

MINUTES
GEM COUNTY PLANNING AND ZONING COMMISSION
GEM COUNTY COURTHOUSE
JANUARY 10, 2005

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MEMBERS PRESENT: Chairman Wilkerson, Jim Hutchins, Steve Ethington, Dave Poole, Brent Jensen and JB.

OTHERS PRESENT: Debra Smith – Zoning Administrator, and Development Services Department Staff – Sissy Stewart and Prosecuting Attorney—Dave Hargraves.

City of Emmett Planning and Zoning Commission Chuck Rolland, Carol Foruria, William Lee, Barbara Pultz, Bill Buticci, Jackie Maki Planning and Zoning Staff and Zoning Administrator Brian Sullivan.

Chairman Wilkerson opened the public hearing at 7:00 p.m. and welcomed everyone, then explained the public hearing process.

Item One – COMPREHENSIVE PLAN AMENDMENT BY GARY SHIPLEY

Site inspections were performed by Jim Hutchins, Don Wilkerson, Dave Poole, JB, Steve Ethington and Brent Jensen.

City of Emmett site inspections were performed by Chuck Rolland, Carol Foruria and Barbara Pultz.

No ex parte or conflicts of interest were reported by the County.

Barbara Pultz- excused her self from decision.

Gary Shipley-2774 Orchard Lane

A few years back the Messenger Index printed a map and the boundaries of the Comprehensive Plan and at the time I thought it was peculiar that the west boundary went down Airport Road. Why I'm saying that is the city owned commercially zoned Airport extended all the way down to my property line and coming back up to Hwy 52 on the south side all the way down to my south east property line was zoned Light Industrial. Across the street from the southeast corner was the Unimin Sand Plant in full production and zoned Heavy Industrial and with the creation of the Shadow Butte light industrial park they came before you and applied for this same Amendment change that I am today and it was granted. It is reasonable to say with the precedences are well established in this area. Our property lays between Shadow Butte the Railroad and the Airport. Our property would be best served by bringing this entire area together as an area for future Light Industrial Development.

Chairman Wilkerson- any questions at this time by Gem County Planning and Zoning or the City?

Steve Ethington- Mr. Shipley could you please point out where your property is located on the Comprehensive Plan Map.

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Gary Shipley-Clarifies his property lines.

Dave Poole- Why are you suggesting that the Railroad is apart of your property line? It is probably a lot of property lines and why should that make any difference?

Gary Shipley-Because it ends at my property line and the Railroad ground I have, I purchased it. When they took the track out I purchased it and have the deed.

Chairman Wilkerson- Just for clarification that white barn on the northwest corner is that on your property?

Gary Shipley- yes.

Jim Hutchins- is it just the triangle or does it go on down beyond Hwy 52?
Demonstration on map.

Chairman Wilkerson-Does the City have any questions?

City Planning and Zoning-How many acres total?

Gary Shipley-155 acres.

Chuck Rolland City Planning and Zoning -What is the future plans for that area?
Inaudible.

JB- What is it currently zoned, and is some of it zoned one way and some another?

Debbie Smith- It is all zoned A-2 Rural Transitional Agriculture but tonight we are looking at the designation of the Comprehensive Plan and it is all designated as Suburban Agriculture.

Chairman Wilkerson- When we talked last time, that strip south of the Highway the 660' that's an error on the Comprehensive Plan Map?

Debbie Smith-The Mixed Planned Development stops at Airport Road on the south side.

Open to public

In favor

Neutral

Opposed

None

Chairman Wilkerson Closed the public portion of the meeting.

Discussion by the Board.

Debbie Smith- Both the City and County Planning and Zoning Commissions will only make a recommendation tonight.

Debbie Smith- explains the reasons for the process of the Amendment and why the City and County are involved together.

Bill Lee City Planning and Zoning-inaudible.

Chairman Wilkerson-Because this is a joint City and County Comprehensive Plan even though that area is not designated it still part of the Comprehensive Plan in the original planning.

