

MINUTES  
LEMHI COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
MAY 18, 2022  
7:07 PM

Meeting called to order 7:07 pm

Members present: Jeff Nofsinger, Cody Settles, Vinn Strupp, James Malcolm

Staff present: Rachel Westfall, Polly Anderson

Guest: Teresa Morton

Jeff motions to approve minutes of 4/20/22, Cody seconds

Public Hearing Thoreson Airstrip

No conflict of interest declared

Gus Thoreson, 2333 Highway 28, Tendoy, ID [offered copies of the application to the crowd]. So, as we all know, we would like to put an airstrip at our place up above Tendoy. This will be a private gravel airstrip limited to personal use only by the owner. There will be no public use or commercial use. The operating plan will hold true unless natural disaster occurs, wash out, or earthquake, etc. Shouldn't be too much of an issue. We will have to put in a few little culverts and stuff, won't be really too big of a deal, kind of grade it out nice. The whole mountain is built of road base anyway, so it's kind of all-natural material right there. Hours of operation would be just VFR, visual flight restrictions, and that's three nautical miles and 500 overhead cloud, and basically good flying conditions. We're not going to be doing instruments or coming in and out of there when we shouldn't be. We do have a diagram included with the flight path. It will be a two-way approach. For those of you that don't know, we live up on a bench about 260 ft AGL above the highway or really where any other house within one nautical mile is anyway. Really the one of the biggest hazards with aviation is obstructions, whether it be trees or power lines or anything of that matter. Really the biggest obstruction we have out there is sagebrush up on the bench. We're above all the power lines already. If you hit a power line, you're in real trouble. It's just a super safe place to take off and land from. The noise too, we can go over all these diagrams but we will be above any houses. We do have a decibel diagram here for 182 and it's around 10 or 11 at the same level, but we'll be up above. The highway will probably put off more noise than a plane landing or taking off in that location will. Even with that, with being 260 ft above the highway, we're already halfway above legal flying distance from any building or [inaudible] object, which would be 500 ft. it's pretty much right there [inaudible] legal airspace as it is. We kind of went over maintenance. We'll do snow removal as needed. It really will not affect any irrigation or anything like that, other than the runoff, and we'll put in culverts and a little drain field. We've lived there for about a year and I have yet to see water trickling down the little run off. I think it just soaks right into the ground, I don't remember seeing anything running off there, but we really haven't had a lot of rain the last year. We will take care of that and try to be ready for it if it does happen.

James Malcom: Does it require several culverts?

Gus Thoreson: Just a couple. I don't even think you'd need to. I think it's a rock base but I'll put some pipe in there just in case.

James Malcom: The one diagram I was wondering about, does it show

Gus Thoreson: It's right above, and you kind of have to walk it to see it. When it gets down where it's steep, obviously it's cut out more, but up there on that bench it's really not cut out that much. As far as dirt moving, there will be some dirt moving but really not that much, it's just kind of leveling it off and has a pretty nice little bench right up there right above the shop and house. Safety and health: Obviously, in inclement weather I'm not going to take off and land with nasty weather there. There's obviously always the option of Salmon Airport or Leadore to go if a guy needs to. Fire protection: We'll be ready for all that, fire extinguisher and stuff like that. It really shouldn't be an issue. Hazards on the airstrip: We got a notification from Fish and Game advising us to fence it. We will take care of that as far as how we see fit. If there's game around we will handle it. With me using personally, I'm not going to want to put myself at risk right there at my home with my family around and stuff, so whatever we need to do we will take care of it on that end. I don't really see it being an issue. In winter time we get some elk that try to come down to the haystack, but we have it fenced off and they stay up on the hill where it's melted off. Down to noise levels, we kind of went over that. As far as the FAA recommended decibel sheet that they have there for 182. I believe that's on the second page. I don't really see noise being much more than the highway. It shouldn't be that big of a deal. We can go over the diagrams real quick. [identifies areas on diagrams]. That's a visual of how it would look. If anything were to go wrong, we've got plenty of room to move away from obstructions, our shop, house, anything like that, any other neighboring obstructions. The flight pattern: It's great because it's two-way airstrip so you can take off or land from each direction, so depending on your winds. On the strip, thresholds will be to the end because you'll take off from the very end, when you're talking FAA terms as far as thresholds sitting inside of a strip. You guys can see that on the flight pattern. Your final will be running fairly parallel to the highway and your downwind will be parallel kind of against Ramsey there. On the triangle distance from the hospital and the airport, you can see there there's about 19 miles to the highway and about 22 to the hospital, that's nautical miles. Obviously, the airport is just a little bit farther if you were taking the highway. Elevation scale shows that the strip is located above where our house site is and above the valley [inaudible]. Distance to water, we have a long way to running water. Obviously, there are ditches going through Lemhi Estates and stuff, but we pump water over to our field from the river but as far as natural running water, we're quite far away. Distance to scale, from the highway it's about 135 ft.

