

To: Jay Mazalewski, Teton County Engineer
From: Todd Hanson, District Manager Voorhees Sanitation
Re: Mustang Drive Road Vacation

Dear Mr. Mazalewski,

Voorhees Sanitation opposes the road vacation of Mustang Drive in Driggs Idaho. Voorhees Sanitation provides solid waste and recycling collection to over 1900 commercial and residential customers in Teton County and the surrounding communities. Voorhees Sanitation pays \$325,000 annually to Teton County in fees and disposal.

Vacating Mustang Drive will negatively impact how Voorhees Sanitation conducts business. A private Mustang Drive would leave the determination of who has access to the road and its businesses up to a small group of property owners. Currently the HOA's plan is to install a gate at the end of Mustang Drive and not at the gate of the airport property.

Without public access to the road, county business owners and residents will not have access to our office to stop in and pay bills in person. Access to our office would be limited for customers to ask questions or air complaints in person. The interaction with our customers at the office is an important part of how we conduct business. Additionally, our vendors that supply us with all of our operating supplies would not be able to access our facility. In the event that there is a malfunction in the gate our trucks would not be able to get out to service our residential and commercial customers posing a dramatic public health concern.

If the Road Vacation had language that required public access to the road be maintained, Voorhees Sanitation would be in agreement with the petition.

A handwritten signature in black ink, appearing to read 'Todd Hanson', with a long horizontal line extending to the right.

Todd Hanson
District Manager Voorhees Sanitation

August 8, 2012

Teton County Commissioners
89 N. Main Street
Driggs, ID 83422

Re: Mustang Drive Road/ROW Vacation

Dear County Commissioners:

On behalf of, Huntsman Springs, Inc., I have been asked to contact the Board of County Commissioners (BOCC) and express opposition to the subject vacation of the Mustang Drive Road/ROW. The reasons my client opposes vacating the subject road are as follows:

- 1) Huntsman Springs, Inc. owns a lot in the Mustang Ranch Subdivision identified on the Staff Report as the Grand Teton Canal Well Lot. The reason why the applicant intends to vacate the road is they plan to put in a gate at the beginning of the road that would prevent unrestricted access to the public to Mustang Drive. As the owner of the lot, my client will be more than simply inconvenienced as a revolving number of employees frequently access the lot. If the BOCC vacates the road, maintaining unrestricted access for its employees to access the lot will be cumbersome.
- 2) Vacation of the road, and the subsequent restrictions imposed by a few self-interested subdivision lot owners will cause a hardship on public utilities, such as Fall River Rural Electric Cooperative, when the utility attempts to provide service and maintenance to my client's lot. For instance, a key or passcode will be necessary in order for the electric company to simply check the meters.
- 3) Other lot owners in the subdivision, such as Voorhees Sanitation, LLC, operate commercial / industrial businesses that require sporadic customer access.

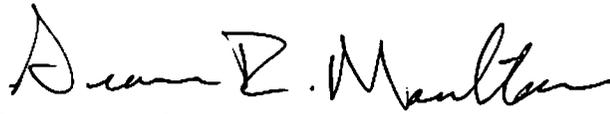
In addition to the above stated reasons opposing the vacation, there appears to be a procedural problem with the vacation. If the property is not inside an incorporated city, but within one mile of an incorporated city, the petition must be filed with both the city and county. *See* Idaho Code § 50-1306A(3) and Idaho Code § 50-1306A. By my admittedly rough calculations, Mustang Drive Road is within one mile of the City of Driggs. In reviewing the available materials, it appears the City of Driggs had a hearing, but did not go through the required notification process.

60 East Wallace
Post Office Box 631
Driggs, Idaho 83422
Telephone 208.354.2345
Facsimile 208.354.2346

Finally, as previously stated, the purpose for the road vacation is so that a few lot owners can install a gate at the beginning of the road to meet FAA requirements to limit public access. However, as the Staff Report and materials from the Airport Board indicate, the deadline for obtaining such approval has passed. More clarification is need as to whether the applicant's goal of gating the road can even be accomplished.

We sincerely hope that an alternate proposal can be made that meets the desires of the applicant and we can move forward together for a road that is mutually beneficial to the community and the existing Mustang Ranch lot owners.

Best Regards,

A handwritten signature in black ink that reads "Sean R. Moulton". The signature is written in a cursive style with a large initial "S" and "M".

