



February 26, & 27, 2007, Emmett, Idaho

Pursuant to a recess taken on February 20, 2007, the Board of Commissioners of Gem County, Idaho, met in regular session this 26th day of February, 2007, at 8:00 a.m.

Present:	Michele Sherrer	Chairman
	Sharon Pratt	Commissioner
	Lan Smith	Commissioner
	Shelly Gannon	Clerk

Whereupon the following proceedings were had, to-wit:

February 22, 2007

COMPREHENSIVE PLAN PUBLIC HEARING: Gem County Officials and Emmett City Officials held a joint Public Hearing on Thursday, February 22, 2007 at 6:45 pm with a change of venue to the Emmett Junior High School in order to accommodate the public.

Those in attendance from the County were Commissioners Sharon Pratt, Lan Smith and Michele Sherrer, and County Clerk Shelly Gannon.

Those in attendance from the City were Mayor Marilyn Lorenzen, Councilmen Bill Butticci, Dennis White, Mike Stout, John Rogers and Kathy Agenbroad, City Clerk/Treasurer Marge Lawrence and City/County Planner Brad Hawkins-Clark.

Commissioner Sherrer read the public hearing notice. She then stated that the proposed comprehensive plan will not change current land zones.

Brad Hawkins-Clark provided a review of the plan and presented a summary of proposed changes to the future land use map. The changes were broken into joint, city and county sections.

The joint changes included separating the City of Emmett and Gem County maps allowing each jurisdiction to adopt their own map, reducing the Area of City Impact on the west boundary from Star Lane to Airport Road and adding an industrial category to the map.

The City changes included removing the Central Business District area from residential neighborhoods north of the railroad and adding neighborhood commercial to existing commercial uses.

The County changes included combining planning areas #3 and #4, adding neighborhood commercial activity center at the intersection of N. Highway 52 and Idaho Blvd., changing frontage of N. Highway 52 between the Payette River to Black Canyon Highway from commercial to mixed planned development, expanding mixed planned development designation ¼ mile south of Sales Yard Road between Star Lane and Mill Road. The planning area #2 county residential impact area was expanded on the north to the

section line north of the Northside Main Canal rather than Central Avenue, on the south to the Black Canyon Canal rather than Sales Yard Road, on the east to the 2700' elevation line rather than the Black Canyon Canal, and on the west the boundary at Jackson Avenue and Star Lane was maintained. Further changes included adding priority growth areas to planning area #2 and an industrial area was added between Highway 52, Cascade Road and Union Lane. Proposed industrial south of Highway 52 was replaced with mixed plan development.

A member of the public asked for a definition of mixed use.

Brad Hawkins-Clark referred to page 47 of the plan and stated it could include commercial offices and some light industrial could be proposed. He stated that single family residential may be allowed in mixed use with a special use permit.

Mayor Lorenzen discussed the clear zone footprint area near the airport.

Brad Hawkins-Clark explained that changes in the text for primary growth area #2 do not affect the city.

Preference for tying growth to the capital improvement plan, following utilities such as fire, water and transportation, rather than the 80% build up plan was discussed.

Commissioner Sherrer entered letters from the public into the record.

Commissioner Smith stated that current zoning will stay as it is until a rezone application is received. There would not be a change unless someone requests to change the current zoning.

An email from Leon Dennis was entered into the record.

Charles Crane, 2375 Airport Rd., objects to the proposed comprehensive plan. He was denied a rezone for an additional single family home on 9 acres (he has used the allowed number of splits) and would like to see more respect for landowners to do what they want to with their land.

Kelly Taylor, 2395 Airport Rd., commented on the industrial area. He stated that there is no chance to expand the airport with the golf course as it is. He said the golf course would have to be closed to make way for it. He feels that even with the golf course closed the chances are slim.

Paul Rice, 2520 Star Lane, stated that he is happy about the (proposed) houses at the Merrill property. He would like to see more houses and doesn't want industrial in the area with lights on all night. He has 23 acres and would like two houses.

Commissioner Smith explained that the area is currently zoned A-2 which allows 5 acre lots. The zoning is not changing. With mixed use, there is a potential for 1 acre parcels.

Kari Crisp, 2625 Star Lane, stated she is for a proposal for industrial on the north side of the highway.

Mark Butler of Eagle, commented on the legislature regarding annexation in the impact area. He likes land development following utilities.

Suzie Benkstein, 2745 W. South Slope Rd., stated that Star Lane will not ever be a North/South route and there is a lot of

land between Mill Road and Union Lane for mixed use. She wants to stay rural.

Bill Stirling, P.O. Box 315, Idaho City, bought five pieces of land at Airport Road and Hwy 52 and plans on moving here. He would like the striped area (mixed use) to Union Lane. He talked about a possible hotel site.

