



Utah Quality Growth Commission
C/O Governor's Office of Planning and Budget
150 State Capitol
Salt Lake City, UT 84114
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Utah Quality Growth Commission

Jaren Davis, Chair
Flint Richards, Vice Chair

John Bennett, Executive Director

MEETING MINUTES
Wednesday, May 27, 2009, 11:00 AM,
Room 140
Utah State Capitol Building
Salt Lake City, UT, 84114

Commission Members Attending

Flint Richards, Vice Chairman
JT Martin, Salt Lake City Council
Mike Kohler, Wasatch County Council
Justin Allen, Centerville City Council, by phone
Laraine Swenson, Logan City Council
Sally Elliott, Summit County Council
Reed Erickson, Member at Large
Rob Dubuc, Association of Home Builders
Leonard Blackham, Commissioner of Agriculture

Staff Present

John Bennett, Executive Director

Visitors Present

Val John Halford, Wasatch Front Regional Council

1. **Welcome and Introductions,** Flint Richards, Vice Chair, 5 Minutes
Vice Chairman Richards welcomed all the attendees to the meeting

2. **Public Comments,** Flint Richards, Vice Chair, 5 Minutes

Vice Chairman Richards invited those members of the public who were present to comment. No comments were made.

3. **Approve Minutes from April, 2009 Meetings,** Flint Richards, Vice Chair, 5 Minutes
ACTION ITEM: Approve Minutes

Sally Elliott moved to approve the minutes with one change. Mike Kohler was excused from the meeting and should be listed as such. Laraine Swenson seconded the motion. It carried with nine members voting aye.

4. **Election of New Commission Officers,** John Bennett, 15 Minutes

ACTION ITEM: Elect new Officers

Vice Chairman Richards turned the meeting over to John Bennett, Executive Director of the Commission to conduct the election. Mr. Bennett explained that the bylaws allow the Commissioners to elect a chair and a vice chair and any other officers they wish. He explained that the other two officers were the chairs of the Critical Lands Subcommittee, and the Chair of the Planning Subcommittee. Current Mike Kohler is Chair of Critical Lands, and Justin Allen is Chair of Planning.

Mr. Bennett asked for nominations for the position of Commission Chair. Mike Kohler nominated Flint Richards as Chairman; the nomination was seconded by Rob Dubuc. Flint Richards was elected Chairman with nine members voting affirmatively.

Sally Elliott nominated JT Martin as Vice Chairman. Mike Kohler seconded the nomination. JT Martin was elected Vice Chairman with nine votes in the affirmative.

Sally Elliott moved that the Commission retain the current committee Chairs, Mike Kohler as Chair of the Critical Lands Committee, and Justin Allen as Chair of the Planning Committee. JT Martin seconded the motion. It was approved with nine members voting in the affirmative.

5. Work Plan Discussion John Bennett, 40 Minutes

The Commission is scheduled to make a report to the Political Subdivisions and Government Operations Interim Committee In September. Throughout the summer the Commission will be working on various projects. The Commission will be discussing what its priorities will be.

- Quality Growth Communities, 10 Minutes
- Conservation needs and issues 10 Minutes
- Planning needs and issues 10 Minutes
- LeRay McAllister Program 10 Minutes

John Bennett discussed with the commissioners the four focuses of work over the next several months. He indicated that the commission will report to the legislature in September, and prior to that should work on identifying planning and conservation needs and issues across the state as well as trying to revitalize the Quality Growth Communities Program

Mr. Bennett indicated that we have two standing subcommittees currently. They are the Planning Subcommittee chaired by Justin Allen, and the Critical Lands Subcommittee Chaired by Mike Kohler. He indicated that the Critical Lands group deals with the LeRay McAllister Program, and the Planning Grant program deals with planning grants when we have them. He recommended that Quality Growth Communities and planning needs and issues be assigned to the planning subcommittee, and that conservation needs and issues be assigned to Critical Lands Along with the LeRay McAllister Program.

Mr. Bennett indicated that he had already spoken to the usual groups who bring projects to the LeRay McAllister Fund, but he wanted to talk with others such as the Department of Agriculture about agricultural land conservation. Commissioner Blackham asked Mr. Bennett and others to participate in a subcommittee of the Utah Conservation Commission that was discussing agricultural conservation easements and other issues. Mr. Bennett agreed to participate in the subcommittee to help identify some of these needs and issues. Commissioner Blackham indicated that they are working on the following: What should easements look like, should easements be perpetual or for a shorter period? And, what is the priority for agricultural

preservation, where should we put our money? He thought it was timely that the Commission would be discussing these issues at the same time this committee is meeting. Commissioner Blackham encouraged the counties and cities to use their conservation districts to get information about agriculture and conservation in their communities. Mr. Bennett indicated that the staff had been meeting regularly with the conservation districts, but that he would encourage additional consultation.

