



# WASHINGTON COUNTY PLANNING & ZONING REGULAR COMMISSION MEETING MINUTES

April 20<sup>th</sup>, 2021

**COMMISSION MEMBERS:**

Connie-Roze Burr	Mindy Sands
Mark Moura	Ron Jaeger
Gary Frederick	Tim Wrightman
Lisa Horzen	Sherry Young
John Jensen	Delton Walker

**ADMINISTRATION:** Bonnie Brent, Planning & Zoning Administrator

**P & Z ATTORNEY:** Delton Walker, Washington County Legal Council

**VISITORS:** Alex Walker, Harry Soulen, Myron Stoltzfus, Darren Lee, Debbie Moxley-Potter, Eugene & Niki Fisher, Lisa Collini, Tim Atwood, Jeri Soulier.

**MEETING CALLED TO ORDER:**

The April 20<sup>th</sup>, 2021 regular meeting of the Washington County Planning and Zoning Commission, held at the Washington County Courthouse Commissioner’s Chambers in Weiser, Idaho was called to order at 7:02 PM by Chairwoman Connie-Roze Burr. The following proceedings took place:

**PLEDGE OF ALLEGIANCE:**

Led by Commission Chairwoman Connie-Roze Burr

**ROLL CALL:**

Connie-Roze Burr - Present	Mindy Sands - Present
Mark Moura - Present	Ron Jaeger - Present
Gary Frederick – Present	Tim Wrightman - Present
Lisa Horzen - Present	Sherry Young - Present
John Jensen - Absent	Delton Walker – Present (Via Zoom)

## **APPROVAL OF MINUTES:**

- Chairwoman Burr requested a motion to approve the minutes of the March 16, 2021 regular meeting.
- Opened for discussion - No discussion of the minutes.
- Lisa Horzen moved to approve the minutes as written.
- Seconded by Sherry Young.
- Motion carried.

## **DARREN LEE, TOTAL ROCK LLC, and SOULEN LIVESTOCK CO. SPECIAL USE HEARING:**

- Hearing open at 7:03 PM.
- No conflicts or ex-parte communications.
- P&Z Administrator Brent read the legal notice into the record.
- Darren Lee testified that decorative rock has been removed from the area in the past.
- There exists a plentiful source of rock on the Soulen property.
- Lee wishes to develop a, “Rip-Rap”, i.e: large rock source.
- This rock is used more on Federal projects in the area.
- Tailings from the rip-rap will be crushed and screened in Lee’s crusher and screen plant, and used as aggregate base.
- The gravel pit will help mitigate the cost of gravel for the local population and trucking costs for the County Road & Bridge as Lee plans to sell to both.
- Commission Member Jaeger asked how far out the location is. Lee stated that the pit is past the Mercury Mine and around the corner and approximately a quarter mile off the roadway by an old homestead. Jaeger: How much of the County paved road will it be on? Lee: all gravel until Cove Rd. or Weiser River Rd. Jaeger: Do you have a mining permit from the state? Lee: Yes, he is working with Diane Green with State Reclamation on the permit. Plans have been accepted. Jaeger: I’m familiar with all the trucks that are hauling landscape crushed rock from as far north as Adams County, do you see this as a source for this type of rock? Lee: It will be landscape rock. Will not be using the pit for  $\frac{3}{4}$  minus as it would not be cost effective. Currently the area has decorative rock on top. Lee will not know about any aggregate under the surface until he is able to conduct further investigation. Lee stated that he is looking to furnish rip-rap to federal and state projects more than processing aggregate.
- Commission Member Horzen asked about road impact and the plan to mitigate any damage to County roadways. Lee: Cove Rd. is in the current condition due to the availability of a gravel source. He stated that you wouldn’t want to bite your nose off and not have a good gravel source. He stated he produces gravel for state and federal projects all the time. Lee sited the gravel pit on Midvale Hill and the detrimental effect on the roads due to hauling from that pit. He stated he could provide a better source for gravel in that area for the County.
- Commission Member Horzen: How long on starting on the decorative rock and starting into the rip-rap? Lee: As soon as we clear a (10) ten acre area and then conduct some core drilling to determine the other rock availability. He stated he did not plan on producing a lot of rip-rap unless a project comes up that requires it.
- Commission Member Sands: Does what you are going through with the Bureau of Reclamation cover not only what is exposed but what is subsurface? Lee: Correct. Our plan is to focus on the decorative rock. If we remove the rock then the soil will allow grass to grow in it.