Chris King, 2955 W. South Slope Rd., stated that mixed use should be moved back. He asked how the mixed use section was determined; he wonders if it was set up for the Merrill's property.

Commissioner Sherrer informed Mr. King that an application has not been filed by the Merrills.

Bob Siebler, 2099 Mill Rd., questioned dust issues with light industrial and asked if the concrete company (may be referring to sand plant) would stay. He would like farming to continue in the area.

Brad Hawkins-Clark stated that light industrial would be inside use.

Commissioner Sherrer stated that what is there now would stay. It would be grandfathered in.

Bob Siebler stated that he bought his land in the county and wants to live in the county.

After loud applause and cheering, Mayor Lorenzen stated she would ask to close the hearing if there were further outbursts from the audience. The audience was instructed at the beginning of the hearing that this would not be allowed.

Patty Anderson, 2210 W. Hwy 52, stated she has lived in the section to be industrial for 30 years; she recently changed the zoning to increase her property value. She also stated her health wouldn't be able to tolerate heavy industrial.

Michael Frederick, 1111 Airport Rd., stated this proposal is restricting future use of land and will affect the value. He doesn't see the need for as large of an area for industrial as is proposed. He said the Unimin plant is bad enough and believes there will be a mess if industrial is on the highway. He suggested making it mixed use which would give flexibility for the future.

Tamara Poedy, 2405 Star Ln., lives on 20 acres zoned agricultural with 2 splits and raises horses. She built out there for retirement and feels her property value will decrease.

Leon Dennis, 2755 Airport Rd., stated that the airport pond isn't on the map. He said that no one will purchase residential property in the area with the industrial designation.

Craig Driver said he would like to see a compromise with the 40 acre parcels in the School Overlay District on the bench.

Dee McFadden, 1671 Airport Rd., feels her land would be devalued up to 80%, that land is her retirement. She encourages mixed use for that area. She feels that industrial would not be aesthetically pleasing for entry into our county. Offices would be more pleasing and environmentally friendly.

Nancy Merrill, 3610 Star Ln., stated that she has 2 choices for her property. There is a dairy feed lot interested in the

property with the current zoning or the property could be changed to residential. She suggested that industrial could be changed to business park or research center rather than heavy industrial.

She stated business in that category could have sales offices in front with warehouses in the back. She noted that she has had no input or ex-parte' communication.

Belinda Hersh, 10500 Liberty Rd., Sweet, stated that there will be problems no matter what is done and feels it is a good community map. She has heard problems stated but only Nancy Merrill has suggested a solution. Good jobs could be provided for our citizens.

Beth Petrino, 1624 Airport Rd., stated that industrial would cut into her view of the sunset. She doesn't understand why the proposal even exists. She wants to keep industrial in the city. She wants to live in the country.

Darin Crisp, 2221 Bishop Rd., has property on Edgemont. He wondered why Jackson Ave. is the divider for the bench and asked if it could be pushed to Pioneer Road.

Bruce Wall, 1620 Syringia Ct., stated that the comprehensive plan is missing Sweet, Ola and Letha. He also said that a separate ordinance is needed to change the City Area of Impact, this plan doesn't change that.

Bob McFadden, 1675 Airport Rd., said he would like to see the Shadow Butte Industrial Park 80% filled before designating more land for industrial. He also said that there is already 300 acres behind that zoned industrial.

Steve Johnson, 2313 W. Central Rd., asked about pushing the line at Jackson Avenue out to Pioneer or Mesa with the school out there.

Courtney Clark, 2755 Airport Rd., is pleased with the reclassification by the airport. She feels it would be better utilized as mixed use rather than industrial. She would like to see Shadow Butte Industrial Park finished and utilized first.

Commissioner Sherrer stated that all lots in the Shadow Butte Industrial Park are spoken for.

George Elliott, 2500 W. Salesyard Rd., stated that it has been said that the comprehensive plan doesn't have any effect on zoning but if the land is rezoned it must then be according to the comprehensive plan. He feels this is "doublespeak".

Paul Lacey, W. Salesyard Rd., stated that he doesn't want industrial to move in. He works for the sugar beet factory in Nampa and says it makes the paper frequently.

Jay Smith, Airport and Cascade, stated interest in his property value in the future. He knows his land would be grandfathered for now but would his heirs have the grandfather law for his property? He knows we have to look to the future but feels we need to leave some of what he have today intact.

Robert Steinebach, 1077 Airport Rd., said it would be a life's waste to see his property lose value. He has been there since 1977.

Charlene Taylor, 2385 Airport Rd., talked about safety overrun at the airport. The last 700' of the overrun belongs to

them. She is fond of the airport and wants to see it complimented. She bought her property for retirement.

Charlene Taylor's written comments were entered into the record.

