



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, March 2, 2017 6:30 P.M.**

**1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATIVE
BUILDING**

Commissioners Present: Richard Hall, Chairman
Sandi Levi, Secretary
David Scheuerer, Vice Chairman
Gary Duspiva, Commissioner
Rod Garrett, Commissioner

Staff Members Present: Patricia Nilsson, Director
Jennifer Almeida, Planner
Kyle McCormick, Planner
Kathy Frost, Recording Secretary

Chairman Richard Hall called the meeting to order at 6:30 p.m.

Secretary Levi proceeded to the business items on the Agenda.

Revised Agenda:

MOTION: Commissioner Scheuerer moved that Item#1 4D LLC, Case #PH2016-69 be moved to position #4 and Item #2 Albion Acres Subdivision, Case #SD-PH2016-72 be tabled to date certain 3/16/2017, seconded by Commissioner Duspiva. Voice vote motion carried.

NEW BUSINESS

ITEM #1 North Southwick Commercial Subdivision **CASE #PH2016-52**

A request by Chaney Stotts Construction for approval of a **Preliminary Plat and Final Plat** for North Southwick Commercial Subdivision. The development consists of two (2) lots and is located in a "CR-C2" (Conditional Rezone – Service Commercial Zone). The subject property, R34717, is approximately 10.57 acres and is located on the south side of State Hwy 44, approximately 684' east of the intersection of Old Hwy. 30 and State Highway 44, in a portion of the NW ¼ of Section 10, T4N, R3W, BM.

Planner Jennifer Almeida: reviewed the staff report for the record. No late Exhibits.

Chairman Hall affirmed Witnesses to testify.

Testimony in Favor: Shawn Sullivan, Marylou Watson, Jarita Augero

Neutral Witnesses: None

Testimony in Opposition: None

Shawn Sullivan – 4 North Viking Ave, Middleton Idaho- Applicant Representative – in favor

- This is a simple subdivision plat for commercial use, the intent is to have the project done in phases.

- East side will be constructed first, primarily for storage units, and will be gated and fenced. There is a retention pond, all drainage will be retained onsite.
- The road on the south side will only be use by emergency vehicles.
- ITD has approved the plan, no road improvements are required.

Mary Lou Watson- 14721 Hwy 44, Caldwell ID 83607 – in favor

- Here to make sure there were no changes in the plan since the last hearing.

Jarita Augero 14738 Hwy 44, Caldwell ID 83607 – in favor

- Here as a neighborhood representative, to make sure the safety rules were followed, such as hours of operation, and safety to the children using the bus stops in the area. There is a concern for where the runoff water will go.
- Neighbors do not want storage units sold to separate individuals.

MOTION: Commissioner Levi moved to close public testimony on Case #PH2016-52 seconded by Commissioner Scheuerer. Voice vote motion carried.

MOTION: Commissioner Garrett moved to recommend approval of Case #PH2016-52 and accept the Findings of Fact and Conclusions of Law as presented, seconded by Commissioner Scheuerer. Roll call vote, motion carried: 5 in favor, 0 in opposition.

ITEM # 2 Ooda Loop LLC

CASE# PH2017-2&3

Ooda Loop LLC is requesting a **Comprehensive Plan Map Change** to change the Future Land Use Designation of parcel no. R30430, approximately 4.93 acres, from “Agriculture” to “Residential. Also requested is a **Rezone** of the same parcel, parcel no. R30430, approximately 4.93 acres from an “A” (Agricultural) zone to an “R-1” (Single Family Residential) Zone. The subject property is located at 0 Star Road, Nampa, ID, in the NW ¼ of Section 08, T3N, R1W, BM.

Commissioner Levi, requested to be recused due to conflict of interest.

Planner Kyle McCormick reviewed the staff report for the record, Including Late Exhibit # 21

- Exhibit #21, submitted by the Army Corp of Engineers

Chairman Hall affirmed Witnesses to testify.

Testimony in Favor: William Mason

Neutral Witnesses: None

Testimony in Opposition: None

William Mason with Mason & Stanfield 826 3rd St Nampa ID 83651– Applicant Representative - in favor

- Exhibit #5, shows that the subject property is surrounded by subdivisions that are zoned “Agricultural”, this property was brought into the comp plan as “Agricultural”.
- We will meet requirements from the Army Corp of Engineers and the Easement requirements.
- The Kennedy lateral will go through the process required to make sure it is not a “Wetland”.
- Nampa Highway district has granted access to Star Rd via Meadowlark Ln.
- Lots will run North / South.

