

1 **MINUTES OF THE CENTRAL WASATCH COMMISSION MEETING HELD MONDAY,**
2 **DECEMBER 3, 2018 AT 4:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL**
3 **CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD**
4 **HEIGHTS, UTAH**
5

6 **Present:** Commissioner Chris McCandless, Commissioner Mike Peterson,
7 Commissioner Ben McAdams, Commissioner Andy Beerman, Commissioner
8 Chris Robinson, Commissioner Harris Sondak, Commissioner Jeff Silvestrini,
9 Commissioner Carlos Braceras, Commissioner Jim Bradley
10

11 **Staff:** Executive Director Ralph Becker, Deputy Director Jesse Dean, Legal Counsel
12 Shane Topham, Communications Director Lindsey Nielsen
13

14 **Excused:** Commissioner Jackie Biskupski
15

16 **A. OPENING**
17

- 18 **i. Commissioner McCandless will conduct the meeting as Chair of the Board of**
19 **Commissioners (“Board”) of the Central Wasatch Commission (“CWC”).**
20

21 Chair Chris McCandless called the meeting to order at 4:00 p.m.
22

- 23 **ii. The Commission will Consider Approving the Meeting Minutes of the Central**
24 **Wasatch Commission Board Retreat, October 19-20, 2018.**
25

26 **MOTION:** Commissioner Beerman moved to approve the minutes of the retreat held on October 29
27 and 20, 2018. The motion was seconded by Commissioner Silvestrini. The motion passed with the
28 unanimous consent of the Commission.
29

- 30 **iii. The Commission will Consider Approving the Meeting Minutes of Monday,**
31 **November 5, 2018.**
32

33 **MOTION:** Commissioner Peterson moved to approve the minutes of the meeting of November 5,
34 2018. The motion was seconded by Commissioner Beerman. The motion passed with the unanimous
35 consent of the Commission.
36

- 37 **iv. The Commission will Consider Approving the Meeting Minutes of Monday,**
38 **November 19, 2018.**
39

40 **MOTION:** Commissioner Bradley moved to approve the minutes of the meeting of November 19,
41 2018. The motion was seconded by Commissioner Braceras. The motion passed with the unanimous
42 consent of the Commission.
43

44 **B. PUBLIC COMMENT**
45

46 Brian Drinkard had numerous concerns and considered a 79,000-acre recreational area without roads,
47 grazing, and timber harvesting to be dangerous. He noted that when the Town of Alta asked not to
48 be included in the NCRA, it was not. However, when the Town of Brighton asked not to be included,

1 it was. He questioned the reasoning behind that. Mr. Drinkard noted that Big Cottonwood Canyon's
2 ski resorts are too small to warrant mass transit. Brighton has a 1,000-acre ski area, Solitude has
3 1,200 acres, and Powder Mountain has 8,500 acres. Mr. Drinkard commented that Powder Mountain
4 limits its crowd size by selling only 1,500 tickets each day and limits season pass sales to 3,000.
5 Skiers complain of congestion so he questioned why the state should invest hundreds of millions of
6 dollars in mass transit to bring more customers to overcrowded and collision-prone ski slopes in Big
7 Cottonwood Canyon. He questioned who the mass transit is for since the average citizen cannot
8 afford to ski. He questioned whether the CWC will support the ski resorts in being water independent
9 from Salt Lake City's unjust watershed bullying. Mr. Drinkard considered the NRCA bill to be phony
10 and dangerous and an effort to promote a monopoly. His written comments were submitted and made
11 part of the record.