Holger Uhl wants to see the quality of life protected for residents. He feels the plan repeats mistakes of other counties, mixed use is ill-defined.

Terri Barrus commends the board on the difficulty of this task. She doesn't feel that planning area #2 is necessary. The 80% plan is confusing and hard to monitor. She would like more density around Shadow Butte School.

Roger Yount, 1805 Clifford Dr., has sat in on Planning & Zoning meetings. He would like to see something between 40 acres and 5 acres.

Justin Jones, 514 Airport Rd., deals with Unimin. He asked that ground water be kept in mind with industrial within 1000 feet of the Payette River.

Laura Goers, 2615 W. South Slope Rd., opposes the industrial designation and urges the board to protect and preserve the view of the valley coming over the hill. She suggested putting industrial close to major arterials coming into the valley.

Morris Huffman, 2232 Sheri Dr., supports the staff proposal. He suggested taking a look at a possible buffer along Airport Road. He stated the county needs light industrial to meet the needs of many people who would like jobs here in town.

Dick Hamilton, 3020 Salesyard Rd., said transportation in and out of the valley is needed before building up industrial, he said highway proposals need to be figured out first.

John McCreary, 4880 Cascade Rd., said he inherited his property and moved back to enjoy the quiet country. He is opposed.

Chantell McCreary opposes the proposal.

Cliff Miller, 2626 Salesyard Rd., appreciates his neighbors.

Morris Huffman said that industrial zoning within the city is mostly railroad right-of-way. He said the Board might want to look at adding some commercial and industrial in the city.

Bruce Wall stated that the pink area on the map isn't labeled clearly.

Mayor Lorenzen stated that there is industrial near the railroad tracks above the white area (old cannery area), it will be added to the map.

Belinda Hersh reviewed text concerns stated in a letter from Teena Turner that was previously entered into the record. She likes Brad Hawkins-Clark's proposal. She made other specific suggestions regarding the proposed plan and thanked the efforts of the Board.

Kari Crisp stated that progressive growth is good based on utilities. She stated that counties are notorious for not providing proper schools for growth. Growth needs to be based on utilities, not on schools.

Bryce Walker 3920 Salesyard. Rd., stated a discontinuity with the wording on page 42 concerning the density between the

planning areas.

Yvette Ramirez, 3013 Gala Trail, stated her concern in following utilities. She said that it isn't fair to the kids to allow schools to get overcrowded.

Danny Yett, 2670 Gem Ave., stated there are areas better suited for one acre lots.

Pam Garrison, 2670 S. Substation, stated that she is pleased with the Board's consideration of the hard work the committees have put into this plan. She spoke about growth densities and said she would like to see the plan continually updated.

Jake Lemon, 1482 S. Plaza Rd., stated his appreciation at seeing the City -Initiated Annexation section in the plan.

Bruce Wall said he likes Planning Area 1, he has seen other areas where it works well. He feels Planning Area 2 is confusing and needs to be re-worded. He said the County needs more control on the types of businesses allowed in industrial areas.

Terri Barrus, 2350 U.A. Avenue, commented that page 49 - priority growth areas, is not clear. It needs to be reworded.

Mayor Lorenzen reviewed the introduction of the plan stressing that it is a broadbase strategy.

Amy Linville, 1000 Lower Bluff Rd., discussed the historic sections of the plan. A map outlining the historic district was entered into the record.

The Community Design section on page 35 was discussed.

Commissioner Pratt questioned who would be responsible for taking action to remove litter on public lands, state highways and county roads as stated on page 35 section 11b.6.

The Quality of Life section on page 34 was discussed.

Mayor Lorenzen asked how quality of life is measured as stated on page 34 section 11a.1.

Mayor Lorenzen suggested re-wording the Planning Area 1/Area of City Impact section on page 41.

With no further public comments, a motion was made by Commissioner Pratt to close the hearing. It was seconded by Councilman Agenbroad and carried unanimously.

The hearing closed at 9:21 p.m.

Commissioner Pratt was absent from the meeting due to attendance at an RC&D Conference.

February 26, 2007

Pledge of Allegiance was said.

Commissioner Smith made a motion to add Keller & Associates addendum as item B., to add Negotiations for Architectural Services with Johnson Architects as item C. and to add Remote Access Agreement as item D. to the consent agenda. It was seconded by Commissioner Sherrer and carried.

PICKET CORRAL PLAT AMENDMENT: Application is made by Lawrence

Eichman to amend the plat for Picket Corral Subdivision Number 1 to combine lots 11 & 12 into one lot. The reason for this request is because lot 11 is designated as non-buildable as it has no area for a septic system. Effects of this change were discussed.

Commissioner Smith made a motion for the applicant to meet with staff to work out details of the plat requirements and to put the Picket Corral Plat Amendment on the March 26, 2007 consent agenda. It was seconded by Commissioner Sherrer and carried.