MOTION: Commissioner Duspiva moved to close public testimony on Case# PH2017-2 & 3; seconded by Commissioner Scheuerer. Voice Vote, motion Carried.

MOTION: Commissioner Scheuerer moved to recommend approval and accept the Findings of Fact and Conclusions of Law as presented for Case #PH2017-2, seconded by Commissioner Garrett. Roll call vote, motion carried: 4 in favor 0 in opposition.

MOTION: Commissioner Garrett moved to recommend approval and accept the Findings of Fact and Conclusions of Law as presented for Case #PH2017-3, seconded by Commissioner Scheuerer. Roll call vote, motion carried: 4 in favor 0 in opposition.

ITEM #3 4D LLC Mineral Extraction

CASE #PH2016-69

4D LLC / Kyle Cooper has requested a mineral extraction permit to include a gravel mining ~~and crushing operation~~ on parcel R34066, approx. 56.6 acres, with planned excavation and mining of up to 16.47 acres of the subject property for a period not to exceed two years. The subject property is located at 21977 Duff Lane, Middleton, ID and is further described as a portion of the NE ¼ of Section 17, Township 4N, Range 2W, Boise-Meridian, Canyon County, Idaho.

Planner Kyle McCormick reviewed the staff report for the record.

Late Exhibits: 79 – 87 were entered into the record.

Chairman Hall affirmed Witnesses to testify.

Testimony in Favor: Todd Lakey, Dan Thompson, Adam Lyman, Justin Eckhart, Kyle Cooper

Neutral Witnesses: None

Testimony in Opposition: Colton Vanburen, Rich Porter, Dave Hebert, Wyatt Johnson, Elizabeth Watson, Tim Hunihan, Bill Hamlin, Ron Watson, Kristi Green, Amy Hebert, John Yochum, Holly Hood, Donna Staack, Jo Ellen Ringer.

Todd Lakey 11505 Lonestar Rd Nampa ID 83651- Applicant Representative – in favor

MOTION: Commissioner Duspiva moved to allow an additional 6 minutes to Mr. Lakey for testimony for a total of 16 minutes, seconded by Commissioner Garrett. Voice vote, motion carried.

- The current application is a compromise, from the first application brought forth in 2015. Changes are a result of listening to neighbor concerns as well as Development Services Staff recommendations.
- The application has changed from a full gravel mining and processing operation, to digging a 16 acre pond, however we are still subject to the same regulations and requirements.
- This is not an ongoing project, it is limited to 2 years.
- Dust is a concern that will be mitigated by the fact that it is a “wet pit” operation. Crushing and stockpiling will not be done onsite. This will also mitigate concerns regarding “Silicosis”.
- There may be a stockpile in the lower excavated portion, however that would be rare, this is a “load and remove” operation.
- Roads and the site will be watered as required in the conditions of approval.
- Noise Concerns: The applicant has removed the crusher from the project, which will reduce the noise significantly. The generator that will be used is very high tech and it has sound proofing built around the operational component. The generator will be located south of the excavation area in the tree portion of the property to further decrease the noise. Trucks

being used will primarily be moving forward, eliminating the back-up alarms. There will be one loader onsite and it will not have standard back up alarms, there is a new technology called a “white noise” alarm that will be used. The pump will be located beneath the surface in the bottom of the excavated area. Canyon County is imposing a noise standard on this operation, and we will comply with that.