12
13 John Anderson commented that the Mountain Accord was established to make critical decisions and
14 implement solutions to preserve the Wasatch and ensure its long-term vitality. After five years and
15 \$9 million he was aware of no critical decision made by the Mountain Accord or the Central Wasatch
16 Commission. He suggested they look beyond the cliché of protecting the canyons and see that the
17 person who has benefited financially from the problem created it. Ralph Becker, who served as the
18 Mayor of Salt Lake City for eight years, had effective control of the canyons. During that time he
19 did not solve any canyon problems but benefited financially by receiving political contributions from
20 Snowbird. Over an eight-year period, Ralph Becker will make \$1 million from the CWC for the
21 canyon problem he helped create. He has been before the Brighton Community Council on two
22 occasions and each time they denied the new federal legislation, which would create a 79,000-acre
23 area that is roadless and with no grazing or timber harvesting which provides for fewer recreation and
24 conservation opportunities. The Cardiff Canyon Owners Association denied the request as has Alta
25 Ski Lifts and 20% of the landowners in the Canyon. Snowbird expressed their support and want a ski
26 resort and building development monopoly in the canyons. Mr. Anderson commented that the
27 taxpayers should not be paying Ralph Becker to lobby for Snowbird. Instead, Mr. Anderson
28 suggested Mr. Becker work for Snowbird directly. Mr. Anderson questioned how Utah will compete
29 with Colorado for ski dollars. Colorado has 11 times the Forest Service permitted ski resort land than
30 Utah and the CWC is lobbying for new federal legislation to prohibit the Forest Service from any ski
31 resort expansion in the Central Wasatch forever.

32
33 Brian Hutchinson agreed that there is a lot of traffic in the canyons. When visiting the canyon over
34 the weekend, he chose to go up around 11:00 a.m. when traffic was lighter. He commented that mass
35 transit is needed for the entire valley. He spent time at schools on the east and west sides of the valley
36 and found that students on the east side reported that they have been skiing while those on the west
37 have not. He considered that to be a problem and a situation that is being ignored. He stressed the
38 importance of making the canyons available to everyone, especially young people. Mr. Hutchinson
39 reported that the carrying capacity has been reached at the ski resorts during key periods.

40
41 Patrick Shea gave his address as 2568 South Elizabeth Street #3 in Salt Lake City and reported that
42 an Environmental Impact Statement is being proposed and amended. It seemed to him that the CWC
43 would not be fulfilling its obligations to the residents unless the amendment includes an analysis of
44 the visitor capacity for both Little and Big Cottonwood Canyons. He was aware that there had been
45 a great deal of emphasis on the transportation component but bringing a large number of people to
46 the area will have a detrimental effect on the watershed. He suggested they conduct the analysis to
47 determine what the visitor capacity could be without having an adverse impact on the water shed. He
48 urged the CWC to seek approval from UDOT and UTA to include that as part of their analysis.

1
2 There were no further public comments. The public comment period was closed.

3
4 **C. COMMISSIONER COMMENT**

5
6 Chair McCandless commented that Executive Director, Ralph Becker, has done an outstanding job
7 and works countless hours. He personally values his guidance and assistance. The CWC has only
8 been in business since November 2017 and Chair McCandless acknowledged that it is difficult to
9 start a government system from scratch. Without the assistance of Mr. Becker and staff, it would
10 have been very difficult. He applauded them for the work they are doing. He stressed that the job of
11 the CWC is not to take sides. Recently the environmental community has been accused of bullying
12 and there have been claims that the CWC is making decisions in their favor based on intimidation.
13 Chair McCandless reported that he is a real estate developer by profession and is usually at odds with
14 the environmental community. In this instance, their interactions have been positive. His opinion
15 was that disparaging people does not further their collective goal or serve a purpose.

16
17 **D. PRESENTATION ON 2017-18 CENTRAL WASATCH COMMISSION AUDIT**

18
19 **i. Audit Presentation by Greg Ogden, CPA on Financial Statements of the**
20 **Governmental Activities, and the Business-Type Activities, of the CWC as of and**
21 **for the Fiscal Year ended June 30, 2018, and the Related Notes to the Financial**
22 **Statements, which Collectively Comprise the CWC's Basic Financial Statements.**

23
24 CWC Attorney Shane Topham reported that governmental entities, including interlocal entities such
25 as the Central Wasatch Commission, are required to conduct an independent audit of their books and
26 records annually. That needs to be completed before the end of December. The Board approved a
27 contract with an auditor several months earlier who has worked closely with CWC Finance Director
28 Dave Sanderson.

