

**UTAH QUALITY GROWTH COMMISSION  
MEETING MINUTES  
Wednesday, May 24, 2006, 11:00 a.m.  
Salt Lake City Main Library 5<sup>th</sup> Floor Board Room  
210 East 400 South**

**MEMBERS PRESENT**

BARBER, Brad	Member-at-large
BILLINGS, Lewis	Mayor, City of Provo
CAIN, Camille	Weber County Commissioner
CHRISTENSEN, Carlton	Vice-Chair; Salt Lake City Council
DAVIS, Jaren	Utah Association of Realtors
KOHLER, Mike	Wasatch County Council
LOFGREN, Dan	<b>Chair</b> ; Utah Home Builders
PAGE, Carol	Davis County Commissioner
RICHARDS, Flint	Utah Farm Bureau Federation
SMITH, Darrell	Mayor, City of Draper

**MEMBERS EXCUSED**

ALLEN, Dave	Summit County Rancher
BLACKHAM, Leonard	Commissioner, Dept Agriculture & Food
STYLER, Mike	Director, Dept. of Natural Resources

**GOPB STAFF**

BENNETT, John	Project Manager
BOHN, Laura	Project Manager
CARVER, Brian	Project Manager
DANIELS, Kevin	Planning Section Intern
HANSEN, Mike	Manager, State and Local Planning
KILPATRICK, Kevin	GOPB Intern
NEILSON, Nancy	Administrative Assistant

**GUESTS**

BUTTERS, Randy	Butter (Investment)
KERR, Shauna	<i>The</i> Trust for Public Lands (TPL) Director for UT and AZ
SMITH, Amanda	The Nature Conservancy (TNC)
WHITING, Rick	Francis Town

**Agenda item #1 – Welcome and Introductions**

Dan Lofgren welcomed everyone and introductions were made.

**Agenda item #2 – Approval of Minutes from April Meeting**

There was one correction to the minutes. Mayor Lewis Billings was added to the list of those in attendance because he was on his cell phone.

**Action Taken:**

**Mayor Darrell Smith made the motion to accept the minutes with one correction and Flint Richards seconded the motion. The motion carried unanimously.**

**Agenda item #3 – Review Updated Recommendation on 2007 Legislative Strategy**

A very interesting discussion ensued with many legitimate points regarding the strategy for the attainment of increased McAllister Funds to meet demand. Last year there was \$18,000,000.00 requested. \$11,000,000.00 of those requests was of interest to the Quality Growth Commission. However, only a little over \$3,000,000.00 was available.

Some Commissioners felt that a list of priority projects should be prepared and then the request for legislative funds be made. However, there was concern about manipulation of projects if a list is made and there was concern about line item funding. Another thought was that things could work similar to the Building Board where legislators are comfortable with their process and respect their decisions.

Mayor Billings said that there is a study out by the League that says there are so many bills during the legislative session that each one only gets seven to ten minutes consideration. Since most legislators do not know about the Commission or its activities, this isn't very effective. Mayor Billings suggested that an invitation to individual legislators be made for them to address the Commission. An information packet could be made available to them ahead of time which would provide pertinent information about the Utah Quality Growth Commission. Dan suggested that legislators could be invited to present their priorities.

Staff was encouraged to meet with lobbyists and prepare the guidelines for generating a list of projects for the Utah Legislature and how to provide education and how to generate champions or heroes for the McAllister Conservation Fund. The Commissioners will help provide a list on the Monday (actually Tuesday after Memorial Day) teleconference of three or four guests to invite to the June 21<sup>st</sup> meeting.

**Action Taken:**

**Mike Kohler made the motion to put the 2007 Strategy on the June agenda with staff bringing in the information relating to generating a list of projects and how to generate champions for the work the Commission does. Mayor Darrell Smith seconded the motion and the motion carried unanimously.**

**Agenda item #4 – Critical Lands Subcommittee Report**

- 1. Decide on status of grant in view of changes to Francis Town Grant*

Because the subcommittee did not have a quorum, there is no official recommendation from them regarding this application. However, a second site visit was scheduled on Monday, May 22<sup>nd</sup> which Hank Hemingway of the subcommittee, Brian Carver of the GOPB staff and Flint Richards of the Quality Growth Commission attended. The property is beautiful and the project is a good one they reported. However, it is not the same project that was in the original application.

