

CACHE COUNTY COUNCIL MEETING
April 9, 2002

The Cache County Council convened in a regular session on 9 April 2002 in the Cache County Council Chamber at 120 North 100 West, Logan, Utah.

ATTENDANCE:

Chairman: C. Larry Anhder
Vice Chairman: Layne M. Beck
Council Members: John Hansen, H. Craig Petersen, Kathy Robison, and Cory Yeates.
Darrel L. Gibbons (Arrived at 5:45 p.m.)
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Lt. Kim Cheshire, Lorene Greenhalgh, Deputy Attorney Don Linton, Sheriff Lynn Nelson, Evelyn Palmer, Pat Parker, LeAnn Petersen, Mike Petersen, Kelly Pitcher, Jim Smith, Auditor Tamra Stones, Mark Teuscher, Leon D'Souza (Herald Journal), Jenny Christensen (KVNU), Mitt Flinton (Ogden Standard Examiner), Kristen Moulton (Salt Lake Tribune).

(Attachment No. 1 - Public Roll)

CALL TO ORDER:

Chairman Anhder called the meeting to order at 5:00 p.m. and welcomed all who were in attendance.

INVOCATION:

The invocation was given by Pastor Scott Holder from the Holy Trinity Lutheran Church.

REVIEW AND APPROVAL OF AGENDA:

REQUESTED CHANGES TO THE AGENDA:

1. Executive Lemon requested an Executive Session to discuss land issues. Chairman Anhder placed the item under Other Business on the agenda.
2. Executive Lemon requested to include the "Employee of the Month Award" on the Agenda.

REVIEW AND APPROVAL OF MINUTES:

Vice Chairman Beck moved to approve the minutes of March 26, 2002 as drafted. Council member Robison seconded the motion. The vote was unanimous, 6-0. (Gibbons absent)

REPORT OF COUNTY EXECUTIVE:

County Executive Lemon reported on the following items:

Appointments: **Jamie Matthew Swink** - Deputy County Attorney
 Stefanie Marie Merrill - Special Deputy to the County Attorney

Council member Yeates moved to approve the appointments. Beck seconded the motion. The vote was unanimous, 6-0. (Gibbons absent)

Warrants: The Warrants for the periods of 12-01-2001, 03-15-2002 to 03-21-02,

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03-22-2002 to 03-28-2002, and 03-29-2002 to 04-04-02 were given to the Clerk for filing.

Other Items:

Could Seeding. Executive Lemon reported to the Council that the cloud seeding contract was terminated the 31st of March 2002. Even though the county still needed more moisture, Lemon did not think that it would be beneficial to continue the contract.

Vice-Chairman Beck was asked to read the following Proclamations.

PROCLAMATION: NATIONAL COUNTY GOVERNMENT WEEK

In recognition of the leadership, innovations and valuable service provided by our Nation's counties, the County Council and the Cache County Executive proclaimed April 7 - 13, 2002, to be "National County Government Week" and all citizens were urged to visit county government offices and become more aware of the importance of the services rendered.

(Attachment No. 2)

PROCLAMATION: WEEK OF THE YOUNG CHILD

The County Council and the Cache County Executive proclaimed April 3 -13, 2002 to be "Week of the Young Child" and urged all citizens to become involved and aware of the services available for the education of our young children.

(Attachment No. 3)

Vice-Chairman Beck moved to adopt these two Proclamations making them official actions of the Council. Yeates seconded the motion. All were in favor, 6-0. (Gibbons absent)

EMPLOYEE OF THE MONTH: DEPUTY MIKE PETERSEN

Jim Smith introduced Mike Petersen to the Council. Deputy Petersen has been selected by his peers as the Cache County "Employee of the Month" for the month of April.

Mike began his career of law enforcement more than seven-years-ago patrolling the streets of North Logan and Hyde Park for the North Park Police Department. In January of 1999 Mike changed uniforms and became an employee of the Cache County Sheriff's Office. Initially, Mike was assigned to the Jail Division where he was responsible for the safe care and keeping of the inmates of the County Jail. Mike transferred to the Patrol Division where he was once again patrolling the streets and roads of Cache County. Because of his work ethic and his skills in working with people, the Sheriff re-assigned Mike to work with the County Schools, as a School Resource Officer. He is currently in his third year working with the North Cache School for 8th and 9th graders. In May of 2001, Mike was recognized for his outstanding efforts in working with the Community and was awarded the Clair Mauchley Community Policing Award from the Sheriff's Office.

Executive Lemon, Sheriff Nelson, and Lt. Cheshire presented Deputy Petersen with his award.

Deputy Petersen addressed the Council with appreciation for the comments made about him by Jim Smith and for the support that Sheriff Nelson and his administration had given to him.

BUDGET MATTERS:

There were no budget transfers.

THE COUNCIL MOVED INTO THE BOARD OF EQUALIZATION.

TAX EXEMPTION REQUESTS:

Two tax-exemption requests were presented to the Council by Auditor Tamra Stones.

1. Daughters of the Pioneers Museum This affidavit has been reviewed. This organization serves educational purpose. All personal property is used by the museum to house artifacts from Utah History.
2. Beaver Mountain Ski patrol The application has been reviewed. The building has an ambulance port and is to provide a first aid room with equipment, entrance lockers for volunteer patrollers, and a base for operations. All real and personal property is used to provide emergency care of injured skiers and/or provide a base for search and rescue operations. This organization qualifies under section IRS 501 (c) (3) and serves charitable purposes. The building is owned by the ski patrol and is assessed on parcel 18-070-0001.

(Attachment No. 4)

Council member Yeates moved to approve both tax exemption requests. Hansen seconded the motion. Vote was unanimous, (6-0). (Gibbons absent)

CITIZEN REQUEST FOR EXTENSION OF TIME TO PAY PROPERTY TAXES:

This item was carried over to the next Council meeting.

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

ORDINANCE NO. 2002-03: AMENDING CACHE COUNTY LAND USE ORDINANCE. TO-WIT: CHAPTERS 5, 6, 7, AND 8.

No action taken on this item. Item was carried over to next agenda.

ORDINANCE NO. 2002-04: PROVIDING TEMPORARY REGULATIONS FOR LAND USE APPROVALS WITHIN THE PROPOSED COLLEGE-YOUNG INCORPORATION AREA

Executive Lemon explained that Mark Teuscher from the Planning and Development office had recommended this ordinance because it was not known as yet what was going to happen in the College-Young Incorporation area. He felt that those applications that had been received up to this point ought to be processed; but then not to accept any additional applications until after the incorporation vote. Chairman Anhder added that the reasoning was that someone might be half way through the process and have to start all over again. It would be an expense and a burden to them.

Council member Robison moved to approve Ordinance No. 2002-04. Yeates seconded the motion.

Discussion:

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Larry Anhder: I think the gist of it is there in section II. The county administrative office should limit land use approvals to those permitted uses that are currently allowed by the land use ordinance.

Layne Beck: For what period of time?

Anhder: Good question.

Cory Yeates: We could amend it.

Anhder: With this (Ordinance), it goes on indefinitely; doesn't it?

Beck: That's right. That's why I don't like this Ordinance.

Yeates: Once the incorporation vote is taken and if it is successful, then our Land Use Code will have no bearing within the Municipality.

Anhder: That is not really going to go into effect until January 1st is it Lynn? That is; If it passes.

