

## **PUBLIC HEARING ON SNOW REMOVAL**

**July 24, 2004**

Chairman: I'd like to call the Public Hearing to order. First of all, welcome to all of you and thank you for coming. We're very encouraged to see this level of interest in the activities of the Fire Department. My name is Chuck Brechler. I'm presently the Chairman of the Governing Board. The purpose of this hearing is to inform you of what we're considering regarding snow removal and to hear your comments. Betty has been passing around the sign-up sheet and we ask that you all sign that before you leave so we have a record of who was here. This Board has worked with a group of concerned district property owners who agreed to form a Snow Removal Committee to formulate a plan that would address as many of the concerns of the community as we were able to identify. The members of the volunteer Committee were Jim Barbeau, Jeff Hoyt, Ray Kohley from the Board, Doug Nelson, Chet Simpson, and a past committee member from the Board, Dick Murn. We thank the Committee for all their hard work and dedication. They started on this in late February or early March. This project could not have been completed without their efforts to evaluate a complex issue and to formulate a snow removal plan. On the Committee's behalf I've prepared some comments to explain snow removal within the boundaries of the Cedar Mountain Fire Protection District. When I finish I'll open the floor to your comments and questions. We ask that you come to the podium to make those comments or to ask questions. In the interest of time, please limit your comments to about three minutes each to allow other people to ask questions or make comments. Please refrain from interrupting speakers so everyone can hear what is being said and the tape recorder can record the comments clearly. Some of the challenges faced by the Committee throughout this process have been potential legal compliance and civil liability issues. The ISO, Insurance Services Office, issues and requirements, emergency vehicle and apparatus access needs and requirements, fire hydrant access by fire personnel, the Public Service obligation of the District and the County, snowmobile access and barriers, and snowmobile trails or alternatives have all been considered. Separately, the Board solicited an opinion regarding snow removal requirements from the State of Utah Department of Public Safety. Deputy Fire Marshall Tod Hobin responded with a letter detailing what is required by the International Fire Code. The State of Utah complies with the International Fire Code. This states that fire access roads shall be of an unobstructed width of 20 feet or more. The surface of the fire access road shall be designed and maintained to support the load of fire apparatus, and shall be surfaced to provide all weather driving capabilities. The code interpreters define all weather driving capabilities as a plowable surface. Clear roads shall extend to within 150 feet of a structure. Research also revealed that this is accepted practice of other fire departments facing similar winter snow conditions. Additionally, as many of you are keenly aware, we have received numerous requests for assistance from district property owners regarding letters from insurance companies denying coverage. To continue to offer insurance coverage some, if not all, insurance companies, expect the District to improve the District's ISO rating. We realize that property owners must be able to retain

the ability to acquire fire insurance or the economy of the Mountain and the entire County can suffer seriously. The ISO has set the following conditions for improved ratings, so we must attempt to meet these criteria in order to help property owners reduce insurance rates or retain coverage. These criteria are not easily met. They include:

- Developed property must be within 5 miles of an equipped fire station.
- Subdivisions must be equipped with approved, operable fire hydrants year around.
- Fire access roads must meet appropriate standards for emergency vehicle access.
- Year around access for ambulance and fire apparatus must be provided.

The Committee collected subdivision and mileage information. They worked with Lou Pratt and the County Road Department to study subdivision roads and their priority levels for clearing. They established standardized specifications for potential bidders and they coordinated with the U.S. Forest Service to begin to develop a plan for new snowmobile trail construction around the exterior of subdivisions to minimize snowmobile – vehicle conflict. We are coordinating our efforts with Kane County Water Conservatory's local subdivision projects, which are scheduled to come on line over the next several years. As the subdivisions come on line with fire hydrants and wider roads we can provide increased emergency services access to those areas. In the meantime we plan to provide access to the areas where it is possible to do so within the restrictions that we face for operating our apparatus. The Committee recommended that snow removal operations be established by prioritizing routes. Priority one routes will be plowed first. Crews will then clear priority two routes. During the most severe storms, which include storm intensity, duration, accumulation rates, time of day and temperature, it can take up to 48 hours before all identified roads are cleared. There will be colored diagrams posted or available indicating all priority one and priority two roads. We have not at this point established which will be the priority one and priority two. The priority one roads will be to get a backbone through the subdivision first, and the priority two ones then include all the rest of the roads. During light snowfall equipment will be sent out to inspect for snowdrifts, steep grades and intersection blockages. As snowfall begins to accumulate over 6 inches crews and equipment will be dispatched to their assigned areas to begin cleaning. Cleaning will continue as long as safe conditions exist, and will resume after safe conditions return. After all roads are initially open, crews will go back to widen the roads to the approved 20 feet width. Safety of snow removal crews and liability issues require that all vehicles parked or abandoned on the road that must be cleared will be towed at the owner's expense. Utility companies shall clearly mark their equipment so snow removal contractors can avoid damage. Snow removal will be accomplished using private contractors under the direction of a snow removal manager. There are four areas that have been identified as being capable for having snow removal. Area One will be Duck Creek Village South of Highway 14. This includes Color Country, Movie Ranch, Duck Creek Pines, Timber Trails and Alpine Meadows. Area Two will be Duck Creek Village North of Highway 14, which includes Meadow View Heights, Aspen Mirror Subdivision, Lost Creek and the Village business district. Area Three will be Strawberry