Rick Whiting of Francis Town and the land owner Randy Butters came to the meeting to make a presentation and clarify the new proposal. Mr. Whiting expressed appreciation to the Commission for the original funds granted but unfortunately the Town has had to change plans.

- **Rick Whiting of Francis Town** gave a Power Point presentation which included a list of the benefits of the current proposal.
  - 1) Preserves a great deal of open space
  - 2) Eliminates access to other properties and leverages the value of keeping open space
  - 3) Preserves winter range for deer (There seems to be a natural channel for deer here and the property is south facing.)
  - 4) Guaranteed public access to the hillside
  - 5) The new proposal uses only 19% of the land for development (and the homes would be hidden from the valley view).

He said this proposal would also preserve the aesthetic and recreational assets of Francis Town. The first priority for Francis Town has always been to preserve the entire hillside without any development. The second acceptable option was to work with Mr. Randy Butters, the land owner.

**Mr. Butters** and designers have worked to optimize the open space for the project (through a dozen different designs). Unfortunately, Mr. Butters was never informed that there needed to be an appraisal of the conservation easement value. He has funded three different appraisals.

The original proposal included:

- a. A request for \$400,000.00 they were granted \$300,000.00
  - b. 471 acres for the conservation easement
  - c. Partners for funding included Sportsman for Habitat and Rocky Mountain Elk Foundation
- An intense **Commission discussion** of the new proposal ensued. This lasted about fifteen minutes resulting in the following pertinent points:
    - ✓ Fairness of process requires that if an applicant comes in with a different application it must fulfill the criterion of a new application
    - ✓ Clearly some of the criterion have not been met
    - ✓ The original proposal cannot be performed

- ✓ The project is in the reformative stage and it usually takes about two years after an appraisal to complete the process
- ✓ There is the possibility of a law suit on *access* issues
- ✓ There is nothing in writing for an agreement between SITLA and the landowner regarding 160 acres. A letter of support would be required.
- ✓ There are criterion that haven't been met which is required for all applications
- ✓ The original easement was for a parcel of 471 acres; this proposal is for 286 acres with development of 76 lots
- ✓ The original application included partners that have fallen through (It turned out that Sportsmen for Habitat and the Rocky Mountain Elk Foundation were asked for more match than they were expecting. They were expecting a total of \$100,000.00)

Therefore, the Commission encourages a new application for the next round of funding with a request at that time for emergency consideration. There was no promise that funding would be granted. The Commission expressed a desire to be able to consider the new application and have great sympathy for preserving a beautiful hillside.

**Action Taken:**

**Flint Richards made the motion that the new proposal not be accepted because it was determined to be different than the original application but with encouragement that a new application, meeting all criterion, be brought before the Commission. (At that time an emergency can be indicated.)**

**Jaren Davis seconded the motion and the motion carried unanimously. All ten members present agreed with the motion.**

**Action Taken:**

**Dan asked if a follow up motion should be made to preserve the funds. Mayor Lewis Billings made the motion to not to re-appropriate the funds for sixty days without inference that the new application from Francis Town would be accepted. Mike Kohler seconded the motion. The motion failed.**

The motion to ear mark funds for sixty days was denied on the grounds that the timeframe was unreasonable for completion of the application process and because of a commitment to the Selman Ranch project made at a Commission meeting in September or October of 2005 regarding additional funds. (See minutes)

The Selman Ranch closing is scheduled for June 30<sup>th</sup> of this year and Amanda Smith retracted her statement that McAllister Funds were needed for that closing. They have \$700,000.00 from a land owner's grant they will use. September is the next payment due date. Revisiting the issue of additional funds for Selman Ranch will be added to the June 21<sup>st</sup> meeting's agenda.

Mr. Randy Butters expressed appreciation for the Quality Growth Commission saying they had been first class to work with. Mr. Rick Whiting promised to let the Commission know the status of the Francis Town project.

*2. Review Request - Emergency Application from Randall Olsen*

Because there is no written evidence that this is an emergency, the Commission decided they could not treat it as one. It is a good parcel. The pre-application is valued and will be kept for the upcoming round of funding.