Lynn Lemon: That is a very interesting question. I don't know the effective date because then even if they do decide to incorporate, they still have to hold a Primary Election and a General Election. I don't know the answer to that; we ought to find that out. I can see that can be problematic because that means if you wanted to do something, you wouldn't be able to do anything from now until Jan 1st of next year.

Beck: I have some real problems with the way this is drafted.

Anhder: Now this would allow permitted uses just not the conditional uses and the hearings and everything like that would be necessary; as I read that.

Beck: Permitted uses, this ordinance does not limit this action to the College-Young area either. As it is drafted, it would affect the entire County.

Lemon: (Reading from the Ordinance.) "An order providing temporary regulation for Land Use approvals within the proposed College-Young Incorporation area."

Beck: Okay. Well, I guess I would feel more comfortable with this if we had specific dates that this restriction is going to be in place and then automatically sunset after the election and the date. The purpose of this is apparently the Zoning Office and the Planning Office are afraid that they are going to get a rush of applications in for Zoning approvals before this City gets its stuff together for their zoning. Is that what Mark's concern is?

Anhder: Don, do you want to comment on this?

Don Linton: I would be happy to. Mark came to me and he thought that there were may be some problems not with permitted uses as you said but more with the re-zones primarily and other un-permitted uses that would create some problems especially since those kinds of changes extend the issues sometimes out for a long amount of time. I think he was concerned about starting those rules and getting into it with in the City development and all of a sudden having to stop. I did check the Code and there is a provision in the Code that allows us to form a temporary moratorium. If you want some sunset revisions and things like that, we can (do that). Those were Marks concerns.

Anhder: I think that's right as I remember now. Say, if the election passes, and it doesn't go into effect until January, and somebody thinks they could hurry and rush something through the County, it would be kind of a slap in the face for all of those who have pushed for a change out there. I think this is kind of in deference to and then in small measure.

Linton: I think that is exactly right. 1) I think that's what Mark felt like he wanted it to be productive in terms of saving everybody's time because it does take a long time to re-zone land. 2) It is in deference to what the people are trying to impose out there.

Craig Petersen: On the other, suppose the election doesn't pass. Why do we presume the outcome by in-acting this? Till the people decide what they want to do out there?

Anhder: Good point.

Lemon: Don, let me ask you a question. Does the statute limit it to a six-month period out there?

Linton: Yes.

Beck: The statute governing this limits it to six months?

Lemon: If we pass this today, what happens six months from today if they incorporate? Can they still come back in and do whatever they want through the County?

Linton: After the expiration of this, they could go ahead and apply for a re-zone. I think at that point for anybody that is so close, it could be problematic. I think they could understand that.

Anhder: Craig raised the point. Why not wait til after the election and pass this?

Petersen: I don't see how you can pass this until you find out what the people want out there.

Anhder: If they vote it down, then we would just throw it in the garbage because nothing changes. If they vote for it, then we enact this.

Petersen: You can enact it but not now when there is no mandate from the townspeople.

Beck: Unless Mark's concern was in anticipation of the election they were going to get a bunch of applications for re-zones.

Anhder: Does the Office have anything stacked up Lorene?

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Lorene Greenhalgh: We have one application for this month but there might be more next month. I think Mark was more concerned with the College-Young Township Board stalling people off and not giving them a "Yes" or "No" answer on their request. If they do elect to incorporate, they can stall them (the people) along forever because they are going to have to write their own code if they don't like ours. People might not get to do anything for a very long time.

Anhder: This will just formalize the process and not cause frustration.

Beck: (Frustration) On the part of the staff and the Administration of the County.

Greenhalgh: It wasn't my idea and I'll do whatever you think is best.

Linton: I think she (Lorene Greenhalgh) is right; I think he (Mark) was concerned with that as well; but I suggest that it does make sense. Because there is a six-month use, perhaps this is a little early and you may want to wait.

Petersen: It seems to me that that is not our obligation to maintain neutrality until the people (in College-Young Ward) vote out there. This isn't a neutral issue.

The motion to approve was withdrawn by Council member Robison. Yeates also withdrew his second to the motion.

It was the consensus of the Council to hold off action on this ordinance until after the College Young Incorporation election.

CACHE COUNTY ADMINISTRATION BUILDING UPDATE: LYNN LEMON

Ground breaking for the new Administration Building was held this day, April 19, 2002, and the contract officially starts tomorrow. It will go for a year's period-of-time. It was anticipated that a year from now the building will be completed. There will be a couple of weeks where work will be done reinforcing the wall between the Wilkinson building and the Needham building. As soon as that takes place, the Wilkinson building will come down and a lot more activity will be seen. Raymond Construction is the contractor.

Chairman Anhder asked if Logan City had been approached about allowing the County to do our own inspections and waiving the inspection fees? Lemon explained that he had spoken with John Nelson and that he indicated that the County really didn't have the authority to do the inspection inside Logan City. Mr. Nelson would approach Logan City Council and see if a reduction in fees could be obtained.

Executive Lemon would follow up on the inspection of the building with Logan City and on the cost amount.

CACHE COUNTY JAIL UPDATE: LYNN LEMON

Nine proposals have been received from Architectural firms. The Jail Committee met today and they are in the process of reviewing those proposals. Interviews would be conducted next week and a report on the selection would be given in the next County Council meeting.

FINAL PLAT APPROVAL: CLAIR ALLEN MINOR SUBDIVISION

Lorene Greenhalgh: The agents are Todd and Shannon Hougaard. They are requesting approval of the Clair Allen Subdivision with two approved lots each with a single family dwelling located at 1615 East 12000 North and 12780 North 1300 East, one agricultural remainder parcel not eligible for residential development, and one additional lot for the construction of a single family dwelling to be located at 1301 East 12800 North, Cove. All of these lots are accessed by private roads that have been constructed to meet County standards except for the new lot which will be approved prior to a zoning clearance for a building permit being issued. At their 1 April 2002 meeting the Planning Commission voted unanimously to recommend approval of this request.

(Attachment No. 5)

Council member Petersen made the motion to approve the Clair Allen Minor Subdivision. Robison seconded the motion. The vote was unanimous, 6-0. (Gibbons absent)

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FINAL PLAT APPROVAL: INDICA ACRES ESTATE

LOREN GREENHALGH: Tony Hardman, agent for Colleen P. Hardman is requesting approval of a 5-lot minor subdivision to be called Indica Acres Estates with two approved lots located at 6406 West and 6378 West Center Street and for the division of three additional lots to be located at 6398 West, 6388 West, and 6360 West Harman Lane (a private road), Petersboro, and for the construction of a single family dwelling on each lot. The Planning Commission voted unanimously to recommend approval of this request.

(Attachment No. 6)

Council member Hansen moved to approve the Indica Acres Estate plat. Yeates seconded the motion. The vote was unanimous, 6-0. (Gibbons absent)

LETTER OF SUPPORT: SHOSHONE NATIONAL RECREATIONAL TRAIL SYSTEM

Executive Lemon explained that the Utah Division of Parks and Recreation had asked for a letter of support from Cache County to endorse the routes or portions of routes under the jurisdiction of the county that had been designated on their (Utah Division of Parks and Recreation) map. There would be a motorized trail system to be used for off-highway vehicles.

Council member Hansen moved to approve the letter of support for the proposed Shoshone National Recreational Trail system. Yeates seconded the motion. The vote was unanimous, 6-0. (Gibbons absent)

(Attachment No. 7)

WORKSHOP: AMENDING CACHE COUNTY LAND USE ORDINANCE

Chairman Anhder reminded members of the Council that there would be a workshop on Tuesday, 23 April 2002, at 3:30 p.m. to discuss Chapters 5, 6, 7, and 8 of the Land Use Ordinance.