and Ponderosa Villas and Area Four will be Elk Ridge Estates. The total mileage of these subdivisions is 42.9 miles, and the total number of lots that fall within these four areas is 2,335. We have based our cost estimates on an average of 10 snow events per season, and the necessity to employ a snow removal project manager for the months including December 1<sup>st</sup> through April 30<sup>th</sup> annually. We estimate that it will cost \$81,725.00 per year for the snow removal contracts, employment of the project manager, and administrative costs. The cost average per lot is \$35.00 per year. This fee, if approved, will be assessed on the December 2004 tax bill as a separate item from the fee for the Fire District, as it only affects those listed areas, not the entire fire District. As more subdivisions come on line with fire hydrants and road improvements, such as Swain's Creek, they also will be included in the snow removal service. The Board and the Committee are aware that at present some areas have contracted for snow removal and pay for the service through the Homeowners Associations. We have taken this into consideration and have contacted those Homeowner's Associations. They have relayed to us that their present fee for snow removal will be removed from those future association fees. I will now open the floor for public comment. If you have comment, please step to the podium; state your name clearly for the record, and the subdivision where you own property within the district.

Donn Covert: Do we know how many cabins or houses there are on those 2,335 lots?

Chuck: No we don't. More than 50% have cabins on them at this point, and it's growing every year. There are a total of 4800 lots in the subdivisions in the district. Those that we will be plowing snow for is just under half.

Bob Scott – Meadow View Heights: What is going to happen about the snowmobilers?

Chairman: We will not be removing the snow totally to the ground. We will start snow removal when we have 6 inches of snow. If we have only 2 inches of snow we will not plow. This will allow snowmobiles to still operate. As always, in the Spring, when there are thaws, that will turn to mud. With a good gravel base underneath it, automobiles will still be able to travel. We are working with the U.S. Forest Service to attempt to get more snowmobile trails cleared and prepared that will tend to separate snowmobiles from the motor vehicles. This is a safety measure.

Mr. Scott: Last year they plowed the street I live on, Whispering Pines, and we tried to get in but there was a 5 foot berm in front of my place. It took me 4 hours to clear my driveway before I could get my snow machine up over the hill. I was there, and the snow removal expert came by and plowed me in 4 times. I'm not a youngster, 4 hours out in the snow, running the snow blower. I finally stood in front of the guy and said run me over.

Chairman: Private driveways will be the responsibility of the homeowner.

Mr. Scott: I understand that. Other driveways, full time residents, were taken care of. He swung the blade around and pushed the snow to the opposite side of the street.

Chairman: Remember, for the last 2 years any snow removal has been on a volunteer basis. There have been some donations that have helped defray the cost of fuel. When they are under contract there will be specific requirements. They will have to go back and drop a blade at the driveways to open them. However, the driveway will still be the responsibility of the homeowner. They can contract a private contractor to do it or they can do it themselves.

Mr. Scott: In Meadow View Heights the CCR's say that roads will not be plowed.

Chairman: The CC and R's do not have any effect over the County. The County is required to clear roads to maintain a safe 20 foot wide roadway. Your CC and R's are not enforceable.

Mr. Scott: Is there a way they can remove snow, I mean there are a lot of lots that are just bare lots. They are going to plow; they are not going to blow, correct?

Andre Oeland: Both.

Chairman: They will blow when they have to.

Mr. Scott: You mean when it's major.

Chairman: Whenever the contractor feels he can not just plow and be effective.

Mr. Scott: There are a lot of folks in the subdivisions that are summer people. When the water goes off, they leave for the winter. But a lot of us invested in this property for year around recreation. Is there a way the snow plowing people can find out who's year around and at that point turn the plow around and throw the snow over on the vacant lots? If I have a heart attack, someone's paying for it and it won't be me.

Jim Barbeau: All the contractors will have a blower, or they won't be doing it. The roads will be plowed; the two sides will be blown. If the snow's 4 feet, you're going to have a four foot berm past your yard. We're not going to make your driveway any higher.

Andre Oeland: The contractor will be required to keep the edges of the roads clear.

Mr. Scott: It's a heck of thing when you get up here from Las Vegas and have to spend 4 hours on your driveway and heat your cabin –

Jim Barbeau: There will be a lot of people plowing driveways quite cheaply, all you have to do is call and have your driveway plowed.

Lady from audience: We don't want to drive in, we want to snowmobile in.

Chairman: Just a moment, from the podium.

Donn Covert: If you want to talk, come on up.

Mr. Scott: She's my significant other, she's making a statement. You know if you can't drive in, around Christmas there were a lot of people stuck. If they are going to maintain the road properly, that's fine, but you're going to put people in harms way. They're going to pull in to their cabin, it's going to snow 4 feet and they'll be stuck with no way to get out. I don't think anybody here is going to shovel snow for 4 hours.

Chairman: I've done it.

Mr. Scott: Yeah, have done it.

Chairman: Yes, last winter.

Mr. Scott: That's just my sentiment. There are a lot of people in the Village that aren't here, my friends, that are pissed off about it, and they're taxpayers.