Jeff Nofsinger: That's probably not right.

Gus Thoreson: I don't think that one is. No, that doesn't seem right. I'm looking at that too, it's a lot further than that.

Jeff Nofsinger: I went on Google Earth and your shop is 450 [Gus: ya, that seems about right], that's probably about 735.

Gus Thoreson: Its clear of really anything. It couldn't be affecting too much, even with the just leveling it off up there, there's not a whole lot that grows up there. It will be a good use of the land for what it is. It's good for growing sagebrush. I think that kind of goes through our diagrams. Does anybody have any questions about the diagrams and stuff?

Cody Settles: On one of those sheets, it looks like the north end, the end of your drawing is all the way up to the parcel line. It's going to go all the way to the property line?

Gus Thoreson: Ya pretty much, and Tim Ray is in support of it. I was doing a hunt this last week and I missed the deadline on getting a letter from him, he's down in Boise right now, but he is 100% in support of that.

Cody Settles: Would you need any kind of setback for the edge of that.

Gus Thoreson: You could I guess, if I had any public landing there as far as markings, ya you would. As far as if we were taking off from there, I would go right up to the end of the threshold at the end of the strip and then take off headed south. It just depends on which way your wind is going, but for landing I'd probably put some flagging or some markings on that fence to make it obvious, but we will be the only ones landing there. I'd still probably mark it in case. I think when you do this the right way, you have to have some notes with the FAA, which is pretty typical, and in there I'd probably just put in there that there's a fence line on the northern side of the airstrip. Any other questions on the diagrams?

Jeff Nofsinger: In general, a 1700-yard strip is a pretty long strip, right?

Gus Thoreson: Ya it is. There are backcountry strips that are around 800 or so that they are taking off loaded to max capacity and doing it safely day in and day out, so 1700 is on the safe side. A long airstrip is not a bad thing, just leaves a little bit of room for error.

Polly Anderson: Gus, is this just going to be used for your own personal use? Nobody else will be landing? [Gus: Yes ma'am, just me. As a private pilot, just kind of recreational. It's not going to have excessive take offs and landings there. Recreational private use for me. Just the convenience].

James Malcolm: Have you got anything else?

Gus Thoreson: I think I went through my stuff, unless anybody had any other questions on the diagrams and stuff.

James Malcolm: If that's all you've got, that's fine. Ok, do we have any written correspondence? Ok, we've got a letter from Fish and Game, Tom Curet signed it. The other one is from Kathleen Knight.

Discussion about where the Knights live.

James Malcolm: Now we will have testimony for anybody supporting the application.

### Supporting

Derek Manson: 2191 Highway 28 in Tendoy, just below them. I don't see any problems with it. My neighbor lives across the highway, he owns the property between me and them, it's Tim Ray, it's on their fence where the end of the strip is. He is in support of it. He couldn't make it. My uncle runs cows on his place, my uncle is in support of it. That's about all I have. They couldn't make it, they said they were ok with it and that's about it.

