

Beth Robrahn

From: Carol Brown
Sent: Tuesday, August 23, 2011 6:12 PM
To: Beth Robrahn; Fritz Haemmerle; Heather Dawson; Martha Burke; Rick Davis; Don Keirn
Cc: Ned Williamson
Subject: FW: QUIGLEY Situation, Aug 2011 Comments

Some comments from Greg Travelstead, Bill Hughes, and Scott Phillips. They are in the trailing messages, below. For the public record. cb

Carol Brown - Hailey City Council (208) 788-4221
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From: billy [wilfrahug@cox.net]
Sent: Tuesday, August 23, 2011 2:05 PM
To: Carol Brown
Subject: Fw: QUIGLEY Situation, Aug 2011= = A great letter already submitted by Billy Hughes

----- Original Message -----

From: Scott Phillips<mailto:scottyphi@cox.net>
To: Greg Travelstead<mailto:gtravelstead@evergreen-advisors.com>
Cc: billy<mailto:wilfrahug@cox.net>
Sent: Monday, August 22, 2011 7:51 AM
Subject: Re: QUIGLEY Situation, Aug 2011= = A great letter already submitted by Billy Hughes

Thank You Greg for this superb input. YES, Billy's letter is so good. These legal points you raise below are also most helpful.

Good to talk with you again after a couple year hiatus. I will be in touch.

I have a phone call in to Phd Hydrologist Wendy Pabich to talk with her also. Her automatic response says she will be back on the 24th so that is good.

Scott

----- Original Message -----

From: Greg Travelstead<mailto:gtravelstead@evergreen-advisors.com>
To: Scott Phillips<mailto:scottyphi@cox.net>
Cc: billy<mailto:wilfrahug@cox.net>
Sent: Sunday, August 21, 2011 10:13 PM
Subject: Re: QUIGLEY Situation, Aug 2011= = A great letter already submitted by Billy Hughes

Scott,

Billy's letter is fantastic. I will also draft a letter after I get through a critical work day tomorrow (Monday 8/22). I did not see the developer's advert (I read the IME online). I will try to see if a copy is still lying around somewhere.

Unfortunately, I am out of town Monday 8/29, so cannot attend the public meeting. I will ask that my letter be read into the record though. I am going to focus on what I see as legal defects in the process thus far:

1. The present application is so wildly different from the version that went through the P&Z that it should be remanded there (unless the Council kills it on 8/29). It cannot be approved without a "do-over" through the P&Z process, as this is effectively a different land use proposal. It should not now be going directly to Council for consideration.
2. The sweeping modifications from the golf course plan to this higher density, lower amenity version occurred during closed meetings between staff and the developer (certainly not transparent and possibly a LLUPA violation).
3. Annexation is a privilege, not a right. There is no benefit to the citizens of Hailey from this development, thus there is no reason to waste effort on the process (as Billy so eloquently put it). There is no obligation for the City to even consider this application, and there is no legal recourse or appeal process for the developer if the City simply says "no".
4. If, for some unfathomable reason, the Council shows signs of wanting to proceed with this foolishness, they **MUST** demand that all annexation fees and reimbursements to Hailey for the perpetual cost of providing services be paid **IN ADVANCE** by the developer, so no more Sweetwater, Cutter's bullshit.

Thanks for stirring us up again!

Cheers,

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Greg Travelstead
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From: Scott Phillips <scottyphi@cox.net>
To: Scott Phillips <scottyphi@cox.net>
Cc: billy <wilfrahug@cox.net>
Sent: Sun, August 21, 2011 9:48:01 PM
Subject: QUIGLEY Situation, Aug 2011= = A great letter already submitted by Billy Hughes

To: Friends, neighbors, and citizens of East Hailey and greater Hailey Community and Blaine County who opposed annexation of Quigley Canyon into City of Hailey two years ago in 09 Sunday evening, Aug. 20th

As you know Quigley Canyon annexation is back on the table with a Public Meeting scheduled for Mon. Aug. 29th. The full page AD in last wed and fri Express from the developer is spin and fluff ---nonsense in my view. The issues remain the same as two years ago.

1. Unacceptable Traffic 2. Lack of Water for a massive development 3. Economic downturn and folly of a massive development in the current stark financial climate, both locally and nationally. 4. There are approx. 900 vacant lots within city boundaries 5. Hailey city cannot begin to keep up with financial and maintenance obligations already on it's plate!

To put a punctuation mark on the utter absurdity of Hailey City even considering annexing Quigley Canyon with 444 new homes! we have just witnessed the stark reality of the Cutter's bankruptcy (Mtn Express, front page article, Aug 17th) by the Campbells. Whether the City of Hailey will ever see the approx. \$850,000 (or a fraction thereof) owed by the developer, John Campbell is anybody's guess. That's almost a million \$\$\$\$ owed to WE the taxpayers.

We have all witnessed first hand the bitter results of both Sweetwater and Cutter's annexations by the City. Both ended badly for the City and Hailey taxpayers with law suits & counter suits, hugely expensive legal wrangling, and much associated stupidity. A potential catastrophic repeat must simply not be allowed by Hailey City with respect to Quigley Canyon.