Jerry Bowen – Meadow View Heights: If you have to plow roads you have to plow roads for the Fire Department for the safety of vehicles, but what other communities in Kane County are being assessed an additional fee for snow removal? Other county property owners already pay County taxes. How many of them are being assessed other than just these four communities on the mountain? And is it going to be the same contractor that did it last year, because I come up every weekend and I'm as young as anybody in here, but I get damned tired of plowing my dad's place out. He lives here every day and every time the plow comes he plows a 3 footer and leaves it at my dad's house. He has to get out there and he's 75 years old. He gets out and moves his own snow by himself. They know he lives there, but they go right ahead and leave that berm. He got stuck twice last year in his own driveway. So to me if you're going to have professional snow removal you need to be a little more aware of the people that are living here. Is there anybody else in Kane County paying \$35.00 a year extra for snow removal, or are the people living in the cities getting snow removal and we're not?

Chairman: To answer your question, Kane County does not remove snow. No other place has snow removal except the City of Alton under their City tax base does some snow removal.

Mr. Bowen: So our County taxes pay for Hwy. 14, but it doesn't pay for roads coming into houses that are occupied 24-7, school children that have to go to school buses and to elderly people who have to have medical assistance. In other states the County is required by law to plow those roads and to keep them open all the time.

Chairman: The State plows Hwy. 14.

Mr. Bowen: O.K. so you're wanting more money out of our tax dollar, and not getting any more service.

Chairman: The \$35.00 assessment will be for snow removal, that's all.

Mr. Bowen: Another question, who maintains the roads in the subdivisions now?

Chairman: Kane County.

Mr. Bowen: There it is. If they can maintain the dirt, they can maintain the snow. Applause. They grade the roads smooth before holidays; they can plow them during the wintertime.

Jim Barbeau: All the road plowing in the winter comes out of the gasoline taxes. We have no gasoline taxes up here. You don't buy any gas up here.

Several people commenting at once from audience.

Chairman: Just a moment, please, from the podium.

Annette McCarthy – Swain's Creek: When we first came in to this Fire District, the question was asked, we pay taxes to Kane County for Fire Protection. We asked if we got that taken off our tax base when we had to pay at that time \$20.00 here. Now we're paying Kane County for Fire Protection, which they are not obligated to give us, and now we're going to pay another \$35.00. I get a little upset with this. Applause.

Jim Bracken - President of the Home Owner's Association in Strawberry: First of all, there's no option to get out of this.

Chairman: We have not yet adopted it. This is a Public Hearing to determine whether or not we will adopt it. If we don't adopt it, everyone stands a chance of losing his or her fire insurance. We would rather that didn't happen.

Mr. Bracken: Are you saying that everybody that belongs to the Fire District could cast a vote to say they want plowing or they don't want plowing, is that what you're going to offer everybody?

Chairman: No, this Board will make the decision, but what this meeting is for is to accept input from the public.

Mr. Bracken: I have some concerns if this goes through. These are things that have been addressed to me from property owners. The biggest concern of Snowmobilers is access from their homes to the trails. In Strawberry there are some areas where it's very easy to get from here to there and some places it's not without crossing other people's lots, dropping off cliffs and things like that. So are those things going to be addressed?

Chairman: Yes they are.

Mr. Bracken: We look at last year where the plowing was helter skelter or half assed, you know how it was, it was terrible. We had some accidents. We had berms people were falling off of; you couldn't cross the roads you couldn't drive a trailer in. So if this is put in effect and the subdivisions or homeowners associations stake out crossings for these roads will the contractor be required to feather the berm so that people coming in on snowmobiles with trailers that have to cross roads won't have this tremendous drop off and be in danger of hurting themselves?

Chairman: Right, however the first priority is to get the road open, and widened to the 20 feet. Then the contractor will come back and knock those down.

Mr. Bracken: The intersection visibility, you're going to blow it, you're going to have cars and snowmobiles both on the roads. We all know we live in a climate that stays 20 degrees below until March. We can get 30 degree above days in February and March and those roads are going to dry out, especially if they are brought up to grade and standards. There won't be mud holes, but they'll dry out. So that has to be taken into consideration. I've listened to what you've said, you've taken care of some of these things, but these are the things we are concerned about if this thing goes through. The next thing I have to ask about is, let's say you plow the road open. We get a hundred people in there, and all of a sudden you get a big storm. Strawberry gets a lot of wind, a lot of drifting snow. These people have come in on the pretext they have all weather roads. There's going to have to be a priority to get those people out and maintain the drifting snow because people aren't going to all leave at the same time. Some people aren't going to be able to stay in there for 4 days until they are blown out, so those are things that are going to have to be addressed with the contractor.

Chairman: That's in the plans.

Mr. Bracken: There will have to be a 24-hour number of the contractor who takes on this responsibility.

Chairman: No, we will have a snow removal manager.

Mr. Bracken: Right, so that will be a 24 hour number that anybody in any subdivision that's covered by this will be able to contact and say we have a problem here. Even if it's midnight, the person gets out of bed and gets over there and takes care of it.

Chairman: Right, but he then is the go between between the homeowner and the contractor. That person will work for this Board.

Chief Johnson: I would point out that there is no snow removal on Hwy. 14 at night either.

Mr. Bracken: No, not at night, but as soon as the sun comes up the next morning, they're plowing.

Andre Oeland: These guys are not going to be able to do this except in daylight hours.