- Commission Member Moura: Would you explain to everyone the Reclamation Plan as it is pretty detailed. Lee: Decorative rock is only surface rock. After removing this, then mostly soil is left. Rip-rap area we are looking at comes from a pond that has a 20' rise that drops off into a 40' draw. In essence he stated he will be removing the top of a hill. This would make the hill flat ground. This would allow the area to blend with natural terrain. Reclamation Plan has a 3-to-1 slope, this area has a lot more than that. Reclamation Plan requires saving of all top soil, then using it in the reclamation process as an ongoing process. He state that in the plan he has agreed to open no more than (40) forty acres under product at any given time. Then he is required to reclaim that acreage to continue, or change his bonding. Reclaiming will consist of replacing the removed top soil and re-seeding the area with a pasture blend of native grasses.
- Commission Member Wrightman: Who is going to be doing the trucking? Lee: I will be doing some of the trucking. I plan to relocate some of the rock to my pit on the Oregon side.
- Jerod Odoms, WCR&B Supervisor was requested to testify by Committee Member Wrightman.
- Committee Member Wrightman: What do you feel the impact on Cove Rd. will be and will there be a surcharge on the trucks hauling the rock? Supervisor Odoms: No surcharge has been implemented currently. The subject is still being discussed. One consideration is that this country lives and dies by trucking. He stated that the roads are not in the best shape. Current trucking companies have been good to deal with, keeping speeds slow, running in off hours, good to deal with for County projects. Committee Member Wrightman: Would this be an added convenience to have this pit? Supervisor Odoms: It is always a possibility. County has a lease on an area just past the intersection of South Crane on Cove Road.
- Committee Member Horzen: Is there a plan to repair Cove Road? Supervisor Odoms: There is. This year chip seal will be done on the paved area put in last year. Next year I will put in as many miles as I can, all done to state design for heavy truck loads. One of his question is how many trucks, what time of year for break up limits, added costs of cattle guards, and extra maintenance costs in winter.
- Commission Member Sands: Do you have any type of formula for amount of vehicle /poundage that a road can handle before degradation and damage occur? Supervisor Odoms: There is. Normally (20) twenty years if designed and maintained correctly.
- Hearing closed and open for Commission discussion at 7:25 PM.
- Commission Member Jaeger: Strongly agree that there is a need for rip-rap. But there is a big impact on roadways. Impose a possible a condition on amount trucked. What will it cost the public?
- Commission Member Frederick: Possibility of product being trucked north as well as south.
- Commission Member Wrightman: Good idea having the convenience of having a rock pit on the other side, close for the County and other people. Traffic on roads will not be any greater than what is currently traveling. Shouldn't be any more of a burden.
- Commission Member Horzen: Have concerns about the effect on Cove Road.
- Discussion closed at 7:30
- Commission Member Horzen moved to send a favorable recommendation to the Board of Washington County Commissioners on the Darren Lee, Total Rock LLC and Soulen Livestock Co. Special Use, with the condition that the applicant gets Idaho Department of Lands approval before operation.
- Seconded by Commission Member Sands
- Roll call Vote called for. Vote was unanimous. Special Use favorable recommendation passed