Billy Hughes has asked me to forward the letter below which he has already sent to the City Council. It is superb. I am sending this to 20 individuals and families who I had on my email contact list from two years ago. Pls forward to others. I am starting work tomorrow on my own personal input to the City. By Tues. I will send that to you all.

I hope you will get involved immediately. Send your letter electronically to: >> planning@haileycityhall.org<<mailto:planning@haileycityhall.org>> or via US Mail: Hailey Community Development, 115 South Main St., Hailey, ID 83333

We can STOP a potentially tragic and ill-advised city annexation of Quigley. But every single concerned person needs to contact Hailey City Gov't ASAP and also personally attend the meeting on Monday 29th only 1 week away! (5:30pm @ City Hall) if you can.

This much I know with certainty: :
"You can't win unless you fight back."
Elemental. Very important.

Let's get on this ASAP and stop this blatant nonsense dead in it's tracks. It will take a team effort, just as in 2009. We have our core opposition group essentially in place and just need to get moving quickly . Let Developer David Hennessy deal with Blaine COUNTY!
He is in Blaine County and he can stay there.

Sincerely, Scott H. Phillips and William F. Hughes, East Hailey

Please phone me for further discussion on specifics. 788 4435 and/or email me at:

ScottyPhi@cox.net<<mailto:ScottyPhi@cox.net>>

Copy Billy Hughes: wilfrahug@cox.net<<mailto:wilfrahug@cox.net>>

Billy and I will be working together on this matter and we implore you to jump in and help us fight! That is what it takes these days.

A team effort will carry the day.

Pardon the length of this message---but it is very important for our community's future.

William F. Hughes excellent letter below - - - already sent to Hailey City:

A few thoughts:

Given current economic realities it appears irrational for the Council to continue to devote time and energy, and that of the staff and public, to further examination of annexation agreements. Any rational individual might assume the astounding and constantly expanding - through foreclosures - excess of inventory would preclude consideration of creating more. I believe the response of City infrastructure capacity to existing commitments is entirely unknown as a considerable percentage of housing remains uninhabited, while hundreds of platted lots within City Limits sit empty and covered with weeds.

Continuing dialogue on annexation is only about the positioning of these investments for some distant future extraction of value. Again, it is not the City's function to manage present or future risk for these investments. The best interests of citizens should take precedent over the interests of real estate investors in Connecticut or Chicago. Hailey doesn't have the resources to effectively manage existing problems associated with development it has already approved, to intentionally create more and bigger problems would be really really stupid!

The configuration and impacts of this latest proposal for Quigley are irrelevant, other than to acknowledge the applicant's obstinate refusal to remove all proposed residential development from sensitive wildlife areas - specifically Deadman's Gulch - as recommended by Idaho's Department of Fish & Game. Without access to Hailey's sewage system and effluent line, properties requesting annexation have little value at existing densities and no opportunity for adding any density. Hailey's current and future elected officials must always remember they negotiate from a position of great strength. Regardless of past posturing by County Officials, raising the specter of 2,300 single family dwellings out Quigley, the ACI insures Hailey will actively participate in any decisions on nearby development proposals in the County.

The withdrawal of established historic recreational access by both recent applicants requesting annexation is a sadly lame attempt at extortion, and a reflection of investor insensitivity and indifference to quality of life issues in our community.

There are no benefits sufficient for Hailey to assume the risks associated with any annexations at this uncertain space in time. Non-profit agendas are also irrelevant, any related objectives remaining separate from the City's business in representing the best interests of all citizens. If the Land Trust can raise the money to buy these properties, I would encourage them to do so. If I had any money, I would contribute to such an effort. According to individuals familiar with the local market, vacant land is worth 25% to 30% of its peak value five or six years ago.

We have cracked open enough eggs. Some of them are rotting while we continue to babble incoherently about sustainability, the actual practice of which eludes us. There is no crystal ball. It would be irresponsible for the sitting Council to tie the hands of future Councils who will have the advantage of making important land use planning decisions in the context of existing realities, not those presumed by some Council a decade or two prior. Ask John Campbell about signing agreements based on assumptions about the future. Such is the nature of speculation, an activity the City should be eager to avoid. While thoughtful consideration of and planning for the future can be healthy, for the City to wager heavily on distant outcomes is foolhardy, inviting disaster.

Often a simple "no", while disappointing, can be the kindest and most appropriate response to an unreasonable request. A period of debt-fueled, malignant growth has concluded. Perhaps the City and its citizens would be best served by taking this opportunity to find some measure of equilibrium following such a substantive boom/bust event. Today's unrealistic annexation expectations presented to the Council by real estate investment interests too late into the game are sad and unfortunate, but this suffering is the result of choices they made. The City owes them nothing but compassion for their circumstance. Without consistent thoughtful public participation in the process, the current local real estate train wreck might have been far worse. The City of Hailey and Blaine County dodged a bullet. I have no regrets about any pushing I have done to influence that outcome.

I offer the Mayor and Council my admiration and respect for their commitment to service. I'm extremely grateful to live where the high desert meets the mountains, and people care deeply about the place they live.

William F. Hughes
Hailey