PUBLIC HEARING: OPEN 2002 BUDGET

Auditor Tamra Stones: It is recommend to increase the General Fund budget by \$79,700.00. This is for miscellaneous state grants, overtime reimbursement for the Olympics and BCIA law enforcement services, Powder Mtn economic study contract and to pay agreed fee for SCAAP grant from 2001.

Chairman Anhder opened the floor to public comment pertaining to the changes in the budget. The Chair recognized a former Council member, Guy Ray Pulsipher, in the audience and extended a special welcome to him.

PUBLIC COMMENTS/QUESTIONS:

Guy Ray Pulsipher: On the amount for the Powder Mountain economic study, I have heard different figures on that, Tamra. Does the County actually pay \$7,500.00?

Tamra Stones: No, the cost is \$10,000. Proponents of the Recreation Area brought in \$5,000.00 and Logan City brought in \$2,500.00. We recognize the revenue of \$7,500.00; the expense will be \$10,000.00. The County had to pay \$2,500.00.

Sherri Lowry: May I ask who procured that attorney to do it and who it is?

Tamra Stones: The contract is with Jonlynn Walker and I don't know who made the selection.

Lowery: Does anybody know?

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Don Linton: Because of the heavy interest, I went to Mr. Nevin Limberg , who is the economic developer from Logan City. We chose Jon Lynn Walker based on his recommendations. It was made know to us by her (The Analyst) that she had absolutely no connection with Powder Mountain and didn't know any of the people involved. The parties that were spending the money on it felt that it would be appropriate even though they had no connection with her (The Analyst) that they gave half of the money for the cost of economic development analysis; however, her study has indicated that her contract is with Cache County. So, Cache County is responsible for the entire amount.

Layne Beck: Even though Logan City is paying 25%.

Linton: Logan City decided to throw some money in because they thought that this could be good as well for Logan City; so, because of the budgetary constraints that Cache County has, I actually asked Logan City if they could throw some money in as well.

Lowry: Are you (Mr. Linton) in favor of that proposition of this project in the South-end of the Valley?

Linton: I am neutral. Let me explain. At one point in time I was asked by the Attorney representing Paradise to come out and explain some of the benefits and other problems that turned into a kind of an authoritative issue. I was accused of being in Powder Mountain's pocket. I have not received a cent from Powder Mountain; and candidly, I take some resentment to some of the accusations made about me; I really do. I am an attorney of Cache County; I was asked by Paradise City's Council to come out and speak with you folks; and I was under the impression that he wanted me to talk about some of the benefits. So, I did and since that time my good name has been abused ...

Chairman Anhder asked if there were any more comments regarding the 2002 Budget. There was no more response.

(Council-member Gibbons arrived at 5:45 p.m.)

Council member Yeates moved to close the Public Hearing. Robison seconded the motion. The vote was unanimous, 7-0.

RESOLUTION 2002-12: ADJUSTMENT TO THE 2002 BUDGET

(Attachment No. 8)

Vice Chairman Beck moved to approve Resolution 2002-12. Hansen seconded the motion. The vote was unanimous, 7-0.

The Council moved into an Executive session.

EXECUTIVE SESSION:

During the Council's recess, the entire Council, County Executive, and the County Clerk met in an Executive Session in the Executive's Office to discuss land purchases. Executive Session began at 5:47 p.m. and adjourned at 6:00 p.m.

PUBLIC HEARING: PROPOSED ORDINANCE CALLED THE RESORT AND RECREATION (RR Zone) to be added to the Land Use Ordinance.

CHAIRMAN ANHDER DECLARED THE PUBLIC HEARING OPEN AND SET FORTH THE FORMAT:

The hearing had been set for one and one-half hours and would allow for two minutes per public comment, which were timed so that as many persons could speak as possible. It was encouraged to alternate comments, pro and con.

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Chairman Anhder commented that this public hearing was not intended to be about a public road. It is a discussion about the proposed new ordinance, a new zone that would allow developments, like Powder Mountain to be sure; within Cache County. He encouraged the discussion to be on the merits of the zone so that when development such as Powder Mountain came before the Council, there would be ample time to discuss the merits of that specific proposal.

INTRODUCTION OF RR-ZONE ORDINANCE:

The general purpose and requirements of the zone were read by Mark Teuscher:

The purpose of the zone was to allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to: 1) Provide new recreation opportunities in Northern Utah and create destination resort options for the County; 2) Promote interesting, creative, and indigenous mountain landscaping, design, and architecture that blends in with natural surroundings and follows project specified design guidelines; 3) Stimulate the local economy and increase the tax base of the County; 4) Protect the County's environment; and 5) Regulate and control development.

Since the zone was new, any property proposed for this must go through the County Zoning process. Any development within the RR-Zone must comply with all State Codes, particularly the Condominium-Ownership Act. Any zoning under this must be attentive to recreational uses and for open spaces and buffers with a proposed development. A minimum acreage within the Zone must be 2,000 acres, etc.

(Attachment No. 9)

Three processes must take place to be a part of the RR-Zone: 1) Zoning process, 2) Master Planning Process, and 3) The standard development process with permitted uses and conditions added compatible with the master plan. The Ordinance had not set any specific design standards; those are done by the development agreement.

Chairman Anhder called for "Technical Questions" from members of the Council and the public about the RR-Zone.

TECHNICAL COMMENTS/QUESTIONS:

Responder No. 1 (Male): What is it that stops the residential growth around the resort? If there are no homes allowed within the zone, what about the areas around the zone?

Mark Teuscher: It is depending on where the zone is. In this particular case, it is Powder Mountain. Nothing prohibits development around the zone and in the FR-40 zone. Property rights are allowed around the zone but the density is one unit per every 40 acres. That would be the case in any zone.

Responder No. 1: What about if you were someplace up like in Lewiston?

Teuscher: If you are in Lewiston, you are in a different city. They have jurisdiction boundaries that are different.

Responder No. 1: I'm just saying outside in the County space next to the city.

Teuscher: You still wouldn't have any ability to maintain that. "The County" can not tell a city what to do.

Larry Anhder: If you were in the unincorporated area in the North part of the County?

Teuscher: Then you would be around an agricultural zone. The County currently has four zones: 1) FR-40, 2) Agricultural, 3) Small Commercial, and 4) Residential. For any use in any zone that allowed permitted uses. Property rights have to be taken into account.

Respondent No. 2 (Female): Is there any limits as far as adjacent property owners that could attach their property to that?

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Teuscher: There is no limitation in acreage other than they would have to go through an amendment process. For example: Say I'm the owner of an RR-Zone and you were a developer of an RR-Zone and you came to me and wanted to attach it to zone. We would have to work out a contract-agreement to come into the master plan. Then we would have to go to the County because we changed it. There is no acreage limit on that. It could be 200 acres; it could be 1,000 acres.

Respondent No. 2: Or any number of adjacent property owners could attach on?

Teuscher: Right. They would have to amend the master plan and have some kind of contract and agreement. It would be individual process.

Respondent No. 3 (Male): I wasn't quit sure I understood. The uses in the RR Zone had to include either a golf course or skiing?

Teuscher: Yes.

Respondent No. 3: There is no specifics as to how many holes and things like that?

Teuscher: At this point no, but there has been some discussion on that.

Respondent No. 3: I don't know if this is a relevant question but who initially wrote the RR Zone Ordinance?