Barbara Pultz City Planning and Zoning- The Comprehensive Plan states very specifically that from time to time changing conditions will result in a meeting of the

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Comprehensive Plan Amendments, which should be carefully considered. Review on an as needed basis by the Planning and Zoning Commissions and for Public comment. So basically if an Amendment is needed this is what step that has to happen.

Discussion by the Board.

Steve Ethington- We use the Comprehensive Plan primarily to make our decisions so that they follow the main plan. I think this might be an area we would want to adjust the Comprehensive Plan and allow it. This application by Mr. Shipley would make the most sense.

Dave Poole- Are we trying to change it to Light Industrial or Mixed Development?

Chairman Wilkerson- Mixed Planned Development.

JB- I agree with Steve especially with the development and the changes that have been done across the street, it certainly makes sense to me that we extend our boarder.

Jim Hutchins- When the Industrial Park went in across the street did they have to amend the Comprehensive Plan at that time to?

Debbie Smith- yes, in November 2002 the County was granted that amendment; then after it was approved they came back with the Rezone request.

Chuck Rolland City Planning and Zoning- When you look at that triangle across the street the north side of Hwy 52 is already zoned for the Mixed Use but nothing on the south side from Airport Rd. west. So if we approve then both side of the Highway would be the same thing correct.

Chairman Wilkerson- That is correct.

Question by the City-inaudible

Chairman Wilkerson- A draft may be available in 1 to 2 years.

Brian Sullivan- At least 1 year.

JB- Made a motion to recommend approval of the Amendment to Comprehensive Plan as the application meets the intent of the Mixed Planned Development designation as outlined in the Comprehensive Plan as the property is adjacent to rail lines and the airport.

Motion received a second.

Vote: Unanimous

Chuck Rolland from the City Planning and Zoning made a motion to recommend approval as proposed.

Motion received a Second.

Vote: Unanimous.

Barbara Pultz- abstained.

Item Two – VARIANCE #284 BY GEM COUNTY

Site inspections were performed by Jim Hutchins, Don Wilkerson, Dave Poole, Steve Ethington, Brent Jensen and JB.

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JB- Conflict of interest was reported. He recused himself from the meeting.

Debbie Smith- The Planning and Zoning Commission recommended approval of the preliminary plat for Shadow Butte Industrial Park earlier this spring. Some provisions have come up that we need to work around. Gem County has requested that a Variance to this section of the ordinance. The way the current Ordinance is written no building permits can be issued until all improvements have been approved and turned over to the County, which includes the roads, sewer, water and utilities; also any on or off site improvements. So the County is requesting a Variance to allow those building permits in order to retain some jobs that the businesses had created in their letter of intent when they signed to locate out at the Industrial Park.

Cheryl Conrad- 783 Mill Road

President of Shadow Butte Development Corporation, a non-profit organization that's sole purpose is to providing jobs in Gem County. No paid employees just all volunteers and we have been working on this project now for 3 years. When the grant was submitted 3 years ago to the Department of Commerce and Labor and also EDA we had 6 businesses that committed to the project with a total of 46 jobs promised. This has been a long process for them. They have made a commitment and a financial commitment to the choice of their lot also a promise of jobs they would bring to our community and a statement on how large their building would be.

We currently have 16 businesses that have made a statement that they would locate there we have been fortunate to hang on to the ones we started with. Some of them had to have financing in order with the Department of Commerce and Labor also some of them will have to reapply in 3 years for the financing availability to keep it in place. Shadow Butte wants to do everything we can do to try to hold on to the businesses that have made the commitment to come to Gem County. So we do understand that no Certificate of Occupancy would be issued until the entire infrastructure has been completed.

Steve Ethington- You have been awarded a grant that has stipulations for it to be applied? And those stipulations are that you have to have an interest or at least some of the lots sold?

Cheryl Conrad- They are not really sold. What we had was a preliminary plat and different business have placed a financial deposit with the County for there choice of there lot. At that time they had to come up with jobs, the grant is based on jobs. And so the 2 million dollars from EDA and the ½ a million from Department of Commerce and Labor and the match we are fortunate enough in our community to have the property that the County could commit as match for the grant. Actually the businesses get nothing, as far as financial what they get is a piece of property where they can perform business and provide jobs.