Mike Warner: 206 W 5<sup>th</sup> Ave Salmon - I am the fire chief for Lemhi County Fire Protection District. I reviewed this. I didn't have any problems with it. There is an airstrip just about six miles northwest of there that's right at the QB plant and when they were using that strip, they were having to fly right over the top of that business and the houses there. This strip is by far a lot further from the road and there's

nothing for it to fly over right there. I didn't have any issues at all with it being put there. We do have fire engines six miles away if we needed them. That's all I have.

John Nelson: 13 Miller Ln, Salmon – I am a private pilot. In the event that you're coming home from Dillon and you have some kind of trouble, if you've got an option like that, that's a heck of a lot better option than what you would have without it. A 1700-ft strip is about 700 ft more than I need in my 182. I think that's a real safe margin, that one he's talking about at Tendoy right off the highway, I'm not sure you could land in that thing without hitting your wings on the fence or getting over or under the telephone line that's right there anyway. If I was going to make an emergency landing, I wouldn't try that one I don't believe, but this sounds like a very good plan to me and it sounds like more than an adequate airstrip. From a safety perspective, as a private pilot, I think the more airstrips we can have at our disposal in case we need them, the better. Thank you.

Mike England – 20 Hardy Ln, North Fork – I'm a private pilot and I concur with John. More of these little private strips we have out there is just a safety option. When you're flying over the back country there are strips scattered throughout out there as well. Something like this would be a whole lot better than trying to put it down on the highway.

#### Uncommitted

Tom Whitson: 2532 Highway 28 – The question I have for Gus is, I know where you're an outfitter and you have your outfitter's license, but you're saying for recreational use. You're telling us that you won't be flying any clients out of there ever. That's my question, is it going to be weekly flights for clients or is just going to be one flight a month just to go see the area?

Janet Kesl – 19 Northern Lights Rd – I own the property at 2532 Highway 28. My question is what's to stop it from, now it's private, what's to stop it from becoming more than that. Is there something you have to do a different application? That's what I'd like to know. That's all I have, thanks.

Larissa Knight – 2403 Highway 28 – I live just south of them on the same side of the road. My in-laws house, Andy and Kathy Knight, they have property that's right next time, one across the highway and beyond me. They also have BLM behind me. I was wondering is that going to affect the livestock that is there, they run cattle and horses back there. Would that do any damage livestock-wise?

#### Opposed

Janet Kesl: 19 Northern Lights Rd – I own the property at 2532 Highway 28 and I am opposed to this. I feel like it could devalue my property. I actually live out by the airport and I have people who have told me "oh we would have bought that house but we don't want to be near the airport, we don't want to listen to airplanes", so that's my major concern. Coming and going they're going to be pretty low over my property.

Jeff Nofsinger: [to Janet Kesl] could you go back up a second? I want to ask you where you're physically located at. Did you say north or south of them? Janet: It's toward Idaho Falls is where the property is at Lemhi. I physically live out by the airport here. Jeff: But you're saying you own a piece of property out there? Janet: A house and 50 acres at 2532 and he's 23-something. Jeff: So that's two miles away? So you're worried about him being too low two miles away? Janet: That's my statement. I don't intend to argue with you. Jeff: I just wanted to understand.

Tom Whitson: 2532 Highway 28 – To kind of address that, it's two road miles, but air miles it's not going to be near that far where his strip ends and where that takes off over the top of the house. Where his house sits is south of mile marker 112 by a quarter mile. We're south of 110 by 500 ft, so it's more of a mile and a half. The road makes a couple curves in there. It will be a lot closer than it seems. They will be taking off over the top of houses and stuff like that. As far as the devaluation of property, having an airstrip that close I think could be a concern. I guess my question is if it's a private airstrip and they're not going to be taking clients, why is it under Heart X, which is the outfitters license, versus their name? Jeff Nofsinger: What would estimate the straight line distance? A mile? Tom: Somewhere in there, from the end of their property to the beginning of our property. If they're taking off at the end of theirs and where our property starts, I would suspect a mile-ish one way or the other.