Sean R. Moulton

cc: David Huntsman; Bill Reid.

August 8, 2012

To: Mr. Tony Snowy, CEO
Huntsman Springs

From: Brent Blue, MD
Secretary, Mustang Ranch Subdivision HOA
email: brentblue@emergacare.com

Sir:

The Mustang Ranch Subdivision has been mandated by the FAA and the Driggs Reed Airport Board to install an electronic security gate at the west end of Mustang Drive. The proposed location has been approved by the Airport Board, City Council, County Engineer and the Fire Chief.

As in the past, Huntsman's/Canal Co. employees will have unfettered access to your property through the gate plus significant increased security for your pump. We will provide the code for the 10 digit entry box and several remote transmitter devices all at no cost to your organization.

Mr. Harvey Walker and/or his representative were invited to the annual HOA meeting on 8/6/2012 to discuss any concerns, but unfortunately, no one could attend.

The Mustang Ranch Subdivision believes this gate will enhance security for all entities as well as the Huntsman/Canal Co. well/pump site preventing possible vandalism of property.

The Board of Mustang Ranch Subdivision guarantees your continued unrestricted access.

We would appreciate your support of this process.

Thank you for your consideration and please contact me should you have any questions.

Yours truly,

Brent Blue, MD
Secretary, Mustang Ranch Subdivision HOA

David Enrico

From: Brent Blue [brentblue@emergacare.com]
Sent: Wednesday, August 08, 2012 12:16 PM
To: David Enrico; 'Gregory Fall'; 'TUCKER SMITH'; patricksmith@wyoming.com
Subject: Mustang Ranch Homeowner Minutes

Mustang Ranch Homeowner's Association
Minutes Annual Meeting August 6, 2012

Attendance:

Lot 2/Hadley (by proxy to Enrico)
Lot 3/Wagner (by proxy to Enrico)
Lot 4/Fall (by proxy to Blue)
Lot 5/Jennings (no proxy, represented by Ms. Shinkle)
Lot 6/Traylor
Lot 7/Enrico
Lot 9/Bird Dog
Lot 10/Smith
Lot 11/Blue

- A quorum was determined present.
- Minutes from annual meeting 2011 were approved without changes.
- Budget was accepted

Old Business:

- The **gate** across the road required by the FAA and Airport Board was discussed. The vacating of the road will be discussed in the County Commissioner's meeting on August 13 at 5 PM. The only possible objection is from Harvey Walker of the irrigation company who was complaining about access. Since we have offered remote controls and numerical access, we are not sure of his concerns. He was asked to attend or send representative but no one showed at the meeting. Enrico will write a letter to the county engineer about the issue. Several homeowners will attend the meeting.
- **Property maintenance:** discussion about enforcing covenants in regards to cutting grass and weed control was discussed. Will be enforced by executive committee.
- **Dues:** bills for HOA dues will be sent in September. Discussion of delinquent dues and what to do about them was held. Executive committee will proceed with notices of intent to file liens at some point in the future.
- **Road:** discussion of road repair was held. Estimate of approximately \$3K was received with \$1-2K next year for seal coat. Will be handled by executive committee.
- **Burning:** Discussion of burning was held. Sample burning rules will be obtained by Katie and presented.
- **Next Meeting:** The next annual meeting is now scheduled for June 24th, 2013.

The meeting was adjourned.

Brent Blue (Lot 11)
Secretary

8/8/2012



Driggs - Reed Memorial Airport
P.O. Box 146
Driggs, Idaho 83422
Phone: 208-354-2362
FAX: 208-354-8522
Web Address: www.driggs.govoffice.com

August 8, 2012

Harvey Walker
Huntsman Springs
501 Huntsman Springs Drive
Driggs, ID 83422

Dear Mr. Walker,

It has been some time since we at the Driggs Airport Board have heard on any progress in Mustang Ranch.

Our concern is still the gated access to the taxiway. The airport board has discussed possible options, and the one option that all agree on is that the Control Gate needs to be at the property line of the subdivision by the taxiway. We know this is a big gate, but we have seen them in other locations and they do work. The gate at this location will eliminate the problems of visitors gaining access to the area where there are so many owners or tenants who have no access or need to access the airport.

This is our recommendation.

Sincerely,

A handwritten signature in cursive script that reads "Louis B. Christensen". The signature is written in black ink and is positioned above the printed name.

Louis B. Christensen