

1 **Fremont County Planning**
2 **& Zoning Meeting Minutes**
3 **December 12, 2016**
4 **County South Bridge Street Meeting Room**
5

6 The Fremont County Planning & Zoning Commission met in a scheduled meeting on
7 December 12, 2016. They met in the County South Annex Building. **Members in**
8 **Attendance were:** Rod Nichols, Dale Swensen, Joyce Edlefsen, Stephen Waite, Kim
9 Ragotzkie, and Lila Gold.

10
11 **Absent:** Tom Cluff, Lisa Benson, Kevin Hathaway, Brett Reynolds, and Jeffrey Rowe

12
13 **Staff and others present:** Greg Newkirk (Sr. Planner).
14

1. Call to Order and Welcome

15 Mr. Nichols called the meeting to order at 6:00 p.m. He welcomed everyone. Asked the
16 commission if any of them had a conflict of interest. There were none.
17
18

3. Approval of Minutes – October 17, 2016 & November 7, 2016

19
20 **Ms. Ragotzkie moved to approve the minutes for October 17, 2016 with**
21 **corrections. Mr. Swenson seconded. All in favor, motion carried.**
22
23

24 **Ms. Ragotzkie moved to approve the minutes for November 7, 2016 with**
25 **corrections. Mrs. Edlefsen seconded. All in favor, motion carried.**
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27
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4. Sketch Plan - None

29
30 None
31

**5. New Business – Henry’s Lake Village Subdivision – Vance, Terry, Final Plat –
Phase 2 #16-013**

32
33 Mr. Nichols stated that we need a motion to amend the agenda tonight. Mr. Newkirk has
34 pointed out that the application 16-013, for Terry Vance zoning change from rural
35 conservation to rural living along Bootjack Dr, Island Park, needs a correction. The
36 permit number should be 16-013 but the one that was signed was 16-012, everything else
37 on it is the same. First we need a motion to amend the agenda to add this correction.
38

39 **Mr. Waite made the motion to add correction to the agenda. Ms. Ragotzkie**
40 **seconded. All in favor. Motion carries.**

41
42 Mr. Nichols asked if there were any concerns about the correction.

43
44 Mrs. Gold stated that she would like copies of the applications that went with short plats
45 and other things. Stated that they used to get those and now they don't. Stated that she
46 feels like she is in a vacuum and is unable to make decent decisions without having all
47 the information. Stated they could be before the meeting or at the meeting. Stated that she
48 would also like copies of the findings and facts and conclusion of law once the
49 application is completed. She would like to have them so that it ties up the process for
50 her.

51
52 Mr. Nichols stated he agrees, particularly on the findings and facts, doesn't worry so
53 much about the application.

54
55 Mrs. Gold stated that she thinks the findings and facts should be included with the
56 minutes so that you can go online and see them.

57
58 Mr. Nichols stated that we still haven't seen the findings and facts from the last public
59 hearing and would like those.

60
61 Mrs. Gold stated that she just went through a public hearing with the county and was
62 appalled at the information that was available to her as the claimant. There was a lack of
63 information. Stated that she thinks that if we as a commission don't have the full
64 package, what can the public expect to have. Asked if there needed to be a motion made
65 for this.

66
67 Mr. Nichols stated that it is recorded in the minutes that we would like a copy of the
68 application and especially the findings and facts before they go the BOCC to make sure it
69 is what we agreed to. Stated that those findings and facts could even come in an email for
70 us to review.

71
72 Mr. Nichols stated that he needed a motion to sign the corrected permit number for the
73 Terry Vance rezone.

74
75 **Mrs. Edlefsen made a motion to have Mr. Nichols sign the document as corrected.**
76 **Mrs. Gold seconded. All in favor. Motion carries.**

77
78 Mrs. Gold stated that since she has been on the other side of a public hearing she has
79 found that where we place our public to come and speak is very annoying to the
80 audience. The audience can't see or hear what that person is saying.

81
82 Mr. Nichols stated that there is usually a microphone so everyone can hear.

83
84 Mrs. Gold stated that even with the microphone it is hard and it would be better to move
85 it so that the audience could see them better.