### **ALEX WALKER SPECIAL USE HEARING:**

- Hearing open at 7:31 PM.
- P&Z Administrator Brent read the legal notice into the record.
- No conflicts or ex-parte communications.
- Alex Walker Testimony: Requests to be allowed to put a second residence on the property to care for his parents. He proposes to build a shop with a dwelling incorporated in the structure. Will be harmonious and appropriate in appearance with the existing character of the area. Will not change the essential character of the area. Will not be hazardous or disturbing to neighboring existing or future use. Will be served adequately by essential and emergency services. Will not create additional costs to public facilities. Will not be detrimental to the economic welfare of the community. Will not have any operations or uses that would be detrimental or dangerous to others. Will have access that does not interfere with traffic on public roads. Will not destroy or damage any scenic, or historic features. Will be just a simple residence. Will allow for the care of the property and his parents.
- Commission Member Horzen: Where are you currently living? Walker: Living in a camp trailer part time and in parents residence part time. Parents currently in Washington State but wanting to return to Midvale.
- Commission Member Wrightman: You are requesting a temporary second residence, will it be removed? Walker: We plan to ultimately demolish the current house. Commission Member Wrightman: How close is the current house to the proposed location? Walker: Approximately 500'. Eventually demo the existing house, build a new one and convert the second dwelling to a shop.
- Myron Stoltzfus Testimony: In favor of request. No negative impact.
- Hearing closed and open for Commission discussion at 7:42 PM.
- Commission Member Jaeger: Seems to fit setbacks, etc. Understands the temporary nature of the use.
- Commission Member Moura moved to send a favorable recommendation to the Board on the Alex Walker Hardship Special Use.
- Seconded by Commission Member Jaeger
- Roll call vote called for. Vote was unanimous. Special Use favorable recommendation passed.

### **GENE & NIKI FISHER REQUEST TO ADDRESS the COMMISSION:**

- Niki Fisher addressed the Commission with a question on transfer of building rights.
- Fisher testified that they own property on Day Road with available building rights but no access. She stated that they did not want to build in the center of the property, so she proposes to move the (2) two building permits to parcels off of Day Road that has road access and saves prime ag land. Question is can they move the building rights to parcels off of Day Road.
- P&Z Administrator Brent advised that by current code building rights may not be transferred.
- Floor open to Commission discussion.
- Commission Member Horzen stated her concern over setting a precedent if the Commission allows this transfer request.
- Commission Member Moura: Recommended staying with the code stated allowances and have the Fisher's do a subdivision. A CAFO exists within a mile-and- half of the property, thus subdividing is not an option.
- Commission Member Wrightman: Requested that we invite the Payette County P&Z Administrator to present their program to our commission, as they allow the sale of building permits.

- Commission Member Jaeger: This issue might be resolved through a lot line adjustment if allowed. Possibly a question for Delton. P&Z Administrator Brent advised that a lot line adjustment would not be an answer to the issue.

#### **ANNUAL ELECTION OF OFFICERS:**

- Floor open to nominations for Chair.
- Commission Member Moura asked that we adopt a yearly election and term of the Chair, that way more people could have the opportunity to serve as an officer.
- Commission Member Moura nominated Commission Member Tim Wrightman to serve as Chair.
- Seconded by Commission Member Horzen
- No further nominations given
- Commission Member Moura moved to nominate Commission Member Connie-Roze Burr as Co-Chair
- Seconded by Commission Member Wrightman.
- Commission Member Jaeger moved to have nominations cease.
- No vote was taken as only one nominee per position. Commission Member Wrightman will be the P&Z Commission Chair, and Connie-Roze Burr will be Co-Chair for the 2021-22 year.
- P&Z Administrator Brent updated the Commission on the Lancaster Rezone request and she welcomed Ron Jaeger back to the Commission.

#### **ADJOURNMENT:**

- Commission Member Horzen moved to Adjourn
- Seconded by Commission Member Sands.
- Vote was unanimous. Motion carried.
- Meeting adjourned at 8:04 PM.