Steve Ethington- The problem is then to get the infrastructure and improvements completed your dealing with the wetlands permit and weather, so you are asking for the Variance to for go the improvement to get the initial construction started and then in due time when you get the permit for the wetlands and the other improvements would be done. What are the 16 businesses?

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Cheryl Conrad- Syclone-ATTCO, Precision Paneling, a tractor company for landscaping, Blake's Metal Buildings, Free on Free, Computators, JB Construction Co. and Marble, D&D Enterprises, Midas Resources, Eldon Hatch, TJT Enterprises, Stevens Enterprises, Pacific Stone, Terra West Excavation, SCP Concrete and CCS Industrial.

Dave Poole- Can you tell us in your synopsis what is Shadow Butte's role?

Cheryl Conrad-Shadow Butte's role has been to go out and try to find businesses to provide jobs for Gem County. We have been working with the County Commissioners for the last 3 years, and now meet twice a month with them and also the County Engineer on different issues that have come up with this project and to make it possible. So what ever we are asked to do in order to bring jobs to our community is what we will do.

Dave Poole-Shadow Butte is not for profit correct?

Cheryl Conrad- Yes, that's correct we are non-profit and we have no paid employees.

Dave Poole- The grant or funding I assume has been received.

Cheryl Conrad-The grant has been awarded. And it actually goes to the County not Shadow Butte.

Dave Poole-So if this Variance is not granted then do you loose this funding?

Shawn Charters-7505 Upper Avenue

Vice President of Shadow Butte Development Corporation.

There has been 2 grants received, the money is not available until we actually start construction. Then we draw down funds for each pay request. Each of the initial 6 businesses have signed an agreement between the County and themselves saying that they will create a certain number of jobs and if they don't create them they will pay the County back, because the County is on hand to pay the grant back if those jobs are not created.

Dave Poole- Are we at risk of loosing the 6 original businesses if we don't grant the Variance?

Shawn Charters- It is possible.

Dave Poole-When was Shadow Butte formed?

Shawn Charters-In June 2005 we will have been formed 3 years.

Dave Poole- How many of the 16 businesses do you feel you may loose if we don't move forward with this?

Cheryl Conrad- None of them have given any kind of notice that they would be unwilling to wait, but in order for us to look as business friendly as possible we would like to do anything possible to make this available for them.

Jim Hutchins- What about the wetlands issue? And what is the tie up or problem.

Shawn Charters- The drain ditches are now under the direction of the Army Corps. Of Engineers and Ed Mansfield and several of us went with Greg Martinez who is with the Corps. Of Engineers last Wednesday and went through the property. Basically it is the drain ditches that are in question. The County has hired Danny Mengal to do the wetlands delineation and he is going to be rewriting based on changes we noticed last week and get that report to the County. We are hoping that within 30 days we can go through the permitting process. The other thing that is holding us up is the engineers do not have DEQ approval from there bid plans either.

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Chairman Wilkerson- Can you give us a date on when you plan to get the permits?

Shawn Charters- No.

Chairman Wilkerson- It could be 4 months, 6 months or a year?

Shawn Charters-No, the grant stipulates that we need to start construction by March 15, 2005, for EDA funds we can request an extension.

Debbie Smith- You need to remember we still have to go through the final plat process approval before any of this can be done. The subdivision has to be approved first.

Shawn Charters- A certain portion of the infrastructure has to be done before any building permits can be issued.

Dave Poole- So we don't have the final plat?

Shawn Charters- No, we are waiting on the wetlands. And we are hoping within 30 days to have that straightened out.

Brent Jensen- Are we putting the cart before the horse? Because you don't know if you are going to get approval.