#### Gus Thoreson Rebuttal

Those are all very good questions. Tom, with your concerns as far as going to commercial use. Yes, I am an outfitter. That's why I love flying. The past 10, 11 years I've spent flying in and out of the back country. I love it. That's what makes me want to do all this, so I can go fly and learn how to do that. As far as keeping it from going to a commercial deal, personally on my end it would be liability, legally right now with the FAA, I'm not a commercial pilot. Just the overall liability with that. Hunters will not be flying out of that airstrip. They will be booking with Middle Fork Aviation, that's who we use. They're based out of Challis. I'm responsible for hunters when they show up at the airstrip [inaudible]. For me it's just an option of being able to step out my front door and go flying and where I can help Courtney get the kids ready for school and stuff, not have to worry about coming into town and do all that. It will not be a commercial use out of there. I don't know with the County what would stop it, but for me personally, it's called 135 certificate to be able to commercially fly. I can't legally do that. That's big time illegal stuff, and that's why I'm here, because I don't like doing stuff illegal. It's legal to go land on BLM and Forest Service ground, and that handles the concern with the cattle. If it's ok with the federal agencies that you can legally go do that, it's obviously not an issue. I have videos of my mules, airplanes taking off right over the top of my mules and it doesn't bother them. Anybody that's been around cows enough know that you have to work pretty hard to get them to pick their head up, if you're flying 500 ft over them, which is legal airspace. 182, John just said his climbs out at 700 ft a minute. That's comfortably, that's a comfortable climb out rate. Some of that back country stuff you're climbing out at 1000 ft. Even at one nautical mile away you're going to be well within legal airspace to where I can legally fly over any of those houses. Even Alfonso's place down there, by the time I hit Alfonso's, I'd be in legal airspace easily, without issue. That's the beauty of having it up on that bench is that you're [inaudible] legal airspace anyway when you're over top of anybody else's property, other than [inaudible], and he's 100% behind it. Also, to your concerns, I get not wanting to have airplanes buzzing over your house early in the morning every morning, but that's the difference between a private and a commercial deal, I guess. When you're living at the Lemhi County Airport, right at the end of it, you betcha. I've sat there taking flight lessons and you're in a line waiting to hit the airstrip. There's a lot of air traffic right down there, but there won't be at my place. It's a private deal. All that boils into FAA with 135 and that's a whole different level. You're dealing with Feds with them and I don't want them at my place. If I ever did go down that, when I'm outfitting, I'm gone a lot, I miss out on a lot with my family. If I ever did go toward my commercial, it wouldn't be from my house, there's just too much going on there. I don't want the Feds snooping around my house. If I ever went down that road, I'd have a shop and a hangar down there at the airport and run commercially just like everybody else. The reason why it

wouldn't go to that point is because it just doesn't make sense. In regards to livestock, I can't say that your cows won't not like it because I don't know your cows personally, but I do know a lot of cows and they sure don't mind it. I know my stock; they don't even bat an eye at it. You can fly right over them and they don't even pay attention. It's not like they're going to scatter when you're at 500 ft which is legal airspace anyway. If you're not, you're intentionally trying to not be, by the time you get over anybody's property there. Both you guys' property, a lot of my flight training we've done right out there right over my house, you guys haven't even heard me, we've been right there doing stuff. I understand the concerns, they're great concerns, I would be too. From the common sense point of like the cattle being bothered, the legal sense of legal flying airspace, it's unrealistic to think that it's that big of an issue.

James Malcom: On the legal airspace, what is the legal airspace. Gus Thoreson: 500 ft. James: Ok, just being up on that bench.... Gus: That's from the ground or an obstruction. Legally I would have to be 500 ft from the top of this building. [explanation, clarification] Teresa Morton: So, by the time you hit Alfonso's, you're going to be over 500 ft? What's your guess? Gus: 1500 ft at least, easily. That's 1700 ft. I know at Loon Creek is 800 ft. You're 100 to 200 ft off the end of the airstrip by the time you get there with 10000 lbs on. With just me in that plane, that thing is off the ground quick. The only one would be Tim Ray's and he's got a big section there, in between Caywood's and me and he's in full support of it.