Mr. Bracken: No, not at night. Another thing, if this is implemented is there any way to talk to the State and tell them that from Duck Creek to Hwy 89 we need snow removal in the night hours so people could get off the mountain?

Chairman: That has not been considered at this point, but that is a good point, and we will contact them.

Mr. Bracken: They wouldn't even have to go to the County line; they just have to get to Duck Creek. This would give us access to get out, because we're going to have more and more people in here, both retirees and visitors, because of year round water and with open roads people want to come in. A couple quick other things, is there going to be a representative from each subdivision on a snow committee with the snow manager or with you guys that can stay on top of this thing?

Chairman: That was one of the things that the Snow Committee recommended, that there be a representative from each subdivision who could interface with the snow manager. There have been no appointments to that yet.

Andre Oreland: Or at least a representative from each of these areas.

Mr. Bracken: These are things that have to be addressed. Now, the cost to property owners. A lot of us up here have multiple lots. Is there any way that this can be done other than a per lot basis?

Chairman: Not without forming a separate district. That would take a considerable length of time to do. It would need to be enabled by the County. The County is not in favor of forming multiple districts within this area.

Mr. Bracken: In Strawberry we have a lot of multiple lot owners, and that's a primary concern is the assessments, the same as with the fire, we have just this one structure we're protecting but we've got 10 lots on each side of us that we have to pay on. The last item that I have right now is you talk about \$35.00 a lot, but what's to keep from next year the contractor saying I didn't make as much money as I wanted. So it becomes \$70.00 next

year, or \$100.00, until we get to the point we deem it's too much and say we don't want it any more.

Audience: That's when the insurance company says you don't have any insurance.

Chairman: This first year is a trial. What we've done before, please don't use that to judge, because this will be a contract with numerous requirements in it. We are attempting to keep the price as low as we can use contracts. We will have to reevaluate it next year and it will have to come up for a Public Hearing again for next year's assessment, whether it's \$25.00, \$35.00 or \$40.00. We don't know.

Mr. Bracken: Now you have documented statements from the insurance companies that cover this Mountain that seeing how hydrants are there now they would have a problem insuring the structures without having this year around -

Andre Oeland: Just because you have hydrants, if we can't use those hydrants in the winter time, we need year around access in order for the insurance company to say -

Numerous voices -

Mr. Bracken: Right, I'm not picking on you Blade, I don't want them to say your house is going to burn down if I don't plow your road, I want more money and keep us hostage.

Andre Oeland: We're being forced to do this by the insurance companies. Too many people have come to this office and said, "My insurance is canceling me, can you write a letter and tell them I have a Fire Department here and I have coverage?" And we have to tell them you live in such and such a place and do not have year around access and do not have fire hydrants in there yet. Then the insurance company says, we will have to raise your rates by this tremendous amount or else cancel it.

Ron Graham: I own an insurance agency, so I have a little knowledge of this. First of all, what you're saying is incorrect. I'd love to see that letter. Being it's in the wintertime, I can bring you 5 insurance companies right now. I'll bring them to you in two weeks time that say they will write as long as you have some access up here with water.

Numerous voices.

Ron Graham: The thing is I own an insurance agency, I have knowledge of this. I'll be happy to bring you a letter.

Andre Oeland: Could you give me the insurance names because I have people call me all the time saying they're having their insurance policies canceled and I can recommend that they go to you.

Mr. Graham: That's beautiful. I have no problem with that, but what you're stating is that because of the no winter access it's a problem. They're more worried about the summer, about the forest fires, about the land around them. That's what generally brings these to a head. That's the type of rural environment we live in.

Mr. Bracken: These are the things we're concerned about. I know you've covered some. I know this isn't finalized as to what you're going to do, but I just wanted to bring up some concerns. I guess Strawberry is the best example because the attempt to do whatever they did last year was just Laurel and Hardy type of thing.

Chairman: It was done on a volunteer basis with inadequate equipment.

Andre Oeland: And no controls.

Mr. Bracken: If everybody is going to be assessed, whether they have a lot or cabin or whatever, everybody has to have full access to their property. I know you have priority roads, but within a time frame reasonable, even the guy way at the end of the road, if he's going to be paying for it, he wants the full benefit of it.

Chairman: Right. Thank you Jim.

Joe Miller – Strawberry: I'm wondering if the realtors that have multiple lots are going to be paying the same as the rest of us?

Chairman: It's based on \$35.00 per lot.

Mr. Miller: Each one of those guys will be paying the same if they haven't sold the lots yet.

Chairman: If they own 50 lots that they haven't sold, it'll be 50 times \$35.00.

Mr. Miller: How did you arrive at not using ownership rather than multiple lots, was that just to make more money?

Chairman: That's the requirement of the State Law. Under our Special District each parcel of land, a lot is a parcel of land, is assessed the same fee for the same service. There are other ways of doing it such as by assessed valuation, however this District cannot do it on assessed valuation. Other types of districts can. The Water Conservancy, the School District and such are on a portion of your assessed valuation.

John McCarthy- Swain's Creek: One subdivision that I'm aware of is recorded under the provision that it's for recreational use only which implies that it's not for permanent residence. Has this Board taken that into consideration and investigated, because it seems to me that you're predicating this snow removal on permanent residency.

Andre Oeland: No, we're not.