Debbie Smith- They need this in place before they go forward with the final plat. If this Variance is approved then we will come back with a TRC like we did with Preliminary Plat. Then you will sit down and go through the subdivision again and make any new recommendations and then go forward with the final plat. So this Variance needs to be in place first. One of the conditions of the approval of the final plat is that building permits will be issued but no Certificate of Occupancy's until all of the improvements have been done.

Discussion by the board.

Dave Hargraves- Basically there are 5 requirements that are outlined in the Ordinance and those do have to be met, and there does have to be solid bases. So whatever precedent is set you have to follow the Ordinance and be very specific also we need to have the due process as to why this is necessary. Talking about special circumstances such as timeline, and when things are going to be done because it sound like this process could be drawn out whether there is a Variance or not, and maybe the Variance won't be necessary.

Dave Poole- It looks like everything is hinging on the US Government right now the DEQ and the Wetlands.

Shawn Charters- Yes, we are waiting on Wetlands and DEQ before we can start the infrastructure.

Dave Poole- So if we grant a Variance and you bring in a plat for us to finalize it still may not happen for 5-6 months or whatever the case is because you have nothing from DEQ.

Shawn Charters-We are getting a rewrite of the CH2M-Hills documents this week and then it goes to Greg Martinez, but no I do know an exact date at this time.

Dave Poole- That concerns me because if we had those dates then we could say OK here's the situation we can still create those jobs but we are at bay with the DEQ etc.

Chairman Wilkerson- No occupancy permits will be issued until all improvements are in place sewer, water, fire protection, roads, and curbs, gutters also all utilities. What

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happens if you can't follow through with that and you have a business that has put \$100,000.00 into a building and ready to move in and they can't, what is the recourse back to the development and the county? Can he come back and possibly have legality or legal issues?

Cheryl Conrad-They would not be permitted to start until we have a certain part done. As well as our permitting is complete.

Shawn Charters- We do have the funds in place with the grants that we do know where the funds are coming from. The infrastructure will have all been bid so we know what the costs are. It is a matter of getting it constructed to a certain point and then the building owners can start construction and hopefully it will end up that we both complete construction at the same time.

Chairman Wilkerson-I would be more apt to support your application if I could see something being done out there, like the sewer line has not been started and what are your negotiations for power? Because that going to be the first thing they will need is power.

Cheryl Conrad- Holladay Engineering has that information.

Discussion by the Board.

Debbie Smith-Normally a Variance is applied for at the Preliminary Phase, so it's not an issue of putting the cart before the horse because that was done this spring with the first application. It is part of the Preliminary Plat application. This is just a special circumstance that arouse due to the wetlands and due to the time of year it is.

Cheryl Conrad- It is my understanding that the County is not able to sell the property until you have approved the final plat. So until that been approved and these permits have come in there is no way we can start anything. But once it is available it would be nice to have the businesses could also begin. They are not going to go out tomorrow and start building because they do not have ownership of the property.

Debbie Smith- Idaho Code does not allow the sale of a property in a subdivision until the plat has been recorded.

Chairman Wilkerson- You stated that these firms committed to jobs is that after you received the grant or before?

Cheryl Conrad- That was a condition of the grant.

Brent Jensen-What kind of commitment does your agreement have? Is it written?

Cheryl Conrad-Yes, the document that they have signed is with Department of Commerce and Labor and EDA stating that within 2 years of when the park is complete they will have provided the jobs they have committed in order for us to receive the funding for Gem County.

Shawn Charters- The actual grant agreement is between the County and the Department of Commerce and Labor and the Economic Development Administration. If the jobs are not created then the County has to pay the funds back. On the other hand there is an agreement between the business and the County saying that if they don't create the jobs they will have to pay the County back and that money will be used to pay the State back.

Brent Jensen- That's a legal binding agreement?

Dave Poole- Is there any thing other than a signature involved?

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Cheryl Conrad- Yes, and they have paid earnest money down.

Chairman Wilkerson- Have any of these businesses asked to start building early?

Cheryl Conrad- One business is in a hardship because they cannot find a place large enough for their operation. They currently operate out of two separate places. And that has forced them to be in a rush to try and get something built so they can operate the business.