Teuscher: This is about the 10th draft but the initial draft was written by Jack Johnson, a consultanting firm out of Park City. They have expertise in this area. This does not even look like the original draft. The staff, Planning Commission, Lorene and I have made substantial changes; local zoning has made most of the changes.

Respondent No. 4 (Female): Who is responsible for exterior roads to and from the resort?

Teuscher: It will be the responsibility of the local jurisdiction or the State. At Powder Mountain currently it is the State who has responsibility.

(Chairman Anhder requested participants state their name for the minutes.)

Chris Mortensen: Does the RR Zone exist anywhere else presently in Utah or was it written specifically for the Powder Mountain development?

Teuscher: Since the zone was created basically for Cache County and Cache County changed it. I don't know, but it is not written specifically for Powder Mountain. It was written specifically to allow the County to maintain projects of this size anywhere in Cache County, if requested.

Mortensen: The zone doesn't exist anywhere else in the State of Utah now?

Teuscher: There are similar versions of it in this area but not to this extent.

Carmalee Ellison: I had a question about the wording here under the purpose - 2) Promote interesting, creative, and indigenous mountain landscaping, design, and architecture that blends in with natural surroundings and follows project specified design guidelines; Who determines the guidelines?

Teuscher: The Planning Commission and the County Council under the development agreement.

Shawn Ori: I just have a question on the environmental restrictions; if there are any?

Teuscher: The environmental restrictions are based on the current County Sensitive Area Zone and the changes that the County is going to enact. The new proposed sensitive areas zone will not allow any future development over 30% slopes. As part of the master planning review process, there is a development review requirement, basically an environmental assessment. The developer must give comments upon a number of different areas that are identified as part of a normal environmental review. If the Division of Wildlife Resources says: "We don't want enclosed fences here." or the Forest Service says: "Don't remove this old growth." Those comments ought to be taken into account. If the Utah Geological Survey says: "There is a potential hazardous landscape in this area then we'll have to eliminate those.

Donna Major: The letter from agency of wildlife resources is reviewed. How much do they (The Wildlife Resources Agency) research each time a development comes up? Do they look at it quite a bit? What about the Agency review? What do those mean?

Teuscher: It would depend upon the Agency. It really is dependent upon their responsibility... It is hard to know. I have had cases where in building a road in the similar use and the similar format, they have sent the State Archeologist out to look at the site to determine if there was any archeological damage to the sizing of the road. It is kind of hard to know how they would review it but they would have to give comment. I know the State Division of Fire has indicated they would comment if the project was in the upper FR-40 area. It is really up to them.

Major: Then at that point ... who decides?

Teuscher: The comments would be referred to the Planning Commission.

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Darrel Gibbons: Define for them what is permitted currently in the FR-40 Zone and why we are considering changing it.

Teuscher: The RR-Zone basically allows everything that they want to do.

Gibbons: What's the difference?

Teuscher: The biggest difference is under the FR-40, we do not allow year-round living and the developer would like to have year-round living. In creating the zone, the option initially was to look at re-zoning to agriculture and commercial zones up in there. Those zones did not give adequate protection to the County in terms of managing such a large project. So, the new zone was recommended to be created.

Anhder: Our FR-40 Zone currently does not require a sanity sewer development?

Teuscher: No.

Anhder: Our current FR-40 Zone does not require master planning the whole area?

Teuscher: No.

Anhder: Our current FR-40 Zone does not require environmental assessments?

Teuscher: No.

Anhder: Does our current FR-40 Zone require economic impacts?

Teuscher: No. None of them.

Peterson: Mark, I have the Executive Summary that was prepared by the person who did the economic impact. Tell me if she is right or wrong. I just want to make sure we are on common ground. She does four different scenarios, one is under the FR-40. She estimates that 90 -100 seasonal cabins could be constructed under the FR-40, but under the proposed zone, you could have 851. Is she wrong?

Teuscher: Yes. She is wrong. She is mixing the two units. When we are talking about units, we are talking about units of equivalency. Unit equivalencies could include commercial areas. So, commercial buildings of 1,000sq ft would be considered one unit. It would not be a home but it would be part of what we call an equivalency unit. A recreational area like tennis would have a club house. That club house would have a unit equivalency based on the square footage if say that footage was based on 10,000 square ft., you are looking at 10 units that would go to the Club House that would not be residential.

Petersen: Currently would that allow golf courses, shops, etc.

Teuscher: It would allow all of that.

Anhder: In FR-40?

Layne Beck: FR-40 doesn't allow shops, does it?

Teuscher: It doesn't. They would probably have to go to re-zone to commercial in that case. In commercial areas no. Most of the uses excepting commercial. The year-round living would be severely limited in Cache County. They have 35 total units in the area and right around 50 - 60 units would go out and we would exclude the ski areas out that if they cluster. It is not quite accurate in making that comparison. An equivalent unit is not a house. There are a number of things that come into play which defines that. I think; we are talking somewhere between 300 and 400 units that would come on the Cache side.

Larry Lowery: On the dwelling units, at one time they were talking 300 homes on the Cache County side, is that right?

Teuscher: No, units. That could be a mix of single-family units; that could be a mix of condominiums, that could be a mix of townhouse units. They would all come into play.

Lowery: That was something that we have heard and then there was 500 other dwelling units for a total of 800 dwelling units because you take the acreage and divide it by 40 and you come up with a total of 800 units.

Teuscher: That is a difficult thing to come into play.

Petersen: We were just talking about Cache County, right?

Teuscher: This is not simple. Until the project is on the table, you can't look at units because we don't know. We have an approximation of what could be there and they indicated about 300 units, a mix of multi-family, a mix of town-houses, a mix of single family dwellings.

Lowery: For both sides?

Teuscher: That's just for the County.

Lowery: How many do they actually plan to develop?

Teuscher: We don't know. We haven't done the development agreement; we haven't decided what we are going to actually allow them to do.

Lowery: It could actually even be more than that?

Teuscher: Could be. Could be less.

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Nancy Lauritzen: If we don't know how many units there will be on the Cache side, how did we come up with the tax dollars?

Anhder: Here we are starting to talk about Powder Mountain and we are getting away from the concept of our zone. (Male Responder): This is technical!

Teuscher: No, this has nothing to do with the ordinance. I can't tell you right now....

Alan Jones: Are there any limits to the sizes in terms of what they can in fact put into this zone?

Teuscher: In terms of what?

Jones: What sort of conditions and controls are there in size and numbers of units.

Teuscher: In the development agreement you set up a maximum overall density that you'll allow them to go to. It is a mix between commercial, industrial, residential. That is all done as part of the development agreement in terms of looking at the development agreement and looking at all the standards there are within that zone. So, at this point it is difficult to look at Powder Mountain and say that is what the final approval will be. Tonight we are not looking at that. The development agreement will define all of that.

Jones: That is what my question is. In this agreement, how dense are we allowing people to work with?

Teuscher: Well, they can't go more than 15% of the total area; that is their limit automatically.

James Clawson: In the current zone, FR-40, it means there is one house per 40 acres?

Teuscher: That is correct.

Clawson: In the new zone, you're saying there is one house per 5 acres?

Teuscher: No. It is saying any mix of uses could be used within that 15%.

Clawson: It will cluster as well?

Teuscher: Absolutely. Our current FR-40 allows that today. We encourage that.