- Use will be intermittent, this will not be a 24 – 7 or year round operation.
- The berm on the North boundary will be an 8 foot vegetated berm, that will provide additional visual and sound buffering.
- There is a reclamation plan that incorporated the comments from fish and game. The rolling edges of the pond will have varying depths, some including a 10-1 slope which provides a shallow water habitat for wildlife and plant growth. We will be planting native tree species along the edge of the pond.
- Fish and Game directed that we keep the excavation at least 300 feet away from the Blue Heron nests from March 15th, thru July 15th, we are keeping that distance more than 300 feet, throughout the year.
- Location of the generator is 600 feet from the edge of the property boundary,
- After hearing from fish and game regarding Duff Lane Pond, we have changed the days of operation and truck hauling to eliminate Saturday’s, the general hours of operation will be Monday thru Friday, 7:00 AM to 5:00 PM.
- Karl Gephardt was hired to consult on the issues regarding the floodplain, he is an expert in the field. He prepared the floodplain study, working with Canyon County and various agencies and jurisdictions who have authority over the floodplain in the Boise River. His input is included in our site design. There will be no negative impact on the floodplain as a result of this operation.
- SPF Engineers have done the aquifer study in the area, as a result of their study we have reduced the excavation area by forty percent in order to mitigate any issues regarding the wells in the area.
- The dewatering approach has been changed after discussions with DSD staff. Initially the plan was to dewater the full 26 acre excavation area, subsequent to that we were going to dewater the entire 16 acre excavation area at one time, plans have been modified to excavate and dewater only in 4 acre portions at a time.
- The traffic study and Highway district recommendations and guidelines will be followed.
- We are in the impact area, an area that is planned for growth, this plan fits with the comprehensive plan for the city and the county. There are rural acreages in the area, but there is still a large area of Agricultural operations. This application in this transitional area allows for appropriate removal of a gravel resource that is needed in public and private projects throughout the area. All conditions will be met.
- Staff analysis is correct, and there are numerous factors that support this limited application. The studies have been done, the conditions have been added to the application. The requirements of the ordinance have been met.
- The 4 proposed lots will all border this pond, and will be owned by the 4 property owners.

Dan Thompson 181 East 50th St Garden City, ID- Applicant Representative – in favor

- Prepared the Traffic Impact Study, it was done according to the requirements of the Canyon County Highway district and was approved by the Canyon County Highway district.
- Have done many traffic impact studies for gravel pits, including a major pit, jointly used by all of the Canyon Highway districts.
- This is a two year operation the volume is significantly smaller than any other pit I have worked on.

- Trip generation rates are dependent on how fast the gravel can be produced, which means it will not be constantly running.
- Our traffic study included the intersection of Highway 44 and Duff lane, it was determined that it does have the capacity to operate at an acceptable level. There was concern from Highway district whether a turn lane would be required, however using the Idaho Transportation Department standards, it was determined to be unnecessary.
- Duff lane has 26 feet of pavement and gravel shoulders, our recommendations are that they restripe it to 11 foot lanes and allow 2 foot shoulders in addition to the gravel shoulders, this will mitigate traffic safety concerns regarding bicycle and pedestrian traffic.
- There are no significant traffic impacts due to this development.
- Our counters were at the intersection of Duff Ln and Hwy 44, and they did not record any pedestrian traffic.
- There is a possibility of reducing traffic speed for trucks in order to increase safety.

Adam Lyman 2101 Delta Dr. Nampa Idaho – Representative - in favor

- Designer of the Reclamation plan. Worked closely on the Wetlands study with Karl Gephardt and the Army Corps of Engineers. The Army Corps of Engineers are waiting for the outcome of tonight's hearing to issue a letter stating a permit is not required. However if a condition is added to require a permit we will submit one.
- Organized the flood plan, and organized the Historic clearance study.
- The de-watering plan has been changed from doing the entire 16 acres at one time to dividing into four 4 acre portions at a time, this will reduce the impact on the area.
- The manner in which the banks are filled in will be determined by the flood study and we will follow those recommendations.
- There will be a berm between each 4 acre pond to keep the water in each section, after all 4 are done, we will go back and scrape the top off of the berms.
- The pump will be shut down at times, there will be approximately 4 months out of each year that no excavation will take place.

Justin Eckhart PO Box 365 Caldwell ID – in favor

- Manager of Idaho Materials and construction.
- If needed there will be a road going into the bottom of the pond.
- We will run an excavator to load the trucks, if the depth reaches the 25 foot mark, we may have drop in a lift at 12 foot to pull the rest of the material out. That will be determined as the project proceeds. Slopes will be built at the time of excavation.
- All of the gravel excavated will be taken off-site, an estimated 200,000 yards will be removed.
- A catch basin will be built to test water & make sure water quality is up to standards set by the DEQ. Water quality has to be tested every quarter or after a storm event. Water testing is done independently by a third party.

Kyle Cooper 581 N Garswell Star ID – Applicant in favor

- We have spent a lot of time and effort, and hired the best experts in the valley to make sure this is a safe and great project. We are dedicated to building according to the plans submitted, and have put together a plan that mitigates many concerns.
- Anxious to live onsite, our current home is for sale, and we along with other three partners will build and live on the surrounding property.
- Ownership of the pond will be shared with the 4 partners who are part of the project and will own and live in homes on the property.

Colton Vanburen 21800 Lansing Middleton ID – in opposition

- Colton and his friends ride bikes in the area and fish at the pond, if this project proceeds, he will not be able to do those things because of the truck traffic.