Chairman: One of the items is the letter from the State Fire Marshall's Office.

Mr. McCarthy: I'm saying that there is at least one subdivision or maybe two that I know of, are recorded under that provision and now we're going to open it up to year around residents. How does that apply to what you're doing?

Chairman: If there are no permanent residents and there are no improved streets, no fire hydrants, they won't be assessed. You are down in Swains, and Swains at this time does not have the improved roads or the fire hydrants, so they are not being considered.

Mr. McCarthy: That's not my question.

Chairman: I understand that, but –

Mr. McCarthy: I'm just wondering about the legality of taking a subdivision that's recorded for recreational use only and applying all of the permanent fixtures to it.

Chairman: I don't know.

Mr. McCarthy: You might look into it.

Chairman: Thank you John.

Ray Kohley: If there's Hydrants, it'll be for year around.

Sheila Miller – Vice President of the Property Owner's Association in Strawberry Valley: I'd like to know what your plan is for notifying people about the requirement to have their vehicles off the street. That's something that really concerns me because people are going to have to hire someone to remove their snow or shovel it themselves. We live in a city that is very strict about no one parking in the street, but a lot of people who are up here don't live where that is common place. It could be a major disaster for the fire or ambulance people if there are vehicles parked on the road. I can really see that happening.

Jim Barbeau: The Kane County Sheriff's Department has an ordinance about parking on the roads. They will tow anything on the road at your expense.

Ms. Miller: I'm sure that's true. My premise is that many of the people up here don't live in a place where that's common place, so what's going to be done to make it clear to all property owners prior to the first snow fall this winter?

Jim Barbeau: We have signs at every one of your roads, even in Strawberry.

Ms. Miller: You mean that little, tiny -

Many voices, unintelligible.

Ms. Miller: How many people do you think get out and read those signs? I got out myself, but I really think there should be some -

Chairman: We are building a web site and it will be posted on that. There will be signs posted at the entrance to the subdivisions. Also the committee that we're talking about as a liaison between the snow manager and the subdivisions will be notified and it will be up to them to also notify the people in the subdivision. Hopefully we can do it through the Homeowner's Association.

Ms. Miller: I really think there should be some kind of mailing.

Chairman: I'm sure if you feel that's required in your subdivision -

Bryan Romney: You'll have to tow a few vehicles because people are going to park there no matter what.

Donn Covert: That'll get the message across.

Bob Scott: Question. \$35.00 a lot for all these subdivisions, what about the people who don't pay?

Chairman: That will be up to the County to collect it, if they want to put it as a lien on the property -

Mr. Scott: Right now we've got Cedar Mountain Fire Protection District trying to force people to clean up their lots. That hasn't been done.

Chairman: We have not gone into that program.

Mr. Scott: What I'm saying, that hasn't been enforced.

Chairman: I don't know what you're talking about. What hasn't been enforced?

Mr. Scott: Well, there was a mandate that everybody clean around their lots for fire protection.

Chairman: No, we have requested people to, there has not been a mandate.

Mr. Scott: The Homeowner's Association says that the County will have it done, and that we will be billed for it.

Bryan Romney: That's your Homeowner's Association, not us.

Mr. Scott: There's a lot of people, a lot of property up here, and if they decide "I'm going to come up in the wintertime and I'm not going to pay", so long as they're going to be assessed or a lien against their property so eventually the County is going to get their money. If there are a 1000 lots that you're going to look at for your money and half of them don't pay, that's going to jack up the cost because there are no funds to pay the contractors.

Chairman: The County will write a check to us the end of December each year. The County then collects it either as a lien on the property or they'll put the property up for a tax sale.

Mr. Scott: Some guy bought land for speculation 20 years ago, and he may not even have paid water assessment on it because he's not using it.

Donn Covert: He's probably not paying his association dues either, what are you going to do about it?

Mr. Scott: Yeah, and if he doesn't pay for snow removal, that's just another burden on the rest of us.

Chairman: No, it doesn't work that way.

Rod Lefler – Color Country: What about the steep part of Bonanza, are you going to plow that part too?

Chairman: No -

Gap in tape.

Andre Oeland: ---because we started this program the County has indicated that if it's more than 10 storms and we run out of money they may come in and help.

Chairman: There's a possibility for an inter- governmental loan.

Mr. Lefler: Then there's the question that Jim Bracken brought up. I'm on a primary road, which means I'm going to get plowed, like it or not, and I'm a snowmobiler. That road has enough sunshine that it doesn't take long when we have these long sessions of clear weather to burn the snow off that road, so I have a concern if I want to snowmobile for recreation. I don't know what it would be like if we ever had a normal snowfall here that you talk about. I can't go anyplace except to use that road. I did get one of my neighbors to say that if I was ever in a bind I could cross his property. I think there are a lot of people like that. When you say you won't go all the way down, I think that's important. A lot of people will have to go on to the roads.

Bryan Romney: That's going to be enforced in the contract.

Mr. Lefler: You've talked about plowing 15 feet and leaving 5 feet for the snowmobiles.

Chairman: Most of the roads are widened to 32 feet, and we need to keep 20 feet so we have two lanes of traffic. That leaves some we don't need. Recognizing that will be on one side and you'll probably have to cross the road to get to it. We're working trying to get more snowmobile trails, and better access to the snowmobile trails. Again, we're working this out as we go.

