

MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF CARIBOU COUNTY, IDAHO HELD THURSDAY, JULY 7<sup>TH</sup>, 2022.

ROLL CALL SHOWED THE FOLLOWING PRESENT:

- Wendy Pelayo - Chairwoman -via phone
- Nolan Koller - Vice-Chairman
- Becky Jorgensen
- Blair Rindlisbaker
- Glyd Christensen
- JoAnna Ashley, P&Z Admin

ABSENT:

- |               |                   |                        |
|---------------|-------------------|------------------------|
| ALSO PRESENT: | Kristine Boyd     | Elliott Gummersall     |
|               | Clay Gummersall   | Stephanie Rindlisbaker |
|               | Keith Jorgensen   | Terry Rindlisbaker     |
|               | Melonie Jorgensen |                        |

7:05 PM Vice-Chairman Koller opened the meeting. He asked if there was a motion to approve the minutes. Commissioner Christensen moved to approve the June 2nd, 2022 minutes, seconded by Commissioner Rindlisbaker. All in favor, motion approved.

Commissioner Jorgensen made a motion to move the August 4th meeting to Wednesday August 3rd, seconded by Commissioner Christensen. All in favor, motion approved.

7:08 PM Vice-Chairman Koller opened the public hearing to give consideration to the application of Ron & Diane Sharp who are requesting approval of a Conditional Use permit for a Short-Term Rental in the Low-Density Zone. The Conditional Use would allow the use of an existing house as a short-term rental for up to 8 occupants at a time. The house is located at 5556 Weber Ln, Freedom, Idaho, Caribou County. Mr. and Mrs. Sharp were not in attendance. P&Z Admin Ashley provided an overview of the request. She stated there was one letter received in support from Kyle and Elizabeth Robinson who live at 3933 Stateline Rd, Freedom, Idaho, the letter was read aloud. Mr. and Mrs. Sharp were not in attendance at the meeting.

After a brief discussion and review of the standards of approval for a conditional use permit Commissioner Rindlisbaker made a motion to recommend the Commissioners approve the application, seconded by Commissioner Christensen. All in favor, motion approved.

7:25 PM Vice-Chairman Koller opened the public hearing to give consideration to the application of Clay H Gummersall who is requesting approval of a Conditional Use Permit for a Campground. The Conditional Use would allow the establishment of Campground with 8 dry RV spots, and tent spots that would have built on-site teepees accommodating 4 persons at a time, recreation area and shower and restroom facilities. The Campground would be located at 1668 Lloyd Rd, Bancroft, Idaho. Commissioners Rindlisbaker and Jorgensen recused themselves from voting due to a conflict of interest and removed themselves from the bench to sit with the audience.

Clay Gummersall 946 Arc Ln, Pocatello, ID, he said they want to have a place to hold family gatherings and would like to use the facility commercially and list it through AirBnB. His daughter, Kristine Boyd, and her husband live at the house on the property and they would be the managers while it is being rented out.

Elliot Gummersall, 1860 S Mountain View Blvd, Woods Cross, UT said he wants it to be a refuge place for people to go. He has friends, scout troops and others who want to come visit. For him it's not about the income aside from the startup costs to get it up and running. He said he hears the concerns that the neighbors don't want those who will bring problems with them. He felt that by utilizing AirBnB they can vet the quality of the applicants through the reviews provided on AirBnB regarding the applicants. In addition, those who would use the facility also rate them as the host and the quality of the facility and experience. When Lava is too busy it allows people to come this way and patron local businesses. Their property is the first one after entering Lloyd Rd from Highway 30. He said kids love to camp and enjoy the teepees. Commissioner Christensen asked if it would be used more for the AirBnB than personal family time. Mr. Gummersall said the family can block off whatever time they want for their personal use. Vice-Chairman Koller asked if someone lives at the property. Mr. Gummersall said that his niece Kristine Boyd lives there and will be onsite when the venue has people utilizing it.

