in the beginning of the meeting for all to hear.

Mr. Worrell read.

Mr. Worrell explained that this would not affect Class I's which were things like building a house, or Class II's that were already applied for.

Mr. Pinther read from Idaho Code § 67-6524.

Mr. Derricott stated that he felt that in the Island Park area there is imminent peril due to some areas have boil orders on their water, the sewer systems have a failure rate of 50% and once it contaminates the water and the aquifer that is imminent peril.

Mr. Pinther stated that he is proud of what we have passed and not passed and we have a good plan in the county that is recognized in other areas. We are not throwing subdivisions all over in the area. Law binds us and we all know that this is going to be turned down and there is no imminent peril that has been given to us. We do not need the division in the county. We need to solve problems.

Mr. Martindale read from Idaho Land Use Handbook, explaining the moratorium suspension of specific activity.

Mr. Pinther stated the information that was just given by Mr. Martindale was given outside of the public hearing.

Mr. Mackert stated that he had been on the P&Z over 5 years and he is concerned with Island Park Area. Dealing with water quality and wildlife is that immanent peril? Stated that none of us have stated that we are overworked, we have a big decision to decide on

Mr. Derricott stated that as the public can see is we all have a difference of opinion and of beliefs on this board. So when Mr. Pinther states that there is not immanent peril but I live in the Island Park area and There are times when we cannot drink our water due to "Macksitis"

Mr. Mackert moved to recommend to the Board of County Commissioners a moratorium of up to one year not to exceed that time limit on Class II permits as stated in the public hearing notice, also the reason being and I would like to add this as a condition, is I feel there is a concern with water quality issues and the potential to effect wildlife migration. This would also give us time to work through our changes to the Development Code and Comp Plan.

Mr. Nedrow seconded motion.

Mr. Worrell asked for discussion.

Mrs. Miller questioned the Idaho Code section 67-6524.

Mr. Worrell stated that we have a motion that has been seconded those in favor were Mr. Martindale, Mr. Kynaston, Mr. Derricott, Mr. Mackert and Mr. Nedrow. Against were Mrs. Miller, Mr. Pond & Mr. Pinther.

Mr. Worrell stated that the motion carries to bring recommendation of the Moratorium to the Board of County Commissioners.

13. Adjournment

Mr. Pond I make the motion to adjourn.

Mr. Kynaston I second the motion.

Mr. Worrell stated we have a motion to adjourn that has been seconded. We adjourned at 9:13.