James Malcom: What about coming the other way and landing? Gus: Either one. You'd be pretty close on landing coming in from 1-8. You'd be right in there. I think you'd be hitting that 500 ft mark on my property. The approach to 1-8, you'd be coming in from the south [inaudible], it's tough without landing and knowing for a fact, but you'd be darn close to being in legal airspace dropping in right there above my property.

James Malcom: One other question I had is on the livestock. Now, there's BLM right beside your property, correct? Gus: Correct, and we have the permit bordering our property to the top of the mountain. It is fenced. James: The cattle on the BLM can't get to your airstrip. Gus: Absolutely not. They're on the other side of the mountain. They won't even be able to see the plane.

James Malcom: We legally have 30 days to make a decision. I don't know if we will make it tonight or then, but we will probably have some discussion tonight and we'll see what happens then.

Hearing closed 7:49 pm

James Malcom: Do you guys want to discuss this now or do you want to get into the other hearing?

Cody Settles: For this one I would kind of like to look at what we did for the other one and just look at conditions, so I'd be ok with jumping into the next one now.

#### Public Hearing – John Nelson Wagons

My name is John Nelson, 13 Miller Ln, Salmon, ID. That's two miles south of town on Highway 28 behind the Shepard of the Valley Lutheran Church. I am the owner and operator of J&J Cabins out there right now, which we installed in May 2018. There are four log cabins out there. One of them has a washer and drier and storage facility. The other three are rental cabins that we operate through AIR BnB. This extension project that you have before you is pretty much exactly that. It's just an extension of that property. I've got my plan of operation but I'm just going to hold this up so you can see it. My plan is to

put in two of these luxury covered wagons, they're called Conestoga Wagons. I'll give the details on them in a bit. The description of the operation is J&J Cabins, which is already in existence, will incorporate two covered wagons and a custom shower unit, three RV spaces, including a separate additional RV sealed dump station. My plan is to install two Conestoga wagons. These wagons are 25 ft in length, 10 ft wide, 13 ft high. They're luxury covered wagon units with living quarters. These wagons include a king sized bed, a set of bunk beds, wagon wheel table, night stand with USB outlets, overhead lights, has a mini-split heat and air conditioning unit in them, mini fridge, microwave, coffee maker, and the wagons will be placed on 15x30 ft gravel RV pads with water hydrants and 50 amp power stations, but no sewer. They don't have plumbing in them but they do have power. I'm going to put in, between the two wagons, one 16x8 ft custom shower unit. This unit has a shower, a toilet, and a sink on both ends. There are two doors. It's basically split right in the middle, so there's a shower and a toilet and a sink on each end, so that you can key the door to that side to that wagon, this side to that wagon, they have their private bathroom facilities. There's going to be one RV dump station, which is a 1500 gallon sealed unit with a float in it, that when it gets 2/3 full will turn on a light and indicate that it needs to be pumped at that time. There will be three RV spaces. These are gravel RV pads. They're 15x30 ft in dimension. They will all include the full RV hookup stations, including water, power, and sewer. The two wagons and the three RV spaces will be available for rent. Rental options will require a rental agreement with requirements for occupancy, including no smoking, pet deposit, no excessive noise or disturbance after 10 pm, and any violation of established house rules will be grounds for immediate removal. The duration of renter occupancy for the target renters will be overnight and weekend visitors to the Salmon area, since these wagons will not be designed for extended stay because they don't have the cooking facilities or indoor running water. Occupants may also be on official work details with the US Forest Service, Bureau of Land Management, the Idaho Fish and Game, the hospital, other county or state government entities that are in the area on short work details, two or three days at a time in some cases. These details that these workers have can extend up to 120 days, at least in the cabins. I don't foresee that happening with the wagons. Nightly and weekend rentals will be encouraged and they will be accepted if the cabins are not available. The rental rates will vary with occupancy duration. Obviously, the base rate I have established with the cabins is \$135 per night right now. It drops to \$96 per night for government entities or official....I do that for Idaho Power or Fish and Game or any BLM or Forest Service occupant. I do honor the current federal government per diem rate, which is \$96 per night right now for government employees. For extended stay rentals, an appropriate discount rate will apply. State and federal taxes and associated fees will apply to all rental charges as well. The management of the property will be provided by myself and my wife. We reside on the adjacent property about 100 yards from where this is going to happen. We own and manage all property, including the parcel with the cabins and where the wagons and RV pads will be located. All utilities, waste management, landscaping, property maintenance, mowing, irrigation, cleaning of rooms, snow removal, weed control, and day-to-day operations will be managed by myself and my wife. I have it designed where there's a pretty significant gravel parking area to minimize the dust potential. We are going to stay will all gravel and it will have a road base and a finished top coat on top, so there shouldn't be any dust at all. It's basically just an extension to my existing project. You guys have the diagrams there. The total thing is 112 ft running east to west, by about 150 ft running north to south. The wagons and the RV pads are just right in the same general location as the cabins.