Kristine Boyd, 1668 Lloyd Rd, Bancroft said she lives there with her husband three kids. She said when they first began discussing the proposal, she was concerned about strangers coming. She feels the rules and the process they have in place would make it a very safe and family friendly place. They've talked with Craig's Scott Co for porta potties to service it.

P&Z Admin Ashley said there was a letter in opposition to the request, from John and Rachele Jenkins, 4815 Impressario Court, Las Vegas, Nevada. They own land directly to the north of the proposed campground. She read the letter aloud. A copy of the letter has been included in the file.

Keith Jorgensen 503 Bench Lago Rd, Grace, and is also representing Pat & Carl Jorgensen, said his land interests are directly adjacent. He said as far as the Gummersall holding family reunions for their personal family, he is in total support. As for the commercial use, he said he is strongly opposed. He feels that scouts and other groups will go into the fields and onto the surrounding properties. He is concerned about the increase of crime that could happen with the increased tenants, adding that last night his parents had fuel stolen from their property, which was reported to the police. He is also extremely concerned about the hazard of fires. He is never going to oppose personal use of the property but the size of the property is too small to accommodate the 56 people who could be in attendance at full capacity outlined in the proposal. He said he is opposed to the commercial use and outsiders attending.

Blair Rindlibaker, 1751 Jorgensen Rd, Bancroft, said they are about a half -mile away. He is in agreement with Keith, he agrees that personal family use is totally acceptable. However, he has significant concern about theft and fire. Also, he has concerns about how the waste will be handled. He said that he has concerns regarding Kristine being able to handle the guests in the event a party or something like that breaks out and being by herself if her husband is away, as he travels a lot for work.

Stephanie Rindlibaker, 1751 Jorgensen Rd, Bancroft, her husband is Blair Rindlibaker, she has the same concerns as Blair. She has concerns regarding trespassing into the fields. There is nothing for the guest to do so in the evening or if they become bored trespassing onto the property to explore, she additionally has concern about the extra traffic. She is also in agreement with the concerns raised by others.

Terri Rindlibaker, 1770 Jorgensen Rd, Bancroft, he lives just down from the Gummersalls. He has a lot of respect for the Gummersall and is not trying to put them down. He does have a lot of concerns though. He has ground in the county, west of Lund Road and there was a house near it that started out just as a home, which then became a bed and breakfast, which then increased into more commercial use. The guests there spend more time on their property than where the bed and breakfast is and the property owned by the bed and breakfast. They have tried to manage people and stop them from trespassing but it has not gone well. He likes the Gummersalls and does not want hard feelings, yet he feels in the rural area there is too much at

stake to bring people from out of the area here in around these operations. He has concerns for Kristine Boyd's little girls and worries that something could happen to them from one of the guests. He has concerns about what could happen to their potato storage and other facilities in the vicinity. There was talk about the camp grounds in Lava but there is also a lovely campground in Bancroft with RV hookups, water, etc. and he feels we should utilize what we already have available to us. He supports fully the Gummersalls having their family reunions and coming together as a family.

Becky Jorgensen, 503 Bench Lago Rd, said when you go camping and you have neighbors next to you and some are partying it can cause difficult situations. She shared an experience when just her and her children were camping in Bear Lake and right next to them there was a large party and their fire got out of hand. The fire was in a pit, surrounded by rocks and the fire got out of the pit and all the campers were awakened at 2 am having to put the fire out. She said the biggest factor here is people and not knowing what choices they make. She said she felt the responsibility was too large for Mrs. Boyd and her children because people are unpredictable. She worries about Mrs. Boyd's and her children's safety as well as the risk of fires, noting that fires can start unintentionally such as when people allow their trailer chains to drag on the road.

Mrs. Boyd said they have discussed utilizing coal fire stands, like what is utilized in the Forest Service campgrounds. She said they have discussed installing a fence. Her husband does travel a lot for work and her brother has agreed to be at the campground if her husband is out of town. There is also a loop through the property and they would direct people to return to the highway.