DEWEY ROAD STEERING COMMITTEE: The Commissioners met with the Dewey Road Steering Committee. After introductions a study overview was done. Alignment alternatives were discussed. The public comments previously summarized were reviewed.

The Board recessed at 12:00 p.m. for lunch to reconvene at 1:15 p.m.

CONSENT AGENDA: Commissioner Smith made a motion to add East Plaza View Street as item E. and Gem County Historic Preservation Commission application for State recognition as item F. on the consent agenda. It was seconded by Commissioner Sherrer and carried.

Commissioner Smith made a motion to remove B. Keller & Associates addendum for discussion and approve the remainder of the consent agenda which included: A. Parametrix Dewey Road Corridor Study payment #6, C. Negotiations for Architectural Services with Johnson Architects, D. Remote Access Agreement, E. East Plaza View Street and F. Gem County Historic Preservation Commission application. It was seconded by Commissioner Sherrer and carried.

REVIEW OF MINUTES: The minutes of February 12 & 13, 2007 were reviewed. A motion was made by Commissioner Sherrer to approve the minutes of February 12 & 13, 2007 as read and corrected. It was seconded by Commissioner Smith and carried.

The minutes of February 20, 2007 were reviewed. A motion was made by Commissioner Smith to approve the minutes of February 20, 2007 as read and corrected. It was seconded by Commissioner Sherrer and carried.

CLAIMS: The claims presented were reviewed. A motion was made by Commissioner Smith to approve the claims as approved and signed. It was seconded by Commissioner Sherrer and carried.

INDIGENT APPLICATIONS: A motion was made by Commissioner Smith, seconded by Commissioner Sherrer and carried to go into executive session under Idaho Code 67-2345(1)(d) with a roll call vote as follows: Commissioner Sherrer, aye, Commissioner Smith, aye.

Deputy Clerk Tiffani Sulgrove presented the following indigent applications:

07-001 Medical application

07-012 Notice of Statutory Lien

After reconvening in regular session, Commissioner Smith made a motion to deny 07-001 because the applicant has a net value above the amount of billing therefore is not medically indigent, and to sign the notice of statutory lien for 07-012. It was seconded by Commissioner Sherrer and carried.

At 4:38 p.m. a motion was made by Commissioner Smith, seconded by Commissioner Sherrer and carried to go into executive session under Idaho Code 67-2345 (c) concerning the possible acquiring of interest in real property with a roll call vote as follows: Commissioner Smith, aye, Commissioner Sherrer, aye.

Regular session reconvened at 4:45 p.m.

February 27, 2007

Pledge of Allegiance was said.

PLANNING & ZONING UPDATE: Brad Hawkins-Clark met with the Commissioners to discuss planning & zoning issues. Topics discussed included: interviews for the Planner 1 position have been scheduled, site visits are being done on several minor subdivisions currently in process, reference materials are being prepared for the new planning & zoning board members, establishing a planning board, storm water ordinance, fees stated in the Keller & Associates addendum, Crisp minor subdivision, floodway encroachment and the Dewey Road Steering Committee meeting was reviewed.

A motion was made by Commissioner Smith to approve the Keller & Associates addendum. It was seconded by Commissioner Sherrer and carried.

PUBLIC WALK-IN: Citizens met with the Commissioners to discuss the Capital Improvement Plan including utilities, transportation and property development.

Valerie Lawrence met with the Commissioners to discuss a new restaurant she is opening the middle of March. She provided sample menus. She requested information regarding licensing and zoning. The Commissioners referred her to the appropriate staff.

Steven Harshfield met with the Commissioners to discuss the status of the Historic Preservation Commission application. The Commissioners indicated it was approved on the consent agenda yesterday and had been mailed.

PROSECUTING ATTORNEY MATTERS: David Hargraves met with the Commissioners to discuss Prosecuting Attorney matters. Items discussed included creating an Industrial Revenue Bond

Corporation and the Shadow Butte Industrial Park utilities agreement.

The Board recessed at 12:00 p.m. for lunch to reconvene at 1:15 p.m.

BUDGET REVIEW: Due to the Commissioners attending the news briefing at 2:30 this afternoon regarding the accident involving five school-age youth from the community the budget review will be held in a future meeting.

ROAD DESIGN STANDARDS: Staff met with the Commissioners to discuss road design standards for the county. David Hargraves stated that standards would need to be adopted through an ordinance. Kim Reed, Road Department Supervisor, discussed the documents that were previously provided for review and suggested changes. Items discussed included shoulder width and cul-de-sac radius. Staff will draft a document for presentation to the Planning & Zoning Commission.

The Board recessed at 5:00 p.m. to 8:00 a.m. on March 12, 2007.

Approved: _____
Chairman

Attest: _____
Clerk