



CITY OF BLACKFOOT
PLANNING & ZONING
Meeting Minutes
157 N Broadway Street, Blackfoot
May 24, 2022

Meeting called to order:

The meeting of the Planning and Zoning Commission of the City of Blackfoot was called to order at 7:00 PM on May 24, 2022, at The City of Blackfoot council chambers by Chairman Dine Smith. This meeting was also made available to the public for viewing by way of the Zoom application.

Pledge of Allegiance

Commissioner Roll Call:

Those present: Chairman, Dine Smith, Commissioners Merv Dolan, JoAnne Thomas, Marilyn Jefferis, Deborah Barlow and Scott Stufflebeam.

City of Blackfoot staff present:

Kurt Hibbert, Planning & Zoning Administrator, Donna Parkinson, Planning & Zoning Clerk, and Attorney Garrett Sandow.

Report on Conflicts of Interest/Ex parte of Communication:

No items were brought forward.

Approval of the April 12, 2022, meeting minutes:

A motion to approve was offered by Commissioner Jefferis; Commissioner Barlow then seconded. The motion to approve the April 12, 2022, meeting minutes passed.

Agenda Item 6. a), Approve Consent Agenda – Findings of Facts – Action Items:

a) Freeman and Olivia McCashland, 380 W Judicial, Blackfoot ID, Conditional Use Permit

Commissioner Barlow moved to approve the consent agenda and Commissioner Jefferis seconded the motion. The vote was unanimous in favor and the consent agenda was approved.

Agenda Item 7. Public Hearing – Annexation – Action Items: All of the property contained in the following tracts of land, which area includes a combined total of approximately 44 acres and is described as follows:

Tract 1: All of that land in the Southeast quarter of the Southeast quarter of Section 5, Township 3 South, Range 35 East of the Boise Idaho Meridian, that is South of, and including the Interstate 15 Right-of-Way; together with those parcels of land in the Southeast quarter of Section 5, Township 3 South, Range 35 East of the Boise Idaho Meridian described by the Bingham County Assessor's office as follows: RP0359602, RP0359504, RP0359502, and RP8026200, together with their respective adjacent rights-of-way.

Tract 2: Three parcels of land in the Southwest quarter of Section 4, Township 3 South, Range 35 East of the Boise Idaho Meridian described by the Bingham County Assessor's office as follows: RP359800, RP359801, RP0358209, RP0358208, and RP0358205.

Tract 3: A contiguous area of five parcels in the Northeast quarter of Section 8, Township 3 South, Range 35 East of the Boise Idaho Meridian, together with their adjacent public rights-of-way, including properties described by the Bingham County Assessor's office as follows: RP0363800, RP0365302; also, including two county parcels constituting the City Wastewater Treatment Plant, together with a parcel North of Riverton Road managed by the State of Idaho.

Administrator Hibbert discussed the purpose of the annexation plan. Chairman Smith invited those in favor of the annexation to speak and no one spoke in favor. Chairman Smith invited those in opposition to come forward to speak and advised of 3-minute time limit.

Rande Carson of 1815 Riverton Rd approached the podium to speak in opposition. He claimed that he was not notified within the 28-day period of time nor was it published in the paper within the proper time. Mr. Carson claimed there were inconsistencies on the map and that due diligence was not performed. He discussed how this doesn't seem to be orderly development as defined by the state statute. He is concerned with the City being able to regulate how many animals he can have. Mr. Carson noted that there are a number of retirees that are in the proposed annexation area and should be considered.

Trevor Mickelsen of 2011 Riverton Rd, approached the podium to speak in opposition. Mr. Mickelsen wanted to go on record that he doesn't want to be any part of the annexation. He stated that the names on the property belonging to his family are associated with incorrect addresses. He is concerned about his business, Mickelsen Packing, and whether he'll still be able to shoot firearms on this property. He commented how he does not require City water and sewer, but provides his own for the business. He commented that other businesses that are nearby, Premier Tech and Trestlewood, are not being annexed, but receive City services. Commissioners Jefferis and Smith pointed out that Trestlewood is already in City limits. He once again stated that he wants to go on record that he and his family are in opposition of this annexation.

