



ELMORE COUNTY PLANNING AND ZONING COMMISSION

War Memorial (American Legion Hall) 515 East 2nd South Street,

Mountain Home, ID 83647

MINUTES

Thursday September 26th, 2024, 6:00pm

Chair Person Patti Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present Ed Oppedyk, KC Duerig, Sue Fish and Mitch Smith. Also, present were Director Mitra Mehta-Cooper, Attorney of Record Abbey Germaine, Consultant Planner Elizabeth Allen, Consultant Engineer Angie Michaels, Contract Employee Suzy Cavanagh and staff members Kacey Ramsauer, David Abrahamson, and Alyssa Nieto. Absent was Vice Chair Person Jeff Blanksma

Pledge of Allegiance

Chairperson Osborn stands for a motion of approval to accept the Amended Agenda as presented by staff. (0:01:48)

So Moved- Commissioner Duerig

Second- Commissioner Oppedyk

All in favor, motion carried unanimously.

1. **PUBLIC HEARING ITEM** – ZOA-2024-02 (Zoning Ordinance Amendment)

Elizabeth Allen- *Gives staff report via PowerPoint. This included changes in definitions and allowed uses for energy production and solid waste facilities as well as additional standards for solid waste facilities.*

Questions from Commissioners - None

No public testimony.

Chairperson Osborn closes the public hearing.

Chairperson Osborn stands for a motion of approval for ZOA-2024-02 (Zoning Ordinance Amendment) as presented by staff. (0:17:35)

So Moved- Commissioner Duerig

Second- Commissioner Smith

All in favor, motion carries unanimously.

2.PUBLIC HEARING ITEM CUP-2024-04 Appaloosa Wind and Solar

Kacey Ramsauer- *Gives Staff Report via PowerPoint for procedural requirements of the proposal.*

Mitra Mehta-Cooper – *Gives Staff report via PowerPoint for technical requirements of the proposal to include compliance with the Zoning Ordinance and staff recommendation for continuation to the next regular meeting of the Planning and Zoning Commission.*

Questions from Commissioners- None

Mark Green- *Gives background via slideshow.*

Commissioner Fish- Question about Eagle Take Permit **(1:16:25)**

Mark Green- Explains what an “incidental take” is, and that an incidental permit is used in the event an eagle is killed or injured by the windmills.

Commissioner Smith- Question about whether facilities could be relocated if cultural areas of significance were located during construction. **(1:21:13)**

Mark Green- Moving them could be possible but we would like to avoid that, and that is why due diligence is conducted on the front end to ensure cultural areas have been identified prior to construction.

No more questions.

Public Testimony

In Support- 0

In Neutral- 1

Bradley Dawson, Idaho Department of Fish and Game- *Gives Testimony (1:25:05)*

In Opposition-1

Robin Friend- *Gives Testimony (1:32:28)*

Mark Green- *Gives closing rebuttal (1:38:35)*

Chairperson Osborn- gets clarification from Abbey Germaine, Attorney of Record, on how to proceed with the Applicant's request for making a decision at tonight's hearing with knowing there is still need for additional decisions and clarifications.

Abbey Germaine - It may be best to not make a decision contingent on the approval of ZOA-2024-02. Considering if there is a different outcome for the Zoning Ordinance Amendment it could interfere with the decision tonight; the safer option would be the continuation if that's what the Commission would so choose. **(1:50:00)**

Commission Deliberation.

Chairperson Osborn stands for a motion of continuance for CUP-2024-04 for Appaloosa Wind and Solar to the next regular meeting of Planning and Zoning Commission (1:53:07)

So Moved- Commissioner Oppedyk

Second- Commissioner Duerig

Roll call vote.

Commissioner Duerig- Aye

Commissioner Smith- Aye

Commissioner Oppedyk- Aye

Commissioner Fish- Aye

Chairperson Osborn - Aye

All in favor, motion carries.

3. PUBLIC HEARING ITEM VAR-2024-04 Drewskee Estates

Application Withdrawn 09-19-2024. (1:55:00)

CONSENT ITEMS

1. FCO- ZOA-2024-02 (County-initiated Zoning Ordinance Amendment)

Chairperson Osborn stands for a motion of approval of FCO for ZOA-2024-02 for the Zoning Ordinance Amendment. (1:57:05)

So Moved- Commissioner Oppedyk

Second- Commissioner Duerig

All in favor, motion carries unanimously.

2. Minutes from August 22, , 2024

Chairperson Osborn stands for a motion of approval for the Minutes from September 26th, 2024 (1:58:47)

So Moved- Commissioner Duerig

Second- Commissioner Smith

Chair abstains from voting.

All in favor, motion carries unanimously.

3. FCO-CUP-2024-11 Glens Ferry Frontsite Shooters

Chairperson Osborn stands for a motion of approval of FCOs for CUP-2024- 11 for a CUP for Glens Ferry Frontsite Shooters. (1:59:35)

So Moved- Commissioner Smith

Second- Commissioner Duerig

Chair abstains from voting.

All in favor, motion carries unanimously.

INFORMATIONAL & DISCUSSION ITEMS

1. Next Hearing, October 24th, 2024 American Legion Hall at 7:00pm.

2. No Additional Information for Department Head's Memo

EXECUTIVE SESSION - Pursuant to Idaho Code 74-206(1)(f) – Pending Litigation

Motion to move into Executive Session

Roll call vote.

Commissioner Duerig- Aye

Commissioner Smith- Aye

Commissioner Oppedyk- Aye

Commissioner Fish- Aye

Chairperson Osborn -Aye

Motion to exit Executive Session by Commissioner Smith, Seconded by Commissioner Duerig

All in favor, motion carries.

MEETING ADJOURN- 8:08 pm

Patti Osborn, Chairperson Date:

Attest: _____
Mitra Mehta-Cooper, Director Date: