

Town of Encampment
Joint Workshop
August 20, 2026
6:00 p.m.

The Town of Encampment met in a joint workshop session at the Encampment Town Hall on Thursday August 20, 2026 at 6:00 p.m. with Senior Councilman Steve Reichert presiding. Council members present were Ashley McKinney and Susan Munson. Planning Commission members present were Bill Acord and Carl Lembke. Audience members were Jim McKinney, Wyatt Craig, Charles Kiesel, Sandy Martin, Karen Kutak, Jay and Vicki Ward, John Farr and Bob and Ros Herring.

AGENDA

Short-Term Rentals- Discussion: Senior Councilman Reichert opened the meeting and advised that the purpose of the meeting was to discuss the pros and cons of short-term rentals. He noted that there would be no action or decisions set in stone and that not all officials are present.

Planning Commission member Lembke made a comment about a letter received by the attorney. He noted that to him it was fairly clear that the town needed to stop with the moratorium and to look at legal liability as it relates to property rights with the ordinances as currently written. The ordinances will need to be changed and updated to make them what the town wants. All points of discussion are valid. Once the ordinances are updated the moratorium can be removed. Audience member Bob Herring asked why the audience could not see the letter. Councilwoman McKinney noted that the letter was legal advice to the council and should not be handed out. She noted that the content has just been summed up. It details which ordinances need to change and what procedures need to be done. It was noted that ordinances ***17.24.030 Conditional Uses*** and ***17.04.050 Continuation of Existing Uses and Structures*** were tied to the discussion and that is a part of what will be specifically addressed. Both ordinances are vague and that is part of the problem.

Reichert noted that there was no one waiting for a Conditional Use Permit for a short-term rental, other than the one person that was considering it when the moratorium was placed. It was noted that the few that happened near the same time in the same neighborhood was not a usual occurrence. The ordinances referenced were read for the audience. Mr. Herring also noted the there were guidelines available from National League of Cities. He noted that the local landscape, goals and policies need to be considered along with community input. Munson noted that the ordinances have to be defensible going forward. Clerk/Treasurer Harvey noted that no ordinance is passed without attorney review. Three readings and a public hearing will also be held once they are drafted.

At this point pros and cons from prior meetings were reviewed and discussed. Councilwoman McKinney reiterated that the no one is hiding anything, they are being public with the process. Councilwoman Munson noted that everyone may have to get together again during the process. Mrs. Ward suggested a licensing process with annual review. Audience member Jim McKinney noted that there could be a possible fee associated with it. It was noted that those in existence would be grandfathered and not subject to new rules, but that change would take place over time. Ms. Kutak noted that she had experience from Carbon County Planning and Zoning she noted some of their notification process. Clerk/Treasurer Harvey noted that Encampment has a notification process in the ordinances. Letters are sent to residents and public hearings are held.

Different elements of the process were discussed. Lembke noted that he thinks that the use should go with the *property owner* rather than the *property*.

Discussion turned to Lodging Tax. Mr. McKinney noted that sites like Airbnb and VRBO collect the lodging tax and do not give the property owner a choice. Lembke noted that people can also establish their own website or just use word of mouth and no one would know. Mr. Herring noted that registering to pay the tax should be a requirement of the application.

Clerk/Treasurer Harvey was asked to read the list of pros and cons collected from prior meetings for the audience. Short-term versus long-term rentals were discussed. It was advised that Jackson had a policy that was defensible. It was also noted that there are also a large number of seasonal or vacant houses. Discussion returned to the permitting process. Other comments were made about occupancy limits, CO2 detectors, trash collection, inspections, etc. Lembke asked the audience how they would see limiting them, by neighborhood or by percentage. It was noted that there are currently 15 permitted in town, although not all of them are operating. Two have changed ownership and the new owners have not come in to discuss the matter and may not realize the use was permitted. Some are mostly used by family and occasionally have a renter. How would we know who was in the home? Mr. Craig asked if the homes were being billed as a business for their garbage. Clerk/Treasurer Harvey noted that they were billed as a residence, but that it was a good question. She would contact the district and ask them their preference.

It was agreed that the process begins with the revision of some of the existing definitions and the Conditional Use section. The term short-term rental will need to be added and incorporated with the other rental terms. It was noted that some of the items discussed could become part of a revision to the application in order to seek more information and make the resident aware of certain things. The application can be revised at any time to seek additional information as long as it does not exceed the ordinances.

Lembke asked if those present wanted to set another date to discuss the matter further. It was suggested that the matter go back to the council first as they already have a workshop on the master plan in September. It may need to be in October. Everyone was thanked for taking the time to attend and it was noted that the meeting was productive.

With no further business, the workshop was adjourned at 6:55 p.m.

Doreen Harvey, CMC
Clerk/Treasurer

Approved: September 10, 2026

Attest: Doreen Harvey
Doreen Harvey, CMC
Clerk/Treasurer

Shannon Fagan
Shannon Fagan, Mayor