Elliot Gummersall said he spoke with Bart Christensen, who owns the golf course and Mr. Christensen has told him his facility is booked out for the year. In regards to the campers they are catering to families and not party groups. He says people come to this area to play in Lava Hot Springs, float the river, etc. and they could also go to Soda Springs. He acknowledged there is nothing to do at the farm, so people will travel to do things in the area.

Vice-Chairman Koller asked if they had applied or spoke about a permit for the bathroom and shower facility. Clay Gummersall said that for now they would just use porta-potties and eventually convert the barn to those type of facilities. Commissioner Christensen asked when the facility would be available to rent. Clay Gummersall said their operation would run June through August, to avoid the major increase in agricultural related traffic March through April and September through October.

Vice-Chairman Koller said these hearings are difficult because it is a balance. Commissioner Christensen asked for clarification regarding not needing the income. Elliot Gummersall stated that he is not about the money but that it would help Mrs. Boyd and help with the cost to establish the facility. Vice-Chairman Koller stated he is concerned about fires. Elliot Gummersall said they just want propane fires in the teepees so they don't get dirty from the soot. Vice-Chairman Koller asked if there was a well. Clay Gummersall said there was. Elliot Gummersall said that in the description they could advise people to bring their own potable water.

Commissioner Christensen reviewed the standards of approval as outlined in County Code 13.52.080(e). He felt after additional review, with imposing certain conditions, the applicants have demonstrated the standards have been met.

He made a motion to recommend the Commissioners approve the application with the following conditions:

1. There would be a fence installed around the perimeter of the location for the campground.
2. The property could only be available to rent from June 1st through August 31st.
3. No fire pits, only propane stoves.
4. Liability insurance is resolved.

Upon hearing the motion several in attendance had additional questions they raised:

- Blair Rindlisbaker asked who is liable, who has insurance to cover if they have damages from those who use the facility? What if people come onto their property?
- Becky Jorgensen raised concerns about the fields catching on fire and the cost of losing the crop.
- Stephanie Rindlisbaker said harvest starts towards the beginning of August and the conflict could be dangerous with the increased traffic during the harvest.
- Clay Gummersall said that they do have liability insurance but he does not know if it covers the commercial use of the property.
- Keith Jorgensen asked who is liable if one of the kids staying on the campground runs out in front of a large piece of farm equipment, who is going to be liable? Or if one of the guests wander onto their property? P&Z Admin Ashley said they could not speak to liability; it would be something County Attorney Wood could possibly address at the Commissioners meeting.
- Keith Jorgensen asked for clarification about what kind of fence would be installed around the property. Clay Gummersall said they could build a 6-foot wood fence along the sides and rear of the property and a fence along the front of the property. Keith Jorgensen asked about the kind of fence that would prevent the kids visiting the campground from entering the fields. Elliott Gummersall said they could install a 6-foot chain link fence along the sides and rear and a 4-foot chain link fence along the front to be in conformance with the County standards.

After this discussion Commissioner Christensen amended the motion to have the following conditions:

1. There would be a 6-foot chain link fence along the sides and rear and a 4-foot chain link fence along the front of the property.
2. The property would only be available to rent from June 1st through August 15th.
3. Fire pits are prohibited and only propane stoves permitted.
4. Liability insurance must be resolved.
5. There must be an employee/representative on the premises 24 hours a day when the camp is in use.

Wendy asked if Nolan felt the standards had been met. Nolan said that he was on the fence on whether the first standard had been met. After a brief discussion Chairwoman Pelayo seconded the motion with the amended conditions. Voting showed:

Chairwoman Pelayo: Aye                      Commissioner Jorgensen: Recused  
Commissioner Christensen: Aye        Commissioner Rindlisbaker Recused  
Chairman Koller: Aye

Motion approved.

9:28 PM Commissioner Jorgensen moved to adjourn the meeting, seconded by Commissioner Rindlisbaker.  
Meeting adjourned.