29
30 Mr. Sanderson reported that during the RFP process, four responses were received. Greg Ogden was
31 retained to perform the work. Mr. Ogden reported that there was a significant amount of revenue and
32 very little expense. At the end of June 2018 they were in very good financial shape. Revenue was
33 generated in the form of member dues totaling \$1.7 million with expenses of \$78,654. Mr. Ogden
34 examined the State requirements and found the CWC to be in full compliance. He explained that
35 typically a Management Letter is prepared as part of the audit that includes findings. In this case,
36 there were none.

37
38 Commissioner Robinson inquired about in-kind contributions. Mr. Ogden explained that UTA
39 provided in-kind bus services. The attorney fees were related to the Metropolitan Water District of
40 Salt Lake City and Sandy.

41
42 Commissioner Sondak referenced page 9, which lists the members of the CWC and asked for
43 clarification. Mr. Ogden explained that the list includes any group that has an interest in the
44 Commission or that donates to it. Mr. Topham suggested that the list be modified to reflect the actual
45 membership as opposed to the donors. Commissioner Robison pointed out that some entities, such
46 as Summit County and Millcreek, did not become members of the CWC until after the effective date
47 of the audit.

1 **MOTION:** Commissioner Robison moved that the audit be corrected to specify which governmental
2 entities were financial contributors to the Central Wasatch Commission as of June 30, 2018.
3 Commissioner Sondak seconded the motion. The motion passed with the unanimous consent of the
4 Commission.

5
6 **E. DISCUSSION AND ADOPTION OF A REGULAR MEETING SCHEDULE FOR 2019**
7 **– CWC Executive Director Ralph Becker and CWC Attorney Shane Topham.**

8
9 **i. Consideration of RESOLUTION 2018-31 Adopting an Annual Meeting Schedule**
10 **for the CWC for 2019.**

11
12 **MOTION:** Commissioner Bradley moved to adopt Resolution 2018-31 adopting an Annual Meeting
13 Schedule for the CWC for 2019. Commissioner Peterson seconded the motion. Vote on motion:
14 Commissioner Bradley-Aye, Commissioner Braceras-Aye, Commissioner Peterson-Aye,
15 Commissioner McAdams-Aye, Chair McCandless-Aye, Commissioner Sondak-Aye, Commissioner
16 Beerman-Aye, Commissioner Robinson-Aye, Commissioner Silvestrini-Aye. The motion passed
17 unanimously.

18
19 Commissioner Sondak thanked Mayor Peterson and the City of Cottonwood Heights for allowing the
20 CWC to use their space.

21
22 **F. EXPRESSION OF APPRECIATION TO COMMISSIONER BEN MCADAMS FOR**
23 **HIS SERVICE TO THE CWC, ACCEPTANCE OF HIS RESIGNATION AS**
24 **SECRETARY OF THE CWC, AND ELECTION OF A REPLACEMENT AS**
25 **SECRETARY OF THE CWC.**

26
27 Executive Director, Ralph Becker, congratulated Commissioner McAdams on his recent victory and
28 looked forward to working with him in his new position serving on the U.S. House of Representatives.
29 He described their dealings and has admired his commitment to the public interest. He expressed
30 appreciation to Commissioner McAdams for his effort and wished him the best of luck in the future.

31
32 Commissioner Bradley commented that Commissioner McAdams will be sincerely missed in the
33 leadership of Salt Lake County where he has done an excellent job. He stated that his efforts have
34 affected the quality of life in the community in a very positive way.