Reed Erickson asked Commissioner Blackham what the purpose of the committee was. He indicated that they would look at several issues such as funding, and legislative outreach as well as outreach to the agricultural community. He reminded the commission that many farmers have a love/hate relationship with conservation easements. They hesitate to give up the development rights, but they recognize that they may be the only tool available to protect important agricultural lands.

Mr. Bennett indicated that he would like to talk with farmers about term easements. He indicated that he saw the benefit of term easements in some situations, but he indicated that the major funders of easements such as the federal government don't fund term easements, so some help in thinking through the funding of these easements could be a good thing. Commissioner Blackham indicated that perhaps an account could be established that paid the proceeds on an annual basis so that there would be an ongoing source of funds to operate the farm. This could apply both to term easements and perpetual easements. The proceeds from this account would remain with the land and would provide ongoing support for the farmer even when the land was sold.

Vice Chairman Richards indicated that the commission has done easements to help some farmers expand their holdings and get bigger, which is the way farming is going. But, he is concerned that what happens to the next generation that finds itself landlocked, and it can't expand. Mr. Bennett responded that we need to be very careful to try to conserve contiguous or nearly contiguous parcels together so that you establish a critical mass of agricultural land in an area. If you have 50 or 100 acres surrounded by development, that may not be viable, unless a farmer is willing to change the type of agriculture he is doing. That might work for intensive growing of vegetable in greenhouses, or perhaps for nursery stock, but it won't work for hay or some other crops. Vice Chairman Richards indicated that we have done a good job of tying together properties at the south end of Cache Valley, but we may have trouble with some easements we are asked to do in other areas.

Vice Chairman Richards indicated that he had not seen other counties doing the same thing. Mr. Bennett indicated that the LESA system they have their helps them to identify the areas they want to conserve and prioritize the best parcels. Reed Erickson wondered how that worked. Laraine Swenson indicated that it helped to prioritize parcels by identifying those with the best soils and other agricultural value.

Mr. Bennett explained that the LESA system was created with a grant from the Commission. He indicated that it has its limitations. Currently it values crop land above range land. The Commission may want to fund a range land piece for other values, but its useful to have information about the property and to objectively establish some of the agricultural values on the property.

Quality Growth Communities

Mr. Bennett indicated that this was a visionary program at the time it was adopted. The basic notion is to look at the State's investment in infrastructure and try to bring that into alignment

with principles of Quality Growth. Mr. Bennett indicated that he would like the Commission to work on revitalizing the program, including working with the Legislature and the various committees that run this program to try to improve and expand its reach.

Mr. Bennett explained that when the program was initially launched, the legislature indicated that they were not sure that the Commission had the authority to do it. So, the program was launched under the authority of the State Planning Coordinator who then asked the commission to assist him in fulfilling this responsibility. When the new governor came in, he did not appoint a state planning coordinator immediately, and so the program languished for a while until Mike Mower was appointed as State Planning Coordinator. Mr. Bennett indicated that he felt we needed to go and visit all the boards and Commissions again, and work with the legislature to get their buyoff on the program so that the Commission could do it on its own authority.

John Bennett indicated that he would have a presentation on the SUPER Tool at the next meeting. Reed Erickson indicated that that presentation should include the Spatial Growth Model as well.

Laraine Swenson suggested including the regional visioning efforts of Envision Utah in these requirements and finding ways to tie all these things together.

Sally Elliott indicated that she had enjoyed the Governors Quality Growth Awards and wanted us to continue to participate. Mr. Bennett said that we normally take the lead on the Critical Lands piece of the awards and we should be working on that for next spring. Sally Elliott asked that that be put on the agenda for a future meeting prior to the time when the decision needs to be made.

6. Bills of interest and Commission Funding Update after Special Session,
John Bennett, 10 minutes

John Bennett referred the commissioners to HB 1001. This bill replaces HB 156 which the governor vetoed during the legislative session. Staff was told that we needed to get together with the sponsor and try to work something out, or they would override the veto. What this does is that it modifies the subdivision ordinances in counties of the 3rd through 6th class to allow one lot per hundred acres of property on an agricultural parcel. It allows the counties to regulate for health and safety, but those regulations are to be enforced at the building permit counter only.

Counties need to get an ordinance in place defining the reasonable health, safety and access rules that will be applied to these lots before Oct. 1, 2009

Mr. Bennett also mentioned the changes to the LeRay McAllister Fund. In the general session, the fund was eliminated and replaced with the LeRay McAllister program. The reason for the change is that there were government accounting changes that required it. The result is that we will not have the interest on the fund to use in the future.

7. Administrative Matters: Next meeting tentatively scheduled for June 24, 2009, Location:
Cedar City