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Present: Chris Harrild, Jason Watterson, Lane Parker, Brady Christensen, Nolan Gunnell, Chris Sands, Phillip Olsen, Jon White, Tony Baird, Megan Izatt

Start Time: 05:33:00

Christensen welcomed and **Sands** gave opening remarks.

05:35:00

Agenda

Approved with no changes.

05:36:00

Minutes

Gunnell motioned to approve; *Watterson* seconded; **Passed 6, 0.**

05:36:00

Consent Items

#1 Mountain View Meadows Subdivision

Olsen motioned to approve the consent agenda; *Watterson* seconded; **Passed 6, 0.**

05:38:00

Continued Items

#2 Michael Burton Conditional Use Permit

Harrild reviewed the staff report changes for the Michael Burton Conditional Use Permit.

Staff and **Commission** discussed condition #2 regarding a dwelling on the property.

Parker motioned to approve the Michael Burton Conditional Use Permit with the stated findings of fact, 8 conditions, and 2 conclusions; *Olsen* seconded; **Passed 6, 0.**

05:47:00

Regular Action Items

#3 Whisper Ridge Conditional Use Permit 2nd Amendment

Harrild reviewed the staff report for the Whisper Ridge Conditional Use Permit (CUP) 2nd Amendment.

Staff and **Commission** discussed the ways in which Whisper Ridge is out of compliance with their current CUP and possibly pulling the permit until compliance is reached.

Dan Lockwood commented in regards to non-compliance with the permit.

The **Commission** discussed the yurts and their need to be removed.

Mr. Lockwood commented on the possibility of getting a building permit for the yurts.

Christensen asked about use of the cabin.

Mr. Lockwood commented on the use of the cabin by staff and delivered food.

Olsen asked about where people are meeting to go to Whisper Ridge.

Mr. Lockwood stated that they used to meet at the Cracker Barrel in Paradise but with the advances in providing directions digitally they no longer need to do that.

Gunnell asked about the bomb boxes and explosives.

Mr. Lockwood talked about the explosives and the bomb boxes and how they use them.

Gunnell asked about how emergency services access the sites.

Mr. Lockwood stated that they work intimately with Powder Mountain Search and Rescue and they could notify Cache County EMS. All employees are also wilderness survival responders.

Mr. Lockwood described their emergency procedures for injuries and response.

Gunnell asked if Mr. Lockwood understood the 30 consecutive days of flight with the helicopter.

Mr. Lockwood stated its 30 consecutive days of flight but they haven't had 30 days of weather that would permit flight. For inspection purposes, the flight logs could be checked.

Christensen asked about the Powder Mountain agreement.

Mr. Lockwood stated that Powder Mountain reached out to them for an agreement and he gave the agreement details.

White stated that it sounds like they are operating in the new area without a permit.

Mr. Lockwood stated that they are not skiing in those areas commercially.

Christensen asked about Powder Mountain's non-compliance.

Mr. Lockwood stated he doesn't know anything about Powder Mountain's non-compliance.

Harrild stated that both businesses would need to be in compliance with their CUPs to operate their businesses.

Mr. Lockwood stated that the agreement with Powder Mountain is very advantageous for Whisper Ridge.

Gunnell asked about the wildlife issues and the road.

Mr. Lockwood pointed to the map on the screen and showed where the bomb caches and the groomed trails are located.

Christensen asked Mr. Lockwood to point out the boundaries.

Mr. Lockwood stated that the portion of the land in the white outline is the new property and that there is about 5 miles between the two pieces of property that they are using and want to use. Whisper Ridge does not need to use the road on the State's property where they can access that portion through Powder Mountain.

Christensen stated the conditions for the current CUP must be met and the new area cannot be used until it has been approved.

Mr. Lockwood stated that they haven't knowingly been out of compliance but they want to be in compliance with the permit.

White stated his biggest concern is that operations are happening on ground that is unpermitted right now.

Christensen asked if he would stop operating on the new area.

Harrild stated Whisper Ridge had to stop operating on the new area now because he doesn't have a permit.

Mr. Lockwood asked if that meant he couldn't go on the property at all.

White stated that Mr. Lockwood can't use the property with paying customers.

Harrild stated he cannot bring clients in and operate under Whisper Ridge. If the property owner is skiing himself on the property, there is no issue.

Mr. Lockwood stated there are plans for the property to be used commercially for Whisper Ridge.

Pam Kramer stated she is with the Department of Wildlife Resources and went over the DWR's concerns with the property and the road.

Gunnell asked about the definition of motorized vehicles and how the helicopter skiing affects wildlife.

Ms. Kramer stated motorized vehicles aren't permitted. Helicopters can affect wildlife. Usually it is moose in this area during the winter time.

Watterson asked if there were any right-of-ways Ms. Kramer is aware of on the property and the road.

Ms. Kramer stated there are right-of-ways up there but they are not very clear.

Parker asked about signage.

Ms. Kramer stated there is signage stating no motorized vehicles and the DWR has worked with Powder Mountain about access from their property for motorized vehicles and skiing.

Christensen asked how many acres the DWR has up there.

Ms. Kramer commented the new area is 200 acres.

The **Commission** and **Staff** discussed the conditions. Adding a condition #10 regarding the road across state property was discussed. The cabin was discussed and if using the cabin as housing for staff is in violation of the conditional use permit.

Mr. Lockwood asked about the cabin.

Harrild stated the initial application did not include the cabin and the cabin cannot be used under the existing CUP.

Mr. Lockwood asked about the La Plata property, which is the subject the CUP 2nd Amendment request.

Harrild stated the property cannot be used commercially but Mr. Lockwood can go to the property as a property owner.

Mr. Lockwood talked about coming into compliance and what his intent was with applying for the CUP 2nd amendment request.

Parker** motioned to approve the Whisper Ridge Conditional Use Permit 2nd amendment with the stated findings of fact, 9 edited conditions and the addition of condition #10 regarding access across state lands, and the 2 conclusions as written; **Watterson** seconded the motion; **Passed 6, 0.

07:32:00

#4 Buena Vista Ranch Subdivision

Harrild reviewed the Buena Vista Ranch Subdivision staff report.

Olsen** motioned to approve a six month extension for the Buena Vista Ranch Subdivision; **Watterson** seconded; **Passed 6, 0.

07:34:00

Harrild reminded the Commissioners about the meeting with the County Council on Tuesday, Feb. 12, 2019 at 3:00 p.m.

07:35:00

Adjourned