Mr. Lefler: My last concern is this business about plowing the driveways shut, because that has happened to me. We come up here year around whether we have to walk in, snowmobile in, drive in whatever. I have experienced an injury at our house because while we were out snowmobiling, someone filled the driveway up again that we had just shoveled out. Coming back and not seeing it, and having to use as much power as possible to get in our 45-degree angle driveway, someone flipped over. So let's say you put markers there so the person plowing knows you need to keep it open.

Chairman: On the first run through we can't guarantee that, but it will be cleaned out.

Mr. Lefler: When the owner shovels out his driveway the person plowing needs to honor that and say oh look, this has been done –

Numerous people over talking.

Bryan Romney: I think we need to clarify something. The roads are going to be plowed and then snow blown on the edges. The snow plowing responsibility isn't going to be the part that goes into your driveway. With the controls in place that the contractor has to meet, he's still going to have to go up and down the road. It's very difficult to plow snow when you're going slowly. You have to do it at a reasonable speed. But they will be required to come back after the fact and blow out the edge of that road where the berm exists.

Mr. Lefler: And switch the blower back and forth –

Many people talking at once.

Chairman: One at a time.

Peter Barndt – Strawberry: Last winter we had a lot of trouble with the parking lot, where we had to park and then go to our properties. Will the parking lots like ours at Strawberry be included in a sweep through?

Chairman: That hasn't been determined yet.

Jim Barbeau: That's State property right there. I've talked to them before. If the trailer's would be parked where they could push the snow straight out, they'll push the snow straight out.

Mr. Barndt: Well my understanding is –

Jim Barbeau: We plowed a lot for free last year, because everybody was stuck. The State never made it up here.

Mr. Barndt: A great deal of effort was made, especially this last winter, before we ever had the snow, to mark those lots very carefully where nobody could park so snow could be pushed. For the most part people cooperated and then we got the six feet of snow.

Bryan Romney: We still have to realize the Forest Service wants to move these lots away from the highway, and that's going to happen in the next couple years.

Jim Barbeau: You might have to have your own private parking lot and will have to figure a way to take care of it.

Don Yeater – Ponderosa Villas: I live on what is probably a primary road because it leads up to "Little Las Vegas" and I have 4 lots and contrary to what this gentleman said with 4 lots that's \$140.00 a year. I don't snowmobile; I don't even like snow, so I won't be here unless the roads are completely clear where I can drive in on my property. Three of the lots are uninhabited that I have. What you're saying is that the people will be assessed that don't pay. Now there's a whole lot of people up there that own lots that aren't even members of the Homeowner's Association so therefore they don't pay dues. They may not pay the \$35.00 assessment per lot because they don't give a damn. If they don't, that's cost that you aren't going to get paid for, so next year you're going to make it \$50.00.

Chairman: No, that's a misconception. If this Board votes to do this it will be put on the tax rolls? You will receive a December bill. We will receive a check for it from the County treasurer the end of December, whether or not you pay it. The County Treasurer pays us that amount, regardless of whether you pay it. The County will collect it from you one way or another. It may take a few years, and they may put your property up for tax sale to collect it, but that's their problem. We will get it the end of December.

Mr. Yeater: Well that remains to be seen.

Chairman: That's the way the state law works.

Mr. Yeater: That's theory, and whether or not it will happen, because the County, and as shabby as this County is in regard to anything, I mean they plow Forest Drive at least twice a year whether they need it or not. After a heavy rain those roads are terrible, and

you think they'll come here? I even talked to the driver of the road patrol down here, and he did Strawberry all the way to Strawberry Point and he did a little up on Strawberry Knoll, and that's the last we saw of him. That's because they have so many miles of roads to do. Since we're the biggest tax base this County has, I don't know why we're not catered to. We should be because we are –

Numerous people talking out of turn.

Mr. Barndt: They won't grade the road across from me, because there's a great big rock there, and I mean that rock is probably the size of this room. I asked about it, and they said we're going to let the County do it. Well that won't happen until 2100 A.D.

Chairman: In defense of the County, much as I hate to defend them, their entire road department of seven men is totally funded by gas tax. That's around \$750,000.00 a year to cover the entire County, from Midway to the River, from here to Arizona. This year they will be putting 1/3 of that money here on this mountain. They did last year also. It's a change in attitude. We're happy with it.

Mr. Barndt: I hope you're right sir. But I feel this is a done deal and this is just a formality that you have to go through. Nothing personally against you gentlemen, it's just like the fire thing. It's a done deal and I'm going to pay for it whether I want to or not. I'm against it; I want you to know.

Applause.

Kathy Martin – Timber Trails: I have a few questions. I'm taking notes for my neighbors. I missed the total dollar amount; it was seven thousand something. Could you repeat that?

Donn Covert: \$81,725.00.

Ms. Martin: Well, no wonder I missed it. That would be the total amount for the season of 12/01/2004 to 4/30/05. If this is adopted in your August 14<sup>th</sup> meeting, how soon will a map be available to tell us the priority roads etc.?

Chairman: I would expect it to be ready by November 1<sup>st</sup>. We will continue working on it if it is adopted in August.

Ms. Martin: Has a snow removal manager been identified or hired?