James Malcom: The wagons, are they on these pads? Where would they be placed.

John Nelson: The wagons will be on the south end. See the two pads on the south end on your diagram? And then there's a little 8 x 16 shower unit drawn in there in between them. Those pads will have just water and sewer. Although the wagons don't use water, I can water the lawn with those [inaudible] from there.

Theresa Morton: John, did you say Nelson Ln was 20 ft wide? John: No. Teresa: How wide is Nelson Ln? John: The driveway going into the cabins? It's gotta be probably close to 35 to 40 ft I would guess. There is the existing irrigation ditch there. This isn't going to alter that in any way, shape, or form for irrigation for anybody below me. We will probably put in I think about 80 ft of culvert to get it through that whole entryway and to keep it within 25 ft, the septic tank from the end of the pipe. I don't really have a whole lot more than that.

Jeff Nofsinger: You're talking about a 1500 gallon dump tank. Where is that going to be on the site? [John shows P&Z members on the diagrams where the tank is]. It looks like you have septic to the...John: Right, the dump station is independent. The reason for that is when people come in with an RV that have chemically treated waste, I'm going to require them to dump in that RV dump station because all the sloshing around, it will pulverize the toilet paper. If they just drove in and hooked up to a standard septic, which I'm planning to do, that paper could potentially float into the drain field and over time would plug up the drain field. They will dump any chemically treated waste that they have onboard before they go into the RV park and hook up to the standard system. There will also be a, I'm planning on, a little sign out there that specifically says no chemically treated waste at the RV hookups. [John identifies the area on the map in the packet for the board members].

Cody and John discuss wells and drain fields and permits. John: The plans that you have indicate that there may be a new well drilled and I don't think I have to do that. I'm going to tap the well that's at the cabins. Cody clarifies the well on the corner is potentially the new one. John said he doesn't think they're going to do that one. The chances of all three RV's and all three cabins all having a shower at the same time while I've got the sprinklers running probably isn't going to happen very often.

Theresa Morton: I have a question, only because I was here when they approved the cabins. Correct me if I'm wrong, Miller Ln is only 20 ft wide, that's as wide as the easement is. John: I don't know for certain. Theresa: It is, it's 20 ft wide. My questions are what are you going to do to prevent, I realize there's a turn off right there. Anyone that's been down Miller Ln, there's really nowhere to turn around. If somebody gets sidetracked and gets an RV down Miller Ln, what are you going to do to prevent them going any further than your approach? Because we all know they're going to end up turning around in someone's driveway. John: There is a 4 ft x 6 ft sign on my gate right at the turn off where Nelson Ln turns off down Miller Ln, that's existing, it's been there since 2018 and it's pretty evident. It's a metal sign that says "J&J Cabins, Welcome" with a great big red arrow pointing you down Nelson Ln. You would almost have to have your eyes shut to miss that. But you're right, if somebody did go right on down for some reason, they're going to have to pull into someone's driveway.