CHAIRMAN ANHDER OPENED THE FLOOR TO PUBLIC COMMENTS:

PUBLIC COMMENT:

SHERRI LOWRY (From Avon-opposed): First of all, last time we had a zoning and planning meeting. Not everybody had a chance to voice their concerns. Could we just have a vote of everyone who is here tonight who is against this and just have you raise your hands. We just want to give you (The Council) an idea. It would take less time but we can't all talk. I am going to get a quote by Bobbie Coray: "Our quality of life in Cache County is so wonderful that we can attract some of the best and the brightest people to work here and some of the best and brightest companies to Cache Valley." Sandra Camille said the same in a Cache Valley leadership meeting. She said: "The whole focus is actually reversed of what it is elsewhere in the country. Here quality of life issues take precedence over economics. In Cache County the quality of life is the economic issue." I just would like to say that I feel this kind of re-zone and resort area development contradicts that kind of belief. I believe that the majority of the people in Cache County believe that way that the Quality of Life is the economic issue" The money is the root of all evil and this is inviting a lot of corruption. There are a lot more issues here. There are so many people here with differing views and I think it is really important that we hear all of those (views).

LINDA EVANS (From Logan-In favor): I lived in Smithfield for 28 years before I moved to Logan. The reason I am in favor for the Resort idea is two-fold. 1) First of all, last week I read in the newspaper that Sky View High School can't even get accreditation because of the number of students that are in their classrooms. For all of the people out there wearing signs that say "Cache not cash," you have to agree that money now days in our economy is very important. If you can generate the kind of revenues that have been projected for the Valley without a large amount of pollution and things, I would say that the South-end of the Valley would be a lot better served to have something like Powder Mountain than something like the Rendering plant that stinks up the Valley so bad that you can hardly stand to be out there. You elected Officials that you trust to do the right thing. So if they tell you by re-zoning they can regulate the development better. Maybe what will happen is the same thing that Logan City continues to be doing to the community and that's Annex. What's to say that Weber County can't annex part of that and still go ahead with the resort, and then you as County voters have no say in the development. That's about all I have. I am in favor of it because we need things to keep our kids here and to give our kids an education and to create jobs. Even if the jobs are not directly related to us, it generates revenue for our county. If you will look in the newspaper, Bournes is moving out and you can't keep the quality of the Valley without it.

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CHRIS MORTENSEN (from South of Avon-opposed): My point in the whole thing is that we have a lot of questions that we can not answer. We have some that Mark can't even answer. Since the proposed zone is new and we don't know if there is anything like it in the State, why shouldn't the master plan go first and all of these questions be answered first before the zone is made. I think there is a lot of things we don't know and if we go ahead and do it, it opens a can of worms in my opinion. The physical analysis in Appendix C hasn't been done yet. All of the proposed revenues that we have heard of have been from the developer. We haven't had anyone come in and verify those figures. Some other things that I am concerned about is building inspections up there. Since they are not talking a road, they would have to go clear around Weber County to do that. How are they going to do that all out and make sure everything is in compliance. Reading through there, there are some other things that bother me. The Zoning Administrator can allow a 10% increase in the size of the building or a 10ft. movement of it. I don't know if she was comfortable with that but I'm not. In the last Planning Commission meeting, Commissioner Nelson was opposed to the others. He was in favor of it and one of his big things was private property rights. I would like to remind everybody Mr Ferrin does not own it yet. He is a lot more apt to buy it if we can sweeten the pot for him and I don't think that is our place to do it.

DONNA MAJOR: I have a comment. I wonder how many of you out there have read the ordinance itself. As I look at the ordinance here I believe we haven't had enough public input. Four or five or six years ago when Logan City re-zoned and changed that. There were several public meetings where the public could come in and give you input as Council and Planning and Zoning on what the people want to see in the City of Logan. I wonder why we as public citizens haven't seen that input in the planning stages? This should be a work in progress zoning change not one that you are going to be handed down and say: "Are you going to accept this zoning change or not." There are some things that are ok. There are several questions that haven't been answered and we don't know the answers to. This needs to be a public input on the planning stage and I think we have missed that step in the proposal of this zone. The other couple of comments: If you look at this chart in the other permitted zoning uses, the new re-zone has 53 permitted uses, 15 permitted and 38 conditional (?). Our current FR-40 is 14. Wow! What a jump! Maybe there is some more that we can do on our FR-40 better than making this huge drastic change. Also, if we looked at other areas of Cache County that could be affected by this State zone? What environmental impact studies have we had done in those areas? Could it happen in Blacksmith Fork? Could it happen in Logan Canyon? If this passes, we can be sure that it will.

DAVE NELSON (In favor): I have been asked by Bruce Petersen and Lyle Snyder, the owners of the La Platta Ranch which is a 10,000-acre area in the South-end of the Cache Valley to speak in favor of this ordinance. I would invite all those here to as soon as the snow goes that they can go tour the FR-40 zone and see examples of what has been developed in-to-fore under the current FR-40 zone. In representing these landowners, they feel that they would like to see the County ought to have strict control and guidelines so that the environmental nature of these mountain areas are preserved and that the development does not create sewer problems and water problems which the County faces in it's ordinary zones that they have now. As a major landowner we would speak in favor of this ordinance because it will insure quality as opposed to the FR-40 zone.

LAUNI EVANS STOCKER: (From Avon): I would just like to introduce myself as a registered voter and probably an environmentalist and also from an agricultural background. I'm a landowner, a mother and I work for the Schools. I have a County Business license. I don't feel like am representing any special interest but I am a little concerned about a County-wide plan. This is not the road meeting; this is just a separate piece of the puzzle, but eventually these things are going to have to interlock. The puzzle is going to look like a plan that we know where we are going and what we want the end result to be. I have to admit that the potential revenue for education is attractive. Like I said, I work for the school district and as of right now, I don't know if I have a job next year due to Legislative budget cuts. I feel like making a permanent decision like this without looking at the long-range effects is a lot more serious than just creating a bandage for a current educational budget woe. Those are pretty static and they change all of the time. By the time this thing could be taken care of the budget could be completely different. Education will go on with our without Powder Mountain. I have heard the developer speak and I think he is a good salesman. I think he could convince those Park City people to buy some ocean-front property in Eden but I am also not sure that he is concerned about the far-reaching impact this could have on the rest of the County. That's your responsibility to look at that and consider all of the angles.

TIM WAGNER (Logan resident for 9 years.): Thank you for giving me this opportunity to be here and to speak. I would certainly like to voice my opposition to the change of the ordinance. The larger impact is the first point that I

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want to talk about. It is called "cumulative" impacts. We all have negative impact in our natural world. We wash our clothes, cook our food, drive our cars and anything else that is associated with day-to-day living. We have an impact. Sometime the impact is minimal but when it is combined it is huge, especially when we are talking about thousands and millions of people. That is called cumulative impact. That is part of the bigger picture that I am trying to convey here because everything we do fits into the big part of the puzzle. Secondly, I would like you to consider who is really going to benefit in this project. It isn't going to be any of these people. These are just a handful of folks.

CARLENE PARKINSON: I agree with what has been said. We are going about this the wrong way. We are not waiting until all of the studies have been done and all the information is turned in before we get a chance to hear this voted. Another thing, I have lived around a resort area. If people think this is not going to change their lives, they have no clue as to what is about going to happen to them. Property taxes is one of the major things that has changed. The people that own these resorts they could care less what happens to the people around the area and what happens to their property. Say elderly people that are on set budgets. How many of them are going to lose their homes because they can't afford to pay their taxes. The people that are going to go for this is the ones who are going to make money. Anybody around the area that I would think is going to vote for this is going to sell land. That's all they care about. The rest of us care about our living.