Chairman Wilkerson- But you as a corporation still cannot make a commitment to them that come June 1 of next year that they can move in.

Cheryl Conrad- No we can't but what we could say is that we have done everything we can to speed the process.

Dave Hargraves- Can you explain the level of improvements that have to be made?

Cheryl Conrad- According to the engineer the road base would have to be completed. And the engineer can answer any of those questions.

Steve Ethington- Is there a time allotment that you are required to have the improvements completed?

Shawn Charters- The grant agreement states that construction should be completed within one year so that's March of 2006.

Dave Poole- Once you have approval from DEQ then you probably will have 60% of the infrastructure complete before these businesses start building anyway is that correct?

Shawn Charters- Yes.

Dave Poole- I really don't see a problem with the Variance. My problem is the environmentalists and how soon that going to move.

Shawn Charters- We have been dealing with this for some time and have every indication that we are at the tail end of things.

Chairman Wilkerson- The wetlands issue has just recently come up, right?

Shawn Charters- Six months prior when we where able to start construction, when we initially planned to, it was brought this to our attention.

Chairman Wilkerson- How come the access off of Hwy. 52 has not been started?

Shawn Charters- Because the grant is paying for that portion also.

Chairman Wilkerson- That is not tied to your permits is it?

Shawn Charters- We cannot access any grant money until all of the bids have been awarded and they know that we have enough money to fund all the improvements.

Chairman Wilkerson- Everything on the whole project has to be bid and awarded, the entire infrastructure correct?

Shawn Charters- Yes, everything that the grants are paying for.

Debbie Smith- They have to have the final plat approved and recorded before they can start any improvements. And the final plat has to be approved within 1 year of the preliminary plat. Normally in a subdivision you have to have your improvements completed and turned over to the County prior to the recording of the final plat. They can approve the final plat and that gives the go ahead to start the infrastructure and once that's turned over to the county then they can start selling lots. When the county has a guarantee from the State and from the Federal Government for those moneys, basically

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the same as a bond or irrevocable letter of credit that they have been promised those moneys. As long as they meet the criteria then the funds are available.

Jim Hutchins- Is the engineering on the entire infrastructure in place and ready to go?

Shawn Charters- Yes and the bid documents have all been prepared and sent to the funding agencies and been approved. If we had wetland and DEQ approval tomorrow we could bid tomorrow.

Chairman Wilkerson summarizes

So, you are waiting for permits from Corps. Of Engineers and other permits and you cannot start any of the improvements until those are received.

And it looks like you are going to have a certain degree of the improvements in before you allow some of these businesses to start building and also they cannot move in until all improvements have been completed. The building department will control that with the occupancy permit.

Dave Poole- Who is going to be liable in the event of the domino affect-Gem County? So what that means is, are we putting Gem County in that liability area.

Cheryl Conrad- We can't access any of the grant funding until we have received the permits, we can't sell the property until you have approved the final plat so in the Variance we cannot begin the infrastructure until all of the bids have been awarded so that we know that we have enough funding to complete the project.

Discussion-inaudible.

Jim Hutchins- Your engineer should have been able to estimate these cost and are they within the 2 ½ Million?

Shawn Charters- Yes and there is a contingency factor in there also.

Jim Hutchins- These grants are they strictly for phase 1?

Shawn Charters- Phase 1 only. We will have to apply again when we are at that point.

Debbie Smith- Phase 1 is the majority of the improvements, any additional would be landscaping, if any roads, curb, gutter and sidewalk.

Chairman Wilkerson- Just to clarify Phase 1 would provide most of the infrastructure for the project.

Shawn Charters- Yes

Open to the Public.

In Favor

Gary Shipley- 2774 Orchard Lane

It is imperative that this Variance that has been applied for if it protects this 2-½ million dollars that has been put up by the feds that we do everything we can to make sure that this stays in Gem County. I believe it could be devastating if it went to another county or if they had to reapply and that would put this off another 3 years. And with the loss of the Mill I think that everyone is aware of how badly this is needed. I totally support this project.