Rich Porter 21570 Lansing Ln Middleton ID – in opposition

- A 20 year resident in close proximity of this project. Own 500 acres in the area.
- Concerned about the additional traffic, there is a lot of pedestrian traffic in the area.
- Mr. Porter is financing a development in the area, the developer is concerned that he will not be able to sell the lots, because of this project. It is a subdivision of 17 homes, with the potential of families with small children, safety will be a concern because of the gravel trucks related to this project.
- Strongly opposed to gravel trucks working in the neighborhood.
- Concerned about motorized watercraft early in the morning on this pond, if this is approved there should be time restrictions put in place.
- Also concerned about the precedent this will set for the neighborhood, if this is approved there could be more people in the area wanting to do the same thing and if this one is approved they all will have to be approved.

Dave Hebert 10100 Gabica St Middleton ID – in opposition

- Representing long term and short term residents in the area.
- Love the mixed agricultural and rural residential quality of the area.
- Typical ponds in the area range from a few hundred square feet wide to two acres. They are used for irrigation, fishing, swimming, water features, wildlife habitat and rural residential domiciles, with lakes or water features. The large body of water in the middle is designated as Duff Lane pond and it is a public fishing pond. It is just under 5 acres.
- There are no gravel pits and no ski lakes in this area.
- The neighborhood supports development if it maintains the character of the land. We are in favor of building homes and ponds that fit the area. We are not in favor of gravel pits and ski lakes, as they will disrupt the character of the area.
- Showed a video showing the character of the area.
- The project does not comply with conditions of approval stated in the Conditional Use permit application. We feel the developer is not providing sufficient evidence that our concerns are going to be considered. The meetings Mr. Cooper has called have not shown relevant documentation that our concerns will be considered. They have been disrespectful of our concerns.
- Do not feel that the project has been sufficiently noticed, regardless of the requirements set forth by law, and we feel there should have been better notification.
- Excavation equipment has been moved on to the site without permits, and prior to the public hearing, and used in the floodway. Code enforcement stopped work.
- A dated list was presented as evidence that due process has not been followed.
- The purpose of this project is to create a ski lake for motorized watercraft, this will affect the peace and quiet that we currently have.

Wyatt Johnson 3649 N Lake Harbor Ln Boise Ln – in opposition

- Attorney representing the neighbors in opposition to this project.
- Why is a gravel pit being considered in this residential area?
- There is a basic concept and underlying the code, regarding the decision that the commission is here to make and that is the “Concept of first in time and first in right.” In land use, you must look at the land use that was first established. When new uses are considered they need to be consistent with the prior use.

- This CUP is not consistent with the prior use of this area. It is also not consistent with the comprehensive plan.
- The credibility of the applicant should be in question, in the past he began a similar project in the City of Caldwell and abandoned it. Will Mr. Cooper comply with the conditions of approval if this project is approved? Despite the fact that the operation required a permit and one was not granted, there was an attempt to start the project. The excavation expert did not assure the commission that the project would be done on time, as a result they will probably ask for an extension.

Elizabeth Watson 10105 Gabica St Middleton ID – in opposition

- Property connects directly with the proposed gravel pit.
- At the neighborhood meeting the Applicant was advised to check the ordinances prior to purchasing the property, they chose not to and closed on the property without knowing if this use was possible.
- The applicant and partners do not live in the area, they will not have to deal with the noise, dust and other conditions caused by this project.
- The animals, including livestock will be affected by this project.
- According to the tax records most of the surrounding area is considered rural residential, they are in a peaceful quiet area, the noise from a gravel pit 300 feet from our house is going to disturb that peace and an 8 foot berm is not going to stop that.
- The zoning in this area should assure us that our features will be protected, a gravel pit and a ski lake is not consistent with the current land use.
- Regulations should be enforced.

Tim Hunihan 10055 Gabica St Middleton ID – in opposition

- The first meeting Mr. Cooper had was in a firehouse in Middleton, he did not own the property yet and was told he should not buy it because the neighbors would fight the project.
- Stockpiling should not be located in a floodway. Local roads are not capable of handling the heavy truck traffic, generated by this operation.
- Half of the property is located in a flood way.
- We are asking for a complete denial of the gravel pit, problems include: pit capture and serious road issues.
- The gravel and truck numbers projected by the applicant are severely understated, and led to a drastically understated traffic study. The number of days a week for truck traffic was stated as 6 days, but the operation now has been reduce to 5 days a week this will increase the daily truck traffic.
- The amount of gravel that was projected is understated, that estimate should be 300,000 yards and would create over 16,000 truck trips, mixing with pedestrians and bicycles.
- The traffic study is inconsistent and safety is a major concern. This project is an accident waiting to happen.