35
36 Commissioner Peterson stated that as a lifelong parks and recreation practitioner he found it
37 refreshing to see elected officials who are sensitive to political needs as well as the needs of their
38 constituents. Over the years he has found Mayor McAdams to be extremely sensitive to local control
39 over municipalities. He commended him also for aggressively listening and wished him well.

40
41 Chair McCandless was pleased to see party politics have less of an influence in this instance and
42 wished him success. He expressed his support and stated that Commissioner McAdams has done a
43 very good job for the CWC. Chair McCandless was confident that he can duplicate what has been
44 accomplished in Salt Lake County in his new role.

45
46 Commissioner Beerman thanked Commissioner McAdams for his leadership. He inherited the effort
47 shortly after he came into office. Prior to Mountain Accord, it was a “shaky” effort with the goal
48 being to work toward solving transportation issues and protecting the water shed. Commissioner

1 McAdams quickly took on the Chair role and made it a priority and demonstrated strong leadership.
2 He wished him the best of luck.

3
4 **MOTION:** Commissioner Beerman moved that at the next meeting a resolution of appreciation be
5 passed for Congressman Ben McAdams in recognition of his work with the Mountain Accord,
6 establishment of the Central Wasatch Commission, and as a member of the Central Wasatch
7 Commission. Commissioner Robinson seconded the motion.

8
9 Commissioner Robinson noted that Commissioner McAdams' wife, Julie, hails from Coalville.

10
11 Commissioner Silvestrini recognized Commissioner McAdams as someone who gets things done and
12 stated that he has had a number of remarkable ideas and visions for the County. He has also done a
13 great job of executing that vision.

14
15 The motion passed unanimously with Commissioner McAdams abstaining from the vote.
16 Commissioner McAdams was given a round of applause.

17
18 Commissioner McAdams tendered his resignation as a result of his new position. He commented that
19 he truly cares about the work he is involved in and he stressed the importance of the work of the
20 CWC. He hoped to be in a position to further advance the work the CWC is doing and provide support
21 in a different capacity. Chair McCandless accepted Commissioner McAdams' resignation.

22
23 Chair McCandless indicated that as a result of Commissioner McAdams' departure it would be
24 necessary to appoint a new Secretary to the CWC.

25
26 **MOTION:** Chair McCandless nominated Commissioner Robinson to be appointed to serve as the
27 Secretary of the CWC. Commissioner Robinson accepted the nomination. There were no other
28 nominations. The nominations ceased. Commissioner Silvestrini seconded the motion. Vote on
29 motion: Commissioner Bradley-Aye, Commissioner Braceras-Aye, Commissioner Peterson-Aye,
30 Commissioner McAdams-Aye, Chair McCandless-Aye, Commissioner Sondak-Aye, Commissioner
31 Beerman-Aye, Commissioner Robinson-Aye, Commissioner Silvestrini-Aye. The motion passed
32 unanimously with Commissioner Robinson abstaining from the vote.

33
34 **G. DISCUSSION AND ACTION ON PROPOSED AMENDMENT TO A CONSULTING**
35 **AGREEMENT WITH THE BRENDLE GROUP, INC. UPDATING THE SCOPE OF**
36 **WORK CONCERNING THE ONLINE ENVIRONMENTAL DASHBOARD –**
37 **Communications Director Lindsey Nielsen and Deputy Director Jesse Dean.**

38
39 **i. Consideration of RESOLUTION 2018-32 Approving an Amendment to the**
40 **Consulting Agreement with The Brendle Group, Inc. updating the scope of work**
41 **concerning the Online Environmental Dashboard.**

42
43 Communications Director, Lindsey Nielsen, reported that the above matter will be postponed until
44 the next meeting. She explained that the project has been on hiatus for a very long time and will take
45 time to bring everyone up to speed.