Chairman: No, the job description has not been fully written.

Andre Oeland: We can't hire anyone until this is finished, it would be illegal.

Ms. Martin: Would there be a way to provide a private snow removal names and phone numbers to people who come and want their driveways plowed?

Chairman: There will be a list of eligible contractors, which will be available to the snow removal manager.

Ms. Martin: Another thing I want to say is I owned two lots in Timber Trails and I went through the long, arduous process to combine them into one lot and the County can advise any one who wants to do that.

Numerous voices.

Bryan Romney: Order, order. We have someone at the podium.

Kathleen Wegst – Duck Creek Ridge Homeowners Association President: Everything that was said here today is something that we have wanted for a long time in interest of both public safety, not just for insurance, but for the good of all of our subdivisions in the long term. I will just reiterate some of the concerns I've heard from our homeowners. There is a concern about barriers and being able to get into your home driveways, as has been mentioned here. We do in fact find that you are acting with regard to public safety and with the law and the law process behind you, and we respect that. Lastly, because I don't think you've developed the statement of work in the terms and conditions of your contractors, you've heard a lot of issues here from the people that live up here. One of the things that I think everyone here will support would be having a representative that they could talk to on your Board that would help you fill in their issues with the terms and conditions in the statement of work with the contractors that will be coming up here to implement this program.

Chairman: We are open, as Board members, to any recommendations or information that you'd like to provide to each of us. This is the public form in which that can be done, but each one of us have cabins up here, own property here, and you're certainly welcome to contact any one of us.

Ms. Wegst: I just want to validate for everybody here, what I think I heard is that we have until August the fourteenth to get input in to the Board members with regard to what we all think, because that is the point at which you are going to have a vote.

Chairman: That is the point at which this Board will take action, yes.

Ms. Wegst: I appreciate that, thank you.

Mr. Yeager: In your plan, the Board, a contractor who is a contractor, and the snow removal manager who will be a third party, on call?

Chairman: It will be an employee of this Board.

Mr. Yeager: He will not be one of the selected contractors, correct?

Chairman: No, he will not.

Mr. Yeager: Just a third party.

Ken Klatt – Movie Ranch South: When we did the hearing on the Fire Department, all around the city there were signs posted saying come to the Fire Department Hearing for a \$35.00 increase. After everyone left it was a \$90 dollar increase.

Chairman: It was not a \$90 dollar increase; it was an increase to \$90 dollars. At that public hearing –

Mr. Klatt: It was \$35.00 to \$70.00, but \$70.00 didn't work, so it went to \$90.00

Chairman: There were three proposals, to go to \$70.00 -

Mr. Klatt : No, all the wording around the city was just \$35.00.

Chairman: Those were rumors around the city.

Mr. Klatt: I read it. Anyway, after we left it went higher than we thought. Is this going to do the same thing?

Chairman: As a result of that public hearing this Board decided that there was a majority of people that would like to see us move to that. No, this proposal is for \$35.00.

Mr. Klatt: That's good. Secondly, I'm from Movie Ranch South and if I could be part of that committee, I'd like to help out in anyway I can.

Chairman: Mr. Barbeau is already the representative from Movie Ranch South, but we will keep that in mind.

Mr. Klatt: Okay. Thirdly, whoever gets the contract, I think that he should be the only person doing the work, because there's a lot of people that have snowblowers and plows that come along and decide that they need this particular road cut down lower and they just go ahead and do it regardless of whatever plan is made by the committee.

Chairman: No that will not be allowed.

Jim Barbeau: We are going to stop all that.

Mr. Klatt: It was a huge headache last year. Whoever gets the contract, I really would like to see that that's the only person allowed to do that.

Chairman: That is the way it will be. Now that doesn't include driveways, that would be private contractors.

Ron Graham: What about damage to peoples properties when they go ahead and plow because they will be pushing snow – I understand how things happen when working with equipment – people's fences will be pushed over, pushed into, run over. What about the liability factor? These ditches are dug, down through there, I'm going to call them ditches because I did see some last year that were fortified, deep, crossing the meadows and such like that. When the snowmobiler comes across there and runs into this ditch that they've dug, whose liability is this?

Chairman: The snow removal will be only on County roads.

Bryan Romney: It's up to the snowmobiler to be aware of any dangerous conditions around him. That's a given. If you hit a tree, that's not the County's fault.

Chairman: If lights and fences are placed within the right of way, we can't be responsible for that.

Ron Graham: My question was, if they are not in the right of way, and they're damaged, whose responsibility is it going to be? And secondly, you are creating a hazard by digging them up. There is a scale there, but you're creating a hazard.

Bryan Romney: We're creating roads that are going to be cleared.

Audience: You'll have to mark them, so there's an approach in and out if they follow the roads, especially in Strawberry where people cross that meadow road all the time to get to their cabins on snowmobiles.

Audience: Might not be any more dangerous then crossing that creek.

Numerous voices all at the same time.

Chairman: Hold it down. Anyone else wish to speak?

Rod Lefler: Will it be all one contractor or will there be multiple contracts?

Chairman: There will be four contracts. If a contractor is capable and has the equipment and manpower to take more than one contract, fine.

Bryan Romney: All four areas will have to begin at the same time. A contractor can't say, well I have my best machine over here; I'll use it over here. Primary roads first.