Bill Hamlin 10250 Gabica St Middleton ID – in opposition

MOTION: Commissioner Scheuerer moved to allow an additional 6 minutes to Mr. Hamlin for testimony for a total of 16 minutes, seconded by Commissioner Duspiva. Voice vote, motion carried.

- Neighbors are dealing with a number of concessions, even after the modifications we still feel that this project is a bad idea.
- Stockpiles are a bad idea in this area. Noise will be significant with high powered machinery, and gravel trucks. Some of the equipment will be running 24 hours a day, 7 days

a week. An 8 foot berm will not mitigate this noise. The current projected sound level is underestimated.

- The staff report does not adequately consider the character of this neighborhood. There are people living in the area who are here because of the peace and quiet. (A recording of a gravel truck was played to demonstrate the sound that one truck will generate). Our quiet lifestyle will be affected.
- The amount of gravel that is estimated by the applicant is underestimated and not substantiated. Our calculations show much more truck traffic.
- What noise level will be allowed and how will it be enforced?
- Denial is the only reasonable outcome for this case.
- The mining operation is incompatible with the neighborhood.
- This is not a pond, it is a water ski lake and will be detrimental to neighbors, and there should be a ban on motorized watercraft.
- We should be able to rely on the comprehensive plan and policies in place when we purchase our homes.
- Strongly disagree with the recommended revisions that came less than a week before this hearing, causing the recommendation from staff to change from denial to approval, giving us less than a week to prepare. We believe this application should be denied, it would clearly create a condition that is not compatible with the comprehensive plan. Strongly suggest they go for a shorter term gravel extraction permit, and make a smaller pond.
- It is not reasonable to expect that they can operate this project at less than 68 decibels, so there will be complaints.

Ron Watson 10105 Gabica St Middleton ID – in opposition

- My past occupations and expertise are: State licensed contractor/developer, fire fighter, police officer, and airport operations manager for an international airport. Have overseen major airport reconstruction, requiring participation from Federal, State and Local agencies. With that experience stated, Mr. Watson is here to discuss water and emergency preparedness.
- There are many concerns about this floodway.
- The equipment that was put on the property and then removed without permits or a public hearing, triggered an investigation from FEMA all the way to Washington DC. FEMA has already expressed their policies to Canyon County, and we pay attention to how the county manages their floodways.
- Best management practices are being ignored, by the applicant regarding snow removal, and drainage control plans.
- The required reclamation plan states that BPM's will be used to keep storm water from mining activities, and surface water will be diverted around the mining operation.
- Application submittal states pit capture impact during construction could be reduced by abandoning pumping and allowing the pit to fill in a typical flood event.
- Reducing the gravel in a floodway reduces the natural ability to control flooding.
- Question the validity and accuracy of the LOMR document. The hydrology report is also inadequate. Hours of operation are incomplete, water consumption is incomplete. The applicant has not been forthcoming with information.
- The dewatering operation is underestimated and the amount of water going into the Boise River is underestimated.
- There is inadequate mitigation for dust and air quality, and it creates other issues. Who is going to monitor the project and if necessary call the company back to the site, if a situation occurs?

- Who was here first? This project should be denied to protect the people living in the area and the people of Canyon County.

Kristi Green 9278 Landruff Ln Middleton ID – in Opposition

- Has lived in current home for 12 years and grew up in the area. Duff pond is three miles from our home, we take our dogs there and ride bikes there. Ms. Green’s husband has 14 years of experience in the construction area and installs piping for sewer water and storm drains, both new and existing and has knowledge of pumping ground water out of trenches. This project could draw down water in neighboring ponds. Not against gravel pits but this location is not ideal. Please consider the families currently living in this area.

Amy Hebert 10100 Gabica St Middleton ID – in opposition

- This project is contrary to the comprehensive plan and threatens the health of natural resources, historical and agricultural land. The project is short sighted and does not serve to improve Canyon County or its citizens. Middleton is the oldest settlement in Canyon County. The gravel pit will be located in the floodway and floodplain. Dr. Kenneth Cannon an expert in Historical sites, recommends determining if this project falls under the guidelines of section #106 of the National Historic Preservation Act, and advises that a “professional archeologist” be present on the site during all ground disturbing activities.
- Duff Pond is heavily used by families 7 days a week, it is managed with an emphasis on being a family friendly fishing destination, this project will not safe guard the significance and value of Duff Pond.
- This CUP should be denied.