46
47 Commissioner Beerman recalled that when they worked on the environmental dashboard a few years
48 earlier, his recollection was that they were beginning to collect baseline data. Deputy Director Jesse

1 Dean explained that they originally amended the scope of work with The Brendle Group, who is the
2 contractor hired to take the dashboard from a written tool to a living online resource. The challenge
3 pertained to amending the scope of work and making sure that all of the parties are still willing to
4 contribute what they committed to prior to the CWC being staffed. Commissioner Beerman
5 considered the dashboard to be critical and was eager to move it forward.

6
7 **MOTION:** Commissioner Beerman moved to continue the above matter to a later date. The motion
8 was seconded by Commissioner Silvestrini. The motion passed with the unanimous consent of the
9 Commission.

10
11 **H. DISCUSSION AND ACTION ON PROSPECTIVE STAKEHOLDER COUNCIL**
12 **MEMBERS – Deputy Director Jesse Dean.**

13
14 **i. Consideration of RESOLUTION 2018-33 Appointing the Initial Officers and**
15 **Members of the CWC Stakeholder Council.**

16
17 Mr. Dean described the purpose of the Stakeholder Council and explained that it is based on direction
18 from the Interlocal Agreement. The 28 to 35-member advisory panel will report on the Central
19 Wasatch Commission’s daily efforts, undertake projects, and give direction to staff and the Board.
20 Over 100 applications were received between September 1 and October 1. They ultimately worked
21 as a Steering Committee comprised of staff from Salt Lake County, Salt Lake City, Park City, and
22 Summit County to provide recommendations to the Executive Committee. Mr. Dean reported that
23 they have an exceptional applicant pool, which made it challenging to reduce it to even 35 members.
24 The Steering Committee balanced educational and professional backgrounds and conservation,
25 recreation, private, and community interests.

26
27 Chair McCandless reported that 41 individuals were identified as exceptional; however, to extend the
28 number beyond 35 would require a change to the Interlocal Agreement, which is difficult and time
29 consuming. The second option was to allow alternates, which is not provided for in the Interlocal
30 Agreement. Ultimately, 35 names were presented for approval to serve on the Stakeholder Council.

31
32 Mr. Dean explained that the names listed represent the various interests. If approved, a notice will be
33 sent out with more details on the background of each member. In January, recommendations will be
34 made to the Board for Chair and Vice Chair. It was noted that a formal meeting schedule had not yet
35 been adopted. Chair McCandless also suggested that a different dais be found. Mr. Dean offered to
36 research other options that do not tax Mayor Peterson’s staff.

37
38 It was reported that the categories of the interest groups included those with educational/professional
39 backgrounds, professional expertise, conservation/recreation/private/community interests, and
40 private property owners. It was clarified that there will not be a majority rule on the Stakeholder
41 Council. The intent was for the group to be diverse and willing to hear all opinions. Mr. Dean noted
42 that additional public comment will not be precluded. They also intend to focus on the Interlocal
43 Agreement. He explained that specific objectives have been outlined for the Stakeholder Council.
44 For example, members agree to support a consensus-based process for issues impacting the project
45 study area, share information, be collaborative, and allow others to express their opinions and
46 viewpoints.

1 Commissioner Sondak asked if the group will devise and agree on its own operating schedules.
2 Mr. Dean responded that the staff will propose a fleshed out version of the Interlocal Agreement that
3 includes the meeting schedule and possible topics that could be included. They also expect the group
4 to be slightly flexible in terms of addressing issues. Mr. Topham explained that going forward the
5 board will have the ability to formulate rules of procedure.

6
7 Commissioner Bradley commented that it was difficult to determine who should serve on the board
8 due to the caliber of the applicants. The group will increase the opportunity of the CWC to make
9 good decisions.

10
11 Mr. Dean indicated that the CWC may wish to have a Commission Member participate in Stakeholder
12 Council Meetings on behalf of the Commission. Chair McCandless suggested that be addressed in
13 January when officers are appointed. Mr. Dean stated that it was anticipated that the role of the Chair
14 and Vice Chair will also be able to regularly update the Commission.

15
16 Commissioner Braceras suggested that if a Commission Member is chosen to represent the
17 Commission on the Council that it be in an observation capacity.