Neutral

Alan Sarbur- Unimin Corporation 4601 Cascade Rd.

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My position is neutral. Personally I am in favor of all the jobs we can create in the County this would improve life here. We are neighbors to the project and appreciate all the concern and consideration for all aspects involved.

Opposed

None

Chairman Wilkerson Closed the Public portion of the meeting.

Dave Hargraves-I think it would be important for the commission to understand exactly why the Variance is needed and what improvements are lined up in the final plat and which ones are being asked to be postponed and also why. If further investigation is needed it is possible to continue the hearing so we can collect more information.

Chairman Wilkerson- Could you please state the 2 items you mentioned in the beginning what improvements need to be made?

Chairman Wilkerson opened the hearing to the public.

Shawn Charters- The engineer needs to work with the county to come up with the specifics before we can start construction.

Chairman Wilkerson- The engineer will provide what improvements need to be completed and at what percentage they need to be completed.

Steve Ethington- Why do we need to be so specific?

Dave Hargraves- You have to be in order to grant the Variance. The code requires that building permits will not be issued or improvements on lots in any subdivision until all public improvements contemplated in the final plat have been completed. So we want a Variance from that and the Planning and Zoning Commission needs to know and understand the specifics and which ones need to be completed.

Dave Poole-Yes I agree we need to know the specifics but this Variance is not the biggest roadblock the wetland is. So I think that if everything else was in place then I feel ok they have done their homework and I can see a reason to vary from the rule. But here is contingency that has to be met in order for us to vary.

Steve Ethington- I agree with Dave Poole.

Brent Jensen- I am a little uncertain about the special condition and the risk of loosing your funding in March and how that ties into the Variance.

Debbie Smith- Jobs are the main concern here.

Dave Poole- The Variance will ease the minds of the people that are invested now.

Chairman Wilkerson- Any motion we make or recommendation for the Commissioners we can state certain conditions that have to be met. Number one they can't start any improvements before they have the permits, no improvements before final plat and hopefully you can move on with the bidding process. Also if we give you this Variance, that we put a stipulation that none of the potential businesses cannot start a building until after a certain point in time and that maybe after we see actual work on the infrastructure. This will be a parallel path and there are certain guidelines that you can't do anything until you have final plat. We ought to go through the 5 items and make sure they meet

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those and put some stipulations in there before we recommend to the County Commissioners.

Jim Hutchins- I feel that they have met the 5 stipulations and that nothing can be done until final plat.

Chairman Wilkerson- I also feel that we can put enough stipulations in our recommendation to control when the potential business can start construction. And I would like us to go through each item.

Jim Hutchins- I feel the DEQ and the wetland is the main hold up.

Chairman Wilkerson- Lets go over the 5 key points of the Gem County Subdivision Ordinance Article VIII Section B.

1. That there are such special circumstances or conditions affecting the property that the strict application of the provisions of the Ordinance would clearly be impracticable or unreasonable; in such cases, the subdivider shall first state his reason in writing as to the specific provision or requirement involved; -- This is there permitting, and there permit applications.
2. That strict compliance with the requirements of this Ordinance would result in extraordinary hardship to the subdivider because of unusual topography, other physical conditions or other such conditions which are not self-inflicted, or that these conditions would result in inhibiting the achievement of the objectives of this Ordinance; -- This is the wetlands and the DEQ holdup.
3. That the granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated; This would create jobs and be advantageous to the community.
4. That such variance will not violate the provisions of the Idaho Code; -- No violation of Idaho Code.
5. That such variance will not have the effect of nullifying the interest and purpose of the Ordinance and the Comprehensive Development Plan. --Not changing any of the Ordinances or Comprehensive Plan.

I feel we have met the above and what stipulations we will add on for any decisions we make tonight.

Dave Poole-I think we can leave some of that room for the county engineer and they would realize that if we tie that to it and they would know what needed to be done prior to the construction starting.

Debbie Smith- Stipulations would state the minimums are required as per Holladay Engineering.