John Yochum 9394 Blue Heron Middleton ID – in opposition

- Lived in the area for 20 years.
- A study of property values near a gravel pit reflect a 30% reduction in property value, also reducing the property taxes collected by the County. It takes a long time to regain value after the mining operation is over.
- How will the developer mitigate the loss of property value, loss of tax revenue and the damages created?
- Allowing this operation will contradict property rights policies and guidelines stated when considering a CUP.
- When purchasing a home, property owners have a reasonable expectation that future zoning changes will not negatively impact their home values, allowing this gravel pit will have a negative impact on our lives.

Holly Hood 22210 Duff Ln Middleton ID – in opposition

- Why put a gravel pit which contains a known carcinogen (Crystalline silica) next to our homes. This has been classified as a human lung carcinogen and the cause of many other illnesses.
- Gravel pits are loud, dusty, and ugly, but more importantly they are not just an eyesore they can cause real health issues, even in healthy people.
- Residents living in the vicinity of a gravel pit are at the greatest risk of exposure to air pollution, as well as the living creatures that have no say.
- Trucks coming in and out of the gravel pit spew black smoke that we all have to breathe, diesel exhaust is 5 times more carcinogenic than regular fuel, the emissions mixed with the silica creates a toxic, hazardous air.

- We moved to Canyon County to raise our kids in a safe environment, we run every day, exercise causes the body to take in more dust and causes more damage. This project will make me a prisoner in my home.

Donna Staack 10050 Gabica Middleton ID – in opposition

- Live ¼ mile from the project property
- Represent several generations of Idahoans, we searched over 2 years before moving to Middleton, we purchased this property to be in a rural residential area, with large spaces, wildlife, trees, artesian wells, and a quiet lifestyle.
- We have livestock in the area that occasionally come into our yard, we are able to ride our horses in the area.
- Kids are always present playing outside.
- We like our lifestyle and want to maintain it.
- Mr. Cooper is not a native Idahoan and has never seen his property during a flood year, he does not have the same understanding of living in the country as we do. He does not realize the true impact this project will have on the entire neighborhood. Mr. Cooper has refused to guarantee our wells, refused to guarantee our ponds and ignored are concerns.
- Mr. Cooper has started and abandoned a project such as this in the past. This project should not be placed in the floodway in an already established neighborhood.

Jo Ellen Ringer 115 E 3rd St Middleton Id – in opposition

- Does not live in the area, but does come to the area regularly to recreate with dogs. Have been going to Duff Pond for 4 years almost every day. Brought dog tonight to demonstrate her reaction to the recorded noise from the gravel trucks, other animals will be similarly affected.
- The blue herons that nest in the area, will leave they cannot handle the disturbance.
- Spoke with Timothy Richard a representative with Canyon County Highway district #4, he stated that a turn lane would have to be put in. Who will pay for that? There have not been normal upgrades to that roadway in anticipation of this project. They do not know what is under the road grade or how deep it is, as a result they do not know what the road damage may be as a result of this gravel pit.

MOTION: Commissioner Duspiva moved that we allow Mr., Lakey to present his rebuttal before adjourning for the night. Motions dies without a second.

MOTION: Commissioner Scheuerer moved to continue case # PH2016-69, leaving the record open, to date certain April 6, 2017. Seconded by Commissioner Garrett. Roll call vote 4 in favor 1 opposed, motion carried.

ITEM #5 APPROVAL OF MINUTES:

- a. February 16, 2017

MOTION: Commissioner Garrett moved to approve the minutes of February 16, 2017 as presented, seconded by Commissioner Scheuerer. Voice vote motion carried.

ITEM #6 PLANNER and COMMISSION COMMENTS:

- Director Nilsson: Reminder of the expert in Farmland Preservation, Dr. Thomas Daniels coming to Boise on Monday March 6, 2017 speaking at Boise State University.
- April 20 is still open on the calendar for a training session.

ITEM #7 ADJOURNMENT: 11:42 PM

MOTION: Commissioner Duspiva moved to adjourn, seconded by Commissioner Scheuerer. Voice Vote, motion carried.

Signed this 16th day of March, 2017

Richard Hall, Chairman

ATTEST:

Kathy Frost, Recording Secretary