SHAWN ORI: I am a student at the University. I am here because I am supposed to write a paper on this. I just want to say that 1) I think Avon is the most beautiful place in this entire Valley. 2) You guys have a great opportunity to be here. I would bet on an average meeting like this they are lucky to have five people here. By having you guys here, you are the people that are going to make a change. You guys are the people that have a voice in what is going to happen on this site. I just want to say that the quality of life should be the most important thing in this Valley. You are going to allow to be able to maintain that. You are going to have the opportunity decide what is going to happen there. In my classes I learned that if you are not growing as a community, you are dying. Change is going to happen and growth is going to happen inevitably. You here are going to decide how much that is going to happen. Within this meeting you will also have the opportunity to look at we need the money for education. Decide to look at the bigger picture, decide on the re-zoning ordinance, and look at how you want it to happen.

PAULA MORTENSEN (From Avon - Opposed): I am against the ordinance. I would like to address that they said there would be 8-Million dollars that would be coming to the schools in the County. People need to realize that all the notice that we have been given so far such as that money coming for schools and the money that will be come into the County has been given to us by the developer. One of my concerns is if this is an amount that is projected for 20 years when all the development has been developed when the tax money has occurred for maximum development. Before that 20 years how many tens or hundreds of millions of dollars are the County and the State going to put into this project before we can recognize the 8-Million dollar revenue for County schools, which is a hidden number and we may never see it.

ALAN JONES: I think people are missing a little bit of the picture here. We are not talking about a development here at Powder Mountain. We are talking about Zoning requirements in and about Cache County. We need to decide what sort of things we need to allow and the things in our County. This is not just Powder Mountain. This could affect places like Beaver Mountain, Blacksmith Fork. This is your future being regulated. Right now I feel that we need to sit down and take a long hard look at what we want our Valley to look like and how we want to restrict what we want done in our Valley. This is not a "Cache vs. cash" type deal. We are talking development Countywide. This is a "Zoning Ordinance" deal. This is not a particular development deal. What are we going to let people do in our Valley? What sort of restrictions are we going to allow them to do? That's the issue. I personally feel we need a little bit more public input into what we want to allow in our Community.

LEE ATWOOD: I just wanted to make a couple of statements on the zone where we are looking at putting possibly large groups of people in some of the remotest parts of our County. As we look around, typically that is where our water shed is. I think those issues as we look at the water shed and as we look at how do we supply services, Fire Protection, EMS, and those kind of issues, to those remote parts of the County become an issues. We need to look at those and the water shed. If we see and look at that growth, I think most of us are for growth but it has definitely a particularly spot that it belongs. It should be done in the Municipalities that are established down here in the Valley and not in the remote parts of the County.

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COLE EVANS: I want to say right off that nobody is more sensitive to private property rights than I am. Being a landowner in Avon, I kind of think that we need to look at this proposed Zoning change in possibly a different way. Mark Teuscher, a couple of weeks ago in a meeting I was to, talked about the importance of agriculture in the Valley. One of the problems that I see in this zoning change is it is almost a domino effect. I am concerned about what's going to happen to Blacksmith Fork and Logan Canyon. I see the possibility of Blacksmith Fork Cattle Association raising condominiums on their private property. It is not only condominiums. If they go out of business there, what do we do with their farm ground down in the Valley? It goes into houses. One of big pushes seems to be to keep open areas and to keep green areas. As people go out, Blacksmith Fork will probably be the first private property area after this to go and then will be the farm ground of people that are raising feed for the cattle now. I think you need to look at the possibilities and do a little more studying about how this will effect the open areas and the green areas in the Valley.

WAYNE BOYER: I strongly urge you to support the proposed zoning change. That Ordinance is well-written. It gives the County a lot more control than it has now over the 40-Acre Forest Zone. It allows the landowner to develop it well, good, and professionally. It allows a person like him to practice his craft at landscape architecture and that produces a good development. Change is inevitable. We changed the Valley when we came here and we will change it again when we leave here. That is the only thing we can count on. The zone will benefit the Citizens of the County. It will increase county revenues; how much we don't know yet. It will make our schools better. It will make county services better because you folks will have more money to do those things. It will give my children a place for employment. Yes, it will change the way I live now but it is going to do that anyway. We look at Paradise and Avon and that is the Draper and Hariman of Cache Valley. Our development spreads out from Logan and it is coming. It has changed tremendously from when I came here in 1971. It will change in another 30 years so that we will hardly know our Valley as it is now but this is a controlled change; it is planning. I am whole-heartedly for it and I urge you to pass this zone.

DANIEL CASH(from Smithfield Scout Troop 84): I think we should have it because the schools are pretty cool and we have enough money and stuff. They have lots of books. We already have other stuff going for money for the schools.

Council member Beck asked if he was here for a merit badge. His answer was affirmative.

(Senior Patrol Leader): We are from Troop 84; we live in Smithfield.

COLLIN CASH: (from Scout Troop 84): You know, Beaver is really too crowded. I want to go up there but whenever I saw it on the news, it has so much feet of snow. I wanted to go but there are so many people up there you wouldn't be able to go down the slopes or anything. So, if we built another ski park and stuff, we would be able to have more fun. Whenever I got older, I could probably be on ski-patrol or something. At school just a couple of weeks ago, we did this - a debate type thing. It was pretty fun. I was against (it) but now I'm for it. We lost. The schools could kind of improve the food and stuff but I don't think they need more books or anything. They can put a little bit of money in this.

TED SEEHOLZER: I think I have to defend myself. Young man, we are putting a new 4,000 ft. chairlift this Summer at Beaver Mtn. that will haul 1800 people in an hour. I think the crowds they you may have experienced this year will go. I have heard a lot of people say a lot of good things tonight and I agree with them in a lot of ways. I feel that like some of them do that this has maybe been forced upon the people of Cache County just a little bit too much. The people selling this project has maybe been a little too strong on the support of this project; I can't blame them for that. I think the people of this side of the Valley need many more answers and I'm not so sure what we have to do to get those answers forthcoming for the people here that are interested to vote for and against the Ordinance. I've watched some of these (ski areas) Ordinances developed over the years where growth has come in where many buildings have been built. The people who work there can not afford to live in such resort towns. In the case of Jackson Hole and Teton Village, those people live better than 50 miles away because the land value has gone very high. We are seeing that in Park City. The ski resorts in Park City have a heck of a time hiring employees because they have no place to live. It is a real problem. I can see that happening in our little Towns South of here. I understand land value; I have sold all of my land, thank goodness. I don't have to worry about that any more but I really feel strong that we need to take a longer look. All I suggest to you people in Paradise is that you annex the whole thing from Hyrum to Powder Mountain!

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SHARELL SUMMERS: In talking about architectures, I think the original architect did a good enough job and we ought to leave it the way it was. I oppose the FR-40 cluster development changing the land values in the area by increasing the value of land; therefore, making it hard for any future generations to continue in the livestock industry. Increasing the traffic in the mountains cause more people to trespass with their snowmobiles, 4-wheelers, jeeps, and other vehicles. It will lead to increase vandalism and property damage. It will change the life-style of those in the area. Instead of a gravel road that you can drive cattle on, you will now see a busy highway. I have worked my entire life to gain an operation which works well for myself and which I hope to leave for my family. The watershed will suffer if we build in these areas. In my opinion the development that will take place is strictly money oriented. The people who live in these condominiums will not be from our area; the developer will not live there; yet we will bear the loss for someone else's gain: loss of green-space, loss of watershed, loss of lifestyle, loss of privacy. Of those of us inherited and embedded in an open country and a love of the land and of what we produce in agriculture; therefore, I strongly oppose this project and ask the County Council to vote "No." I might say in a previous meeting, a developer said to me: "If we can get this zoning changed, a landowner could get a million-dollar down payment immediately." I am willing to increase my taxes to pay more to the schools to keep the lifestyle that I have.