**Action Taken:**

**Carlton Christensen made the motion that the application not be considered as an emergency. Mayor Darrell Smith seconded the motion and the motion carried.**

**Agenda item #5 – Presentation on Fiscal Impact of Development Toolkit – Kevin Kilpatrick**

Kevin Kilpatrick, a GOPB Intern, gave a short presentation on his Fiscal Impacts Toolkit. He said this is an educational tool with hypothetical scenarios. It provides planning techniques and information to local governments and citizens. The toolkit focuses on the financial implications associated with the most common land uses (agricultural, commercial, and residential). Find out more on the website at <http://www.planning.utah.gov/fiscalimpactshome.htm>

**Agenda item #6 – Review Status of McAllister Fund Applications and Planning Grant Applications**

(There was no discussion at this time but information was provided in the packet.)

**Agenda item #7 – Economic Impact of Conservation White Papers**

A packet entitled “A Look into the Rational Nexus between Conservation and Economic Development” was provided for each of the Commission members to review. Kevin Daniels was available for questions about the White Papers. Subtitles included:

- “Agribusiness in Box Elder County”
- “Agribusiness in Sanpete County”
- “Conservation Benefits: Wetland Banking in Salt Lake and Davis Counties”
- “Conservation Benefits: The Gunnison Sage Grouse”
- “Conservation Benefits: Columbia Spotted Frog”
- “Conservation Benefits: Virgin River Headwater”
- “Conservation Benefits: Utah Prairie Dog”
- “The Value of Agribusiness in Cache County”
- “Conservation Benefits: Salt Lake City Watershed”

**Agenda item #8 – Administrative Matters**

Because there are a number of Commissioners who will not be able to attend the meeting on June 28<sup>th</sup> **the next meeting will be held on Wednesday, June 21<sup>st</sup>** in Wasatch County. This means that the meeting will not be on the usual fourth Wednesday of the month but will be held on the third Wednesday of June. John Bennett, Mike Kohler and Nancy Neilson will make the final arrangements.

**There will not be a meeting held in July of 2006 for the Commission.**

The **election of a Second Vice-Chair** will be included on the **June 21<sup>st</sup>** meeting agenda. The by-laws state that any officer may be elected as long as notice is given. Mayor Billings requested that a description of what is expected be included in the agenda.

**Action Taken:**

Mayor Lewis Billings made the motion that a Second Vice-Chair be elected at the June 21<sup>st</sup> meeting. Carlton Christensen seconded the motion and the motion carried unanimously.

**Action Items:**

- **John to notify Randall Olsen regarding his application.**
- **Amanda Smith to provide a list for the Commission of other states appropriations for conservation.**
- **Staff to meet with lobbyists for input.**
- **Commission members to report on Monday's (Tuesday's) teleconference those names they suggest to be sent invitations to attend the Commission meeting on June 21st to contribute to strategy conversation. (Examples: Senator Greg Bell, Representative Fred Hunsaker, Representative Ralph Becker, and Senator Howard Stephenson and/or lobbyists to name a few.)**
- **John Bennett, Mike Kohler and Nancy Neilson will make the final arrangements for the June 21<sup>st</sup> Quality Growth Commission meeting at Soldier Hollow in Heber City. More information will be coming. (Nancy to contact Marie Sabee of the Wasatch County Commission Office at 654-3211 regarding the meeting.)**
- **Staff to prepare strategy information for;**
  1. **Proposal on how to generate the list of projects (whether by priority or not)**
  2. **How to go about the education process and how to generate grass roots champions for our conservation cause**
- **Nancy to review recordings of meetings in September and October of 2005 if possible for clarification on the intent regarding the Selman Ranch allocation of grant funds.**
- **Nancy to email clarification verbiage to Dan.**
- **For the June 21<sup>st</sup> agenda the following items will be addressed**
  1. **Election of a Second Vice-Chair with expectations for the office**
  2. **Strategy 2007 - funding and assigned staff information**
  3. **Budget**
    - **Annual staff support**
    - **Selman Ranch funding**

**Adjourn:**

1:30 p.m.

*Note: All packets are on file at the Governor's Office of Planning and Budget.*