18
19 Commissioner Silvestrini envisioned the Stakeholder Council being divided into a committee
20 structure based on interests, which may necessitate the involvement of three or four Commission
21 Members.

22
23 Mr. Dean informed the Commission that per the Interlocal Agreement, the Stakeholders will serve
24 two and four-year terms.

25
26 **MOTION:** Commissioner Sondak moved to pass Resolution 2018-33 appointing members to the
27 Stakeholder Council. Commissioner Peterson seconded the motion. Vote on motion: Commissioner
28 Bradley-Aye, Commissioner Braceras-Aye, Commissioner Peterson-Aye, Commissioner McAdams-
29 Aye, Chair McCandless-Aye, Commissioner Sondak-Aye, Commissioner Beerman-Aye,
30 Commissioner Robinson-Aye, Commissioner Silvestrini-Aye. The motion passed unanimously.

31
32 Commissioner Peterson thanked the Steering Committee who reviewed over 100 applications and
33 established criteria to evaluate each before presenting the 50 highest rated.

34
35 **I. STAFF MONTHLY REPORT**

36
37 **i. Presentation by Executive Director Ralph Becker of his Monthly Report.**

38
39 Mr. Becker reported that there have been two Commission meetings this past month with the focus
40 being on whether to adopt a recommendation to move the federal legislation forward. Much of staff's
41 attention focused on consensus legislation and several Commission Members were directly involved
42 in that effort. The previous week Commission representatives, staff, and interested stakeholders were
43 in Washington, D.C. meeting with the Congressional delegation to present the results of their work
44 and ask for their support of the legislation.

45
46 Mr. Becker indicated that while they have been working with each issue dating back to HR 5718, a
47 dominating issue for consideration was how to address the Alta Ski Lifts/Grizzly Gulch issues. The
48 intensity and effort beginning in June was unabated and all were still working toward solutions. Those

1 interested were invited to visit the Central Wasatch Commission’s website, which is updated daily
2 and contains the legislation as well as chronologies, public comments, and efforts involved in getting
3 to this point.
4

5 Mr. Becker remarked on Commission comments pertaining to the Alta Ski Lifts/Grizzly Gulch issue
6 that includes a five-page chronology of the ongoing communications and efforts to find a different
7 solution. He explained that the only acceptable result to move forward must reflect the overall
8 interests of the mountains, remove the Town of Alta and Alta Ski Lifts from the designation area, and
9 hold the Alta Ski Lifts proposals harmless in terms of an ability to move forward administratively
10 outside of the context of the legislation.
11

12 Staff had also been working on the environmental dashboard. They received an incredible offer from
13 ESRI, the GIS provider to 80% of the world, that uses computer mapping. They offered to provide
14 assistance on a pro bono basis. The desire was to create a functioning online dashboard with updated
15 information as it comes on line. Mr. Becker stated that the value of the service is worth six figures.
16

17 Mr. Becker commented on the offer from Commissioner Braceras to have the CWC assume a co-lead
18 role in a transportation corridor plan, which would allow for consideration of broader range of
19 transportation decisions. Staff had been in contact daily with John Thomas who has been heading up
20 the effort. He expressed gratitude for the opportunity and expected to report back to the Commission
21 in January with a firm action plan.
22

23 Mr. Dean recalled that public comment was made that mentioned that the CWC, in partnership with
24 UDOT, should make sure that the corridor planning study addresses more than just transportation and
25 roads. They met with Mr. Thomas and others to ensure that it is a comprehensive effort and considers
26 the impacts on the environment.
27

28 **J. ADJOURNMENT**
29

30 **MOTION:** Commissioner Braceras moved to adjourn. The motion passed with the unanimous
31 consent of the Board.
32

33 The Central Wasatch Commission Meeting adjourned at 5:21 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Central*
2 *Wasatch Commission Meeting held Monday, December 3, 2018.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____