Chairman Wilkerson-Do you know when you will come to us with your final plat and have you resolve the issue with Last Chance Ditch Company?

Shawn Charters- We do not have a date for you because we are waiting on the wetlands issue and the Engineer is working with the ditch company.

Brent Jensen- Can we clarify the special conditions?

Dave Poole-The special condition is that we attach what the County Engineer deems necessary for infrastructure to be there prior to any building permits to be issued. And second some kind of condition with the wetlands permit.

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Dave Hargraves-Item 1.Shadow Butte and the County are required to put in all the improvements that are contemplative to the final plat. And that would include as processes delay construction and could possibly push some businesses away from Gem County. That is a special circumstance it is all tied into a Federal and State Grant and the requirement of jobs to be created.

Chairman Wilkerson-Item 2. The project is being held up because of DEQ and the Army Corps. Of Engineers process.

Item 3. This would improve the economic development and job creation.

Item 4. No violations have been reported.

Item 5. This application has no bearing or change on our current Ordinance or Comprehensive Plan.

Brent Jensen-motion to approve of the Variance by Shadow Butte Development for the reasons they meet the criteria as stated above.

Motion received a second

Dave Poole-Amendment to the motion by including the following stipulations the County Engineer to determine what is necessary for the infrastructure to be in place prior to any building permits being issued and second that no Occupancy permits be issued until all infrastructure is in place and accepted by the Governing Agencies.

Amendment received second

Vote: Unanimous.

Amendment

Vote: Unanimous.

REGULAR MEETING

ITEM ONE- APPROVAL OF MINUTES FROM NOVEMBER 29,2004 AND DECEMBER 13,2004

Dave Poole- Motion to approve November 29, 2004 minutes as presented.

Motion received a second.

Vote: Unanimous

Minutes approved and signed.

Jim Hutchins - Motion to approve December 13, 2004 minutes as presented.

Motion received a second.

Vote: Unanimous

Minutes were approved and signed.

ITEM TWO- ITEMS FROM THE PUBLIC

Gregory Cambish- 5558 Silverleaf Extension

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Reference to Terry Jones and the SUP application. He is not in compliance with what was required of him and I have photos for the record if you would like.

Dave Hargraves- The Administrator needs to address this issue.

Debbie Smith- You can come into our office and fill out a Complaint form we can address the issue.

Larry Goodsell- 9111 Silverleaf Extension

Agrees with Gregory and I will be in to fill out complaint form also.

ITEM THREE- ITEMS FROM THE ADMINISTRATOR

A. RECENT BOARD OF COMMISSIONER P & Z DECISIONS

Debbie Smith- The commissioners approved the Grace Baptist Church Rezone and Barnes's appealed their Administrative Splits to the Board of County Commissioners and the Board overturned the decision and gave them the option to come back to Planning and Zoning because they to decrease the parcel size. They want to amend the application instead of 2 one acre lots they want 2 half acre lots.

ITEM FOUR- ITEMS FROM THE ZONING COMMISSION

Brent Jensen- The reclamation has a presentation that they have given to the Ada County Commission and it shed some light on the encroachment on irrigation right-of-ways etc. and I have been told they would come over and share the information with us if we want them to. The presentation is about 45 minutes and we could include the building official also. It seems the information could be helpful.

Chairman Wilkerson- We can try and schedule it for March 14, 2005 at our Public Hearing if that works for them.

Brent Jensen- I will contact them and schedule that and let you know.

Chairman Wilkerson- We had a workshop on the CAFO and I believe we are ready to have our next public hearing. Debbie will schedule that in. Also we discussed Administrative Split and decided to put that on hold until Steve Ethington has time to meet with the County Commissioners.

Steve Ethington- I meet with them tomorrow morning.

ITEM FIVE- ADJOURN

Brent Jensen-made a motion to adjourn.

Motion was seconded.

Vote: Unanimous.

Chairman Wilkerson closed the meeting at 9:20 p.m.

Chairman

Secretary