Discussion about dead end signs. John says if they miss the turn at the sign, the next approach is the approach into his house and the cabins can be accessed that way. John is willing to put up a sign.

No written correspondence.

Supporting Testimony:



Mike England – 20 Hardy Ln, North Fork: I would speak in favor of this. I also sit on the housing committee locally and I think that everyone in our valley is well aware we have a housing issue, whether it's short term or long term, and probably for the most part this would be a short term housing, but that takes the pressure off some of the mid-term and long-term housing. At this point in time we are desperately needing places for people to stay, so I would be in favor.

James Malcom: Anybody else supporting? Any noncommitted testimony? Any opposing testimony. Ok, so I guess there's really nothing you need to rebut. Anybody else? Any other questions before we close the hearing? We will close this hearing. Do you guys want to discuss any of these tonight?

Cody Settles: For the airstrip, I'd like to see what we did on the other one. If we were to approve it, I wouldn't want two airstrips with different conditions for no reason other than we were in a different mood that night.

Jeff Nofsinger: That one, the guy was bringing in other planes. I think we put a five takeoff and landing per day because he was going to bring in flying groups and stuff.

Cody Settles: That's what I've seen other counties do, takeoff and landing limits per day, which would seem a lot more effective than so many plans at the airstrip parked. If you guys are all ok doing that, I guess I just would like it to be somewhat...

Jeff Nofsinger: Do the same requirement on that one? How do we want to do this? Since we just covered the RV, do we want to finish that one?

James Malcom: We could. The hearing is closed.

Jeff Nofsinger: That one seems to be fairly cut and dry. As far as the private road, trying to control people is always tough.

Discussion about turnaround options and road width. Cody wondered if Road and Bridge had input. Polly indicated that they did call but it was after the deadline for comment submission. She talked with Curt, it's a private road so they have no say, but he would love to see that road widened.

James Malcom: Do we want to make a decision on that one tonight?

Jeff Nofsinger: Motion to approve the special use permit for Nelson Conestoga Wagons

Polly Anderson: Do you guys want to put any special conditions on it?

James Malcom: What we've been doing in the past is putting a verb in there about requiring all state and local regulations. That should be in there. I don't know of anything else that would have to go [inaudible]

Cody Settles: Does the permit go with the people who apply for it, or with the property?

Polly Anderson: It would go with the property, but they can't do anything different. Do you want me to look at the original, if you had any conditions? If there was on the cabins do you want to include those?

Board agrees to put the same conditions on.

Jeff Nofsinger: I'll amend my motion to approve it with any standard and anything that was added to the original cabins as far as restrictions.

Cody Settles: I'll second that motion.

James Malcom: Before we vote on this there is a checklist from the Attorney General that we need to go through. If there is a "no" to any of these questions, we have to reconsider our decision.

Board goes through the checklist.

James Malcom: It's been moved and seconded to approve the J&J Cabins expansion. Motion carried.

#### REGULAR PLANNING AND ZONING MEETING

Discuss reviewing the airstrip application. Cody prefers to wait. Board would like to review the previously approved airstrip. Cody wonders about the airstrip going up to the fence line and wonders if it's subject to county setback requirements. They feel the proposed airstrip is long enough. Board agrees to wait to make a decision until the next meeting.

Discussed proposed development code changes. Polly explained temporary address requirements and why they need to be renewed every six months and residency requirements. Discussed what constitutes an RV park, is it limited by number of spaces? Polly requests the board review chapter 8.6. Discussion about living in an RV versus renting space to travelers and what needs to be required as far as sanitation.

Discussion about land use rights and what constitutes a government "taking".

Jeff Nofsinger motions to adjourn, Cody Settles seconds

Meeting adjourned at 8:56 pm

Rachel Westfall