JIM STEITZ: I look out across the audience and I see faces that have spoken in opposition to the ordinance with whom I have disagreed on other issues, but we are together on this one. I think that really says something about where we all envision where our Valley going. If we sit back for a moment and ask ourselves, what makes Cache Valley special? It come down to a very small list. We have our families, our work ethic, our values, and our landscapes. Those are the things that will stay with us for better for worse, for thick or thin, good times or bad times. Those are the things that will see us through. Powder Mountain is not on that short list and we would be very ill advised to trade something that is on that list for something that is not. I'm not really wanting to play somatic games; so, I am just going to say. Yes, this is about Powder Mountain and I am opposing this because I am opposed to Powder Mountain. I do not want to see that development happening in my Valley. I don't think many of these people here do either I am coming from a student who wants to see his Valley developed in a responsible way. (He had students present show their opposition by a raise of the hand.) I think we collectively are choosing to not see our Valley developed in this way.

JASON BUNCH: I have a few questions myself. Having come from California and a few other areas with modified recreation, I can see this happening and I can see this is a good thing. The problem, I feel, is that this is not the time yet. I have talked to a lot of people of the quality of the Valley. I am not talking just the South Valley; I'm talking if the economy of the people of the workforce will be able to support our project be it Powder Mountain or ... and the impacts and the issues that we have. People will be able to financially run the place and have the people mobile to the support to be able to keep the economy here for people to come visit the County and be able to use the resources ... Yes this will bring in money but what will it do to the current economy? What we need is study and more information hopefully before this is passed.

KEITH CASH (Smithfield Scout Troop 84): I am kind of like for and against because for the elderly, it is kind of like taxes; and for the us (the children), it is kind of like "ya hoo!" it's more snow-boarding. That's all.

CHRIS KERSHAW (Smithfield Scout Troop 84): I am working on my Citizen in the Community merit badge. I feel personally that if our education is going to suffer for the time being, it will be getting more money which will help education later on. They will suffer for the time being which could sometime cause other parts of getting less education of what they should be getting which will (in) later generation will affect our economy here.

JOE FUHRIMAN (REPRESENTATIVE OF THE CACHE COUNTY AGRICULTURAL ADVISORY BOARD): At the last meeting of the Cache County Ag. Advisory Board, the Board voted in favor of recommending to the Cache County Council that the decision to add the Resort and Recreation Zone to Cache County Land Use Ordinance be postponed until additional input is received regarding the affects on the agricultural economy, cost to tax payers and impacts to water quality. The Board felt the previously raised concerns of the Planning Commission and adjacent landowners may be valid with regard to liabilities and conflicts with existing land-uses and a tax burden to Cache County residents. The Ag. Advisory Board is deeply concerned about the potential negative impacts to area ranching and agricultural activities, wildlife, water recharge, and water quality. Siting the 1994 "Cost of Community Services Study," it showed that in Cache County it costs \$1.27 to provide services for each tax dollar collected from residential users. Conversely, the County only has to provide \$.57 in services from every tax dollar collected from agriculture.

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The question: "Is it really going to generate the millions in revenue or will it be a taxing issue on County residents? Therefore, as a consensus of the Board, the Council should postpone the "RR Zone" change to the Ordinance and future "RR Zone" re-zones unless it can be shown without question, that the increased traffic, and other effects from year-round commercial and residential uses will have no negative impact to agriculture, watershed, wildlife, traditional land uses, and life styles or to a tax burden to Cache County residents. My closing remark is (that) open space is limited. We need to make preservation now.

DANIEL BYBISH (TROOP 84): Yes, there are schools that are going to lose money now but in the long-run it is going to bring a lot of money back into the schools.

KENNETH CASH (TROOP 84): I am for it because it would be lots of fun. Also, it would help fund the schools.

JAMES CLAWSON: I was born and raised in Huntsville in the Eden area and my family still lives there. I love resorts; I love to ski; and I have done it my whole life. I loved the quaintness of Snow Basin and so did everyone in Huntsville. When they changed that area up there, it was a big issue. We felt that our Weber County Council didn't listen to us at all. I feel that with this zoning issue, you are being a little hasty by wanting to pass it so quickly. I feel that revenue is the driving force in this, that is promised by the developer. I just really hope that you appreciate these things because I moved to Cache County out of Huntsville for the reason of the quality of life that we have up here. I love Huntsville and my family is still up there but my Dad is very anxious to leave. It is sad to see. A lot of people feel that way now and I would hate to see Cache Valley move in that direction.

CARMA LEE ELLISON (Resident of Hyrum): I would like to thank the Council for providing an open forum for us to come in and voice some of our comments about this proposed zone. I feel I have a vested interest in Cache Valley. I have watched it grow for 50 years and was born and raised here. (She asked for a show of hands of those in the audience who were born in Cache Valley and have lived here for 40 years or more.) It is really incredible to watch this Valley grow. I know after being away for about 19 years and coming back (seeing) the tremendous changes that took place. Change is good and it has to happen; but at that time my husband and I chose to bring our family back here to Cache Valley because with all of the changes, it still has remained Cache Valley. Providing a wonderful quality of life for all of us. I do oppose the adoption of the zone change at this time. I feel that recreation is important and this could kind of be looked at as a recreation issue. If we have to have it in the Valley. I heard it said the other day this is almost like a determination of do we want natural Forest recreation which we have now - the natural beauties of the mountains and streams and golfing and skiing that we have now or do we want to change this to resorts specifically golf and recreation. It is a turning point for our Valley at this time. I do not feel that we are ready yet, that we have had enough public input, enough study from the public involved here and the residents here. I love Cache Valley and would like to see it change, but conservatively.

DANIEL AZAR (Salt Lake City): I am the Assistant Director of Save Our Canyons, a non-profit organization. We oppose the enactment of the proposed re-zoning. I am here to represent our numbers who live across the length of the Wasatch from the Wellsvilles in the North to Mt. Nebo on the South. Over the last few months we have been contacted by members and non-members expressing deep concern of possible expansion of the Powder Mountain Ski Resort and of this proposal to re-zone. We then concluded an equality of the projects which included the quality of the habitat. Downstream where that showed how it would change the wildlife habitat, how they obtained evidence and worried about the consecutive events and future developments of water quality. Many others in Weber, Cache, Davis, and Farmington County who love the land the way it is and who don't want to see it marred with more development then are allowed with the current setting. When considering what it would create when the new resort and recreation zone was passed, we needed to ask: "Who would benefit?" This zone would pave the way for this and other such projects that threaten to Urbanize Cache County. It is clear from the Locals that we have spoken with the people are proud of their Country for this County's rural qualities. Who would live in these multi-million dollar homes of this proposed multi-million dollar development? People who are from out-of-state and who would stay in their second, third or fourth homes for three or so weeks of the year and who would contribute little to the community. Is this what Cache County residents want? Beyond public opinion, it is said that there is the possibility Powder Mountain could develop Cache County financially. If the road goes up there, sure this is possible but far from guaranteed. Tax revenue from the project could be in the millions but may not even come close to covering the extending costs and maintain the growth, water sewage and other ongoing costs; we just don't know. Your decision affects all current and future Cache County residents and indeed everyone with a home along the Wasatch Front. Private property rights are important but we must keep it in mind that public land is selling for a reason. In this case the land that would be

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affected adversely its own Forest protected and natural qualities.. We urge you not to create The costs of doing so clearly outweigh the benefits.