86 Mr. Nichols stated that he thinks during a public hearing that is a good idea but during
87 regular meeting we might be able to keep it the same.
88
89 Mrs. Gold stated that this was all of her list of complaints.
90
91 Mr. Newkirk stated that what we have here tonight is stated phase 2 but is identified as
92 division 2. It consists of six developable lots of land, which have been the result of the
93 rezoning of the land.
94
95 Mr. Nichols asked if this will give them the full number of lots that they had been asking
96 for.
97
98 Mr. Newkirk stated that yes that is correct. The BOCC made a motion today to approve
99 the rezone of that area, they just need to adopt the findings and facts and conclusions of
100 law and it will be final.
101
102 Mr. Nichols asked how this plays with the proposed development code with the impact
103 area with the city.
104
105 Mr. Newkirk stated this will proceed that. Under the existing agreement any changes that
106 are made have to go before the city. Those meetings have already been held with the city
107 and they have approved this zone change.
108
109 Mr. Nichols asked what they needed to do tonight.
110
111 Mr. Newkirk stated that there was not much more to explain all the information has been
112 given to you before. The final plat will have a few minor details that the assessor has
113 asked them to do. You will need to entertain a motion to accept this. You may also ask
114 any of the applicants to speak to you on this.
115
116 Mr. Nichols stated that we have seen this before and nothing has changed. Stated that it
117 will be a nice subdivision in Island Park.
118
119 Mrs. Gold asked the developers if this is what they want.
120
121 Mr. Vance asked what she was meant.
122
123 Mrs. Gold stated that you have been going through this for a long time and asked if they
124 were satisfied with this final plat.
125
126 Mr. Rumsey stated that yes they were happy and they were working with the county on
127 the little details.
128
129 Mrs. Gold asked if it was different from what they had seen before.
130

131 Mr. Vance stated there is a difference from the preliminary plat to now. At the
132 preliminary plat it was all one and then they decided to go two phases to work with the
133 area of impact. Asked if that was what Mrs. Gold meant.
134
135 Mrs. Gold stated yes, but if those differences were acceptable because there was probably
136 some compromises made along the way.
137
138 Mr. Rumsey stated that yes this is what we wanted as far as design and what works best
139 with the development.
140
141 Mr. Vance stated that they had meet with the BOCC this morning and they recommended
142 approval with the findings and facts being added from the Aug. 4th meeting and the letter
143 that the city of Island Park had recently wrote to the county.
144
145 Mrs. Edlefsen stated that we should thank these developers for all the troubles.
146
147 Mrs. Gold asked if the city of Island Park had submitted a letter of approval from our last
148 meeting and if we are still in contentious mode with the City of Island Park.
149
150 Mr. Newkirk stated that this item is being separated from the proposed area of impact
151 agreement. There had been verbal approval but now it is documented approval.
152
153 Mr. Vance stated that once we went through those open meetings and hearing regarding
154 the impact area agreement we thought there would be even more negotiations to go
155 through. So we asked if this could be treated separately so that is why it was done this
156 way.
157
158 Mr. Nichols asked if there was any more discussion needed on this. There was none.
159 Asked for a motion but in the motion we need to include predicated on the BOCC
160 adopting the findings and facts and conclusions of law regarding the rezone needs to be
161 included in the motion.
162
163 **Ms. Ragotzkie made a motion to approve the Henry's Lake Village subdivision**
164 **division #2 plat contingent on the BOCC's approval of the findings and facts and**
165 **conclusions of law for the zone change. Mr. Waite seconded. All in favor. Motion**
166 **carries.**
167
168
169 Mr. Nicholas asked if there was anything else on the agenda.
170
171 Mr. Newkirk stated that no there was not.
172
173 Mrs. Gold asked for some clarifications because she is concerned about the relationship
174 with the city of Island Park and the County. Stated that the P&Z had given Mr. Cluff
175 specific directions on what was wanted in the findings and facts and conclusions of law.
176 Asked for copies of those before it goes to the BOCC.
177

178 Mr. Nichols stated that was a good idea and asked her to email to Mr. Cluff asking for
179 those and have Mr. Newkirk ask him for those also.

180

181 Mr. Newkirk stated that he has drafted a partial set of findings but Mr. Cluff will need to
182 revisit them and add to them. It is going to the commissioners on Monday so he will have
183 to have them done quickly.

184

185 Mr. Nichols stated that would be good and stated that he has asked him if it would be a
186 good idea to add in the findings that neither the mayor nor author of that code would
187 stand and defend it at the meeting. Stated that Mr. Cluff said he would think about that so
188 it was unclear if that would be in the findings or not.

189

190 Mrs. Gold stated that we also didn't have the opportunity to talk with them at the work
191 meeting either.

192

193 Mr. Nichols asked when the next meeting would be. Stated that the regular scheduled
194 meeting would be a holiday so we could move it to the following Monday, January 23rd.

195

196 Everyone agreed with that date.

197

198

6.1 Administrator's Report - None

199

200 Mr. Nichols adjourned the meeting at 6:23 p.m.