Rod Lefler: You have four contractors involved; you're going to have communication problems with four guys –

Chairman: Now just a minute. Each contractor will have their own separate area.

Bryan Romney: They are not going to overlap. They will have specific assignments and that will be their responsibility.

Audience: So whoever does Strawberry will do only Strawberry and get to know Strawberry and know all the quirks and problems.

Bryan Romney: The whole nine yards.

Audience: He won't be over in Duck Creek next.

Audience: You should tell these people what you're requiring in the contracts, you're requiring a couple pieces of equipment for each contractor.

Bryan Romney: Yes, that's the whole point of the frustrations of the last two years of being on a volunteer system, not having an influence on how things were done. With this each contractor will have to sign the agreement. They will have to meet the requirements for plowing, for instance leaving the six inches of snow each time so they can pack down time after time through the winter to wind up with a foot, foot and a half of snow packed on the road.

Chairman: No more than 12 inches.

Bryan Romney: What I meant was, it's going to continue to pack and you'll have a 12" base of ice and snow.

Chairman: The exact details have not been worked out yet, but in general what we've spoken of tonight. We expect that it will be enforced very strongly.

Mr. Lefler: I would just like for the contract when it's signed to get to my homeowners association over in Duck Creek so they can give it to me so I can read that contract.

Chairman: No, you do not contact the contractors.

Mr. Lefler: No, I want to read the contract. In other words, the contract you have with Blade Leigh, I want to see.

Chairman: That will be available through the snow removal manager.

Norma Rochat – Color Country, Redwood Drive: When I came in last week, with the new water system, I found that the road is 8 inches higher than my property now. What is going to happen when they start blowing the snow? Is it all going to go into my front yard?

Chairman: A lot of it will, yes.

Ms. Rochat: With the ditch on it, because now it's a huge difference.

Andre Oeland: You're responsible for putting the culvert in your gutter in front of your driveway.

Ms. Rochat: But what happens to the rest of my property? Is it all going to go into my house?

Bryan Romney: I'm not sure I understand your question?

Several people talking on top of each other.

Donn Covert: The new road is that much higher than her property, is that what you mean?

Bryan Romney: Is there a ditch along the road?

Ms. Rochat: No, they just did it when they did the new water system. Do you have that problem?

Several people talking – unintelligible.

Jeff Hoyt: Where they are now, they have not put any road base on it. Once the road is final and complete, there will be an additional 6 to 8 inches on top of what's already there.

Ms. Rochat: Which means they are going to pack all this onto my property, and it's my responsibility.

Jeff Hoyt: The Kane County Road Department requires that everybody create their own drainage and their own culverts. If you don't put one in, and you fill it with dirt, they'll come right back and dig it out. The purpose of building these roads to width with a two percent crown is to keep the water off it and the rain from destroying the roads. Everybody complained about bad roads and ditches, so they put these roads in so the water will run off. Now that rainwater has got to go somewhere. We've had a lot of people complain about the water running on to their property. Most generally the rainwater has to follow the natural drainage. If you bought in a low spot, you're going to get the water.

Ms. Rochat: No, because I bought 5 years ago, and I was higher than the road. Not any longer.

Jeff Hoyt: Even if you were higher before, and now they brought it up, -

Unintelligible.

Donn Covert: Find out where she lives and go talk to her about it.

Mary Ann King – I'm way out on Zion View: My roads are not going to be plowed, so I have to snowmobile whether I like it or not, from my house out to the highway. One question involves the taxes. One of our Water Board members told us that our taxes back there are going to go up \$90.00 per month. Now these guys are saying their's is \$30.00.

Bryan Romney: No, its \$90.00 district wide.

Ms. King: So they're not going to be charged less than –

Bryan Romney: Everybody is charged the same on the fire side.

Jim Barbeau: The difference is between the Fire and the Snow removal.

Ms. King: I will not get snow removal.

Chairman: You will not get a fee for snow removal. If at Zion View, in the future, you elect to put in a year around water system, -

Ms. King: We already said no.

Chairman: I'm just saying if and your roads are upgraded to the point they can be plowed, then you would be considered for snow removal.

Ms. King: Does that mean we don't have fire protection in the summer?

Chairman: No, you have fire protection in the summer, and we will provide as much protection to you, both fire and EMS, as we can throughout the winter, but we probably will not be able to get an engine out there in the winter.

Ms King: No, you're not going to be able to do that.

Chairman: We will use rescue sleds to bring in injured.

Ms. King: Good, because my husband is a big man. I can't get that guy out if something happens to him in the wintertime.

Bryan Romney: We have snowmobiles, volunteer's snowmobiles that pull an emergency sled to carry injuries out.

Ms. King: I have one other question on the plow, because we're supposed to have our road groomed, the Forest Service 58. But this year when they came through there was a four – five foot drop.

Chairman: We understand that and there will possibly be a new parking lot put down somewhere near the end of the runway so you will be able to put your vehicles there and that is one spot that very definitely is a marked snowmobile trail that will have to be feathered -

Ms. King: Okay. Thank you.

Chairman: Anyone else like to speak? If not, I'm going to close the public hearing. We thank you all for coming. We thank all those members of the Snow Committee who worked so hard to put this together. They will be available, as will any Board member, if you have any questions or comments. Thank you all for coming.