Ed Wagner of 2001 Riverton Rd, approached the podium to speak in opposition. He stated he is on City sewer now and says his neighbors inside the City limits are paying more than he pays now for that service. He has a well and is concerned that he will need to hook up to City water if annexed. He is opposed to the annexation.

Arnold Callison of 1855 Frontage Rd, approached the podium to speak in opposition. He stated they have a welding shop at that location and also have livestock in the pastures. He is currently on City sewer but has his own well, which he hopes to maintain. Have several problems with rodents and wouldn't be able to eliminate them the way they do now, if inside the City limits. He stated he would like to go on record as opposing the annexation.

Alisa Carson of 1815 Riverton Rd, approached the podium to speak in opposition. She stated that the law states a 28-day notification for annexation hearing and the notification she received was not within that time frame. She also stated that the letter and map published in the paper was not the same as the one she received. She stated she is opposed to being annexed and that her taxes would go up and there would be no gain.

Scott Ball of 1622 Riverton Rd, approached the podium to speak in opposition. Stated there are discrepancies in the maps and drawings. He also stated his name is not on the notice he received. He is in opposition of the annexation.

Douglas Coffman of 1791 Frontage Rd, approached the podium to speak in opposition. He stated he doesn't feel the City can maintain his road as well as the county does. He spoke to poor road conditions throughout the City of Blackfoot. He also stated that inflation and cost of living expenses would hinder the City's ability to afford to maintain the streets. He is in opposition and wants his road to remain in the county.

Linda Ball of 1622 Riverton Rd, approached the podium to speak in opposition. She stated they are on City sewer and is happy with that service, but wants no other services from them. She is opposed to the annexation.

Jane Mickelsen of 2005 Riverton Rd, approached the podium to speak in opposition. They process animals and have animals in their pasture and want to go on record to oppose this annexation.

Kerry Wagner of 2001 Riverton Rd, approached the podium to speak in opposition. She does have sewer service, but does not want any other City services because it would be too expensive and of no benefit to her. She is opposed to the annexation.

Stacy Davies of 1835 Frontage Rd, approached the podium to speak in opposition. She has her own well, but is on City sewer and has not had a good experience with that. She stated she also has animals. She opposes the annexation.

Douglas Coffman approached the podium again to read a statement regarding the rising cost of asphalt that the City would have to bear to maintain roads, and to reiterate that he is in opposition.

Chairman Smith called the public hearing to close.

Administrator Hibbert approached the podium to discuss the grandfather clause for having animals. He added that these property owners have the option to request a zone change to Rural Residential, which also allows animals on the property. He stated the surcharge that the county residents pay for sewer service would be dropped when they are annexed. Current well owners would be able to keep their wells, but if the wells failed, they would need to connect to the City water service. He addressed the issue with the maps and clarified the correct copy was published in the paper. He said that for future annexation hearings, the property owners will receive a notice prior to it being published and be invited to come to a meeting to voice their concerns with him.

Commissioner Barlow raised the question of whether the animal processing plant operation is an allowed use in the City. Attorney Sandow stated it is not part of the annexation.

Administrator Kurt stated that the recent tax assessment notices, were not tax statements, just assessments.

An audience member asked about the 28-day notification requirement. Attorney Sandow stated that because it is a Type A Annexation, the statute only requires a 15-day notice.

Commissioner Barlow brought up the issue of annexing the properties under the zone that is desired at this hearing and there was some discussion about that.

Commissioner Barlow asked Administrator Hibbert about shoestring annexations and he clarified that this was not a shoestring annexation and explained the definition of one.

Administrator Hibbert clarified the parcels on the map proposed for annexation for the commissioners.

Board members deliberated amongst themselves. Animals, private wells, sewer connections, costs, and the maintenance of roads were discussed.

Adjournment:

A motion to adjourn was made by Commissioner Dolan and seconded by Commissioner Barlow. The meeting was adjourned at 8:39 PM.



City of Blackfoot, Planning & Zoning Clerk
Julie Conan