RICHARD KRANNICK (Resident of Paradise): I have twenty-five years of experience conducting research. Looking at the social-economic consequences of the development and growth throughout the Inter-mountain West. I have really three major comments to make.

1. The first relates to Economic Analysis. I just want to point out that there is a literature that reveals a very substantial disagreement regarding the validity of the kinds of projection models that are used to develop those kinds of economic analysis of revenue-effects' projection. I think that needs to be looked at very carefully by an independent analyst and that proper assumptions are made. It certainly needs to be done by somebody other than the proponent.
2. There is a large literature that exists regarding these kinds of developments. I have in my hands something I was asked to review last Summer. It is a free publication copy of a very extensive 138 case annotated bibliography of research articles that has dealt with amenity lead development in rural areas. After I have reviewed this, I can tell you that of the 138 articles the vast majority identified negative consequences of these kinds of developments for a variety of reasons: Physical impacts where the physical costs exceed revenue benefits back to local government. Wildlife disturbance and displacements. Habitat fragmentation. Water quality affects. Air quality affects. And a loss of socially and culturally valued characteristics of local communities.
3. There is a very extensive book on exactly this kind of development published by Hal Rothman, a Professor at the University of Nevada. This book goes to a very detailed analysis of these kinds developments including two chapters on ski-area developments and one on residency of resort developments. He titled the book "Devil's Bargains." I am going to read to you very quickly a little bit of content of one page. "Tourism has been a Devil's bargain despite it's reputation of reaping on its gills, Tourism typically fails to meet the expectations of the communities in the regions that have embraced it as an economic strategy. Regions, communities, and locals welcome Tourism as an economic boom only to find it irrevocably changes them in unanticipated and in uncontrollable ways. I am not going to read any more to you but my final comment is that from my experience of looking at these kinds of things from across the West, there seems to be two reasons that these kinds of developments are pursued: 1) One is economic desperation which I don't think characterizes the economy of Cache County. 2) The other is when there is some pursuit of serving the economic interest of the few. Hopefully we are not going to see a decision that is lead by the interest of the few over the consequences and the concerns for a far larger portion of this Valley's population.

MARK SAILOR (Student of Logan High School): I came with quite a large group of students from the Valley, who are concerned about what is going to happen to the Lands here. My family moved to Cache Valley when I was fairly young... We came here because there was so much open space and because of the beautiful mountains. As for the need for educational funding, yes, but my family didn't move to Cache Valley because they are famous for funding public education; we moved here for the mountains. If you start getting rid of this wilderness, my family will pack their bags and leave. Meanwhile if we need money for education, we need to start voting for people who care.

ANDREW PEACOCK (Logan): I am in favor of the proposed change but what I would like to ask the Council about if it is possible to do: I think that a lot of the concern that the people opposed to the proposal have are actually at the rasp of your plan. Maybe you can provide an executive summery of the pros and cons of what we have got now and the pros and cons of what we have got with this new proposal. I think with respect to the second to the last speaker, I think there is literature that could actually rebut that. We could produce that for you if you would like. I think the idea that this will serve just a few is false. I think that is not the idea. You need to talk to business owners of downtown. You could talk to employees that work down there as well. I think you could talk to anybody else whose revenue in this Valley is wrong. My question for those who oppose this: What else are we going to do? What is your realistic plan for an alternative that would provide this kind of opportunity that I think will be much more environmentally friendly in the future than anything else that has been proposed. Finally, I don't think at that this is the point of view. I don't think the people can necessarily represent everybody in the Valley here and I think that we should consider those other interests that are not represented here. My main comment is to the Board at this point. Can we get an executive summary of some sort of this proposal. The advantage of this proposal as opposed to what we have currently got here. Would you address those concerns as I have proposed.

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STEPHANIE FRICKE: My father is Jack Brown. He owns property adjacent to the proposed Powder Mountain. I realize that this isn't about Powder Mountain but I am not sure of anywhere else in Cache Valley where a development like this would really be possible. His Great Grandfather homesteaded some property and my father now owns part of it. One of his main concerns was with this Powder Mountain development, what it will do to our property taxes? We are ranchers and as you guys now, we don't make a lot of money. People say Farmer's don't make money. Well it is a hard business. We do it because it has been in our family; it is something we love to do; and it doesn't make a lot of money. I just have one question. I have talked to Larry (Anhder) about Powder Mountain having cluster developments rather than having one cabin in every 40 acres. What I want you guys to realize is up there, there are over 40,000 acres of private property owned by five major land owners. Are you guys prepared if this raises all of our property taxes? It becomes problems with our cattle getting out of the fences and complaints, which they (the cattle) do up there. It is kind of open run. We kind of let them (the cattle) go on everybody's land and at the end of the year we separate the cattle. Are you ready for us not to be able to afford to ranch and go ahead and put one cabin per 40 acres? If you figure that out at 40,000 acres, one home per 40 (acres). That is what you guy will be forcing maybe some of us to do it even if don't want to but we can't afford to because of the re-zone, because of the restrictions on that, (and) because of the trespassers. When you get people that close you can't afford to have your bulls putting people at risk. I hope you will look at that and consider that potential growth that will come of it. Thank you.

DARRELL NIELSON (Representative of several irrigation companies): What we worry about is our watersheds and what it is going to irrigation companies, Hyrum Dam and different places like that. We would like to know what the Council is going to do to protect our watersheds. Thank you.

ZAK JOHNSON (STUDENT OF USU): It's my first year in Logan and I was amazed by the culture here. You can walk around at night and not worry about anything. You can pretty much do whatever you want. You can rely on people. I think if that Powder Mountain development continues, what would happen is you culture would be destroyed. I think money does destroy culture. For a fact, I think that would happen. Beaver Mountain is a great place too. I had a chance to work up there this year and it really is a family place. I'd hate to see that place get hurt. I think Powder Mountain might actually hurt Beaver Mountain sales, I'm not sure. I think there are other ways to do this. We have to ask for other ways to find money for the schools. This is a last resort, I feel, because this is going to tax us so much. If there is nothing left, sure I think it is a good idea, you've got a million dollars; but you have to look at all the other things first. Thanks

Council member Petersen moved to close the Public Hearing. Yeates seconded the motion. All were in favor, 7-0.

On behalf of the Council, Chairman Anhder expressed his appreciation for those who commented. He announced that there was no intention to vote on this proposal during this Council meeting due to the fact that it was the 2nd Public Hearing that had been held. He further stated that it was anticipated there would be more research accomplished. He appreciated all those who had taken the time to write letters to the Council and would encourage the public to sign their letters. Chairman Anhder let it be known that the Council was certainly open to possible revisions to things that are seen as weaknesses to the zoning issue.

The RR-Zone proposal would be placed on future agendas for further discussion. Writing comments would be accepted at the Zoning Office, Mark Teuscher's Office (CWPD), or to members of the Council.

COUNCIL MEMBER REPORTS:

There were no Council member reports.

ADJOURNMENT:

Chairman Anhder adjourned the meeting at 7:35 p.m.

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ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: C. Larry Anhder
Council Chairman