WORK SESSION – Thursday June 18, 2026

Minutes of the Huntsville Town Council Work Session held at the Huntsville Town Hall 7474 E. 200 S., 4:00 p.m.

The work session was scheduled to discuss the Development Agreement with Powder Mountain. (See Attachment #1)

Attending: Mayor Richard Sorensen, TCM Sandy Hunter, TCM Bruce Ahlstrom, TCM Lewis Johnson, TCM Jim Truett, Nikki Wolthuis–Clerk, Beckki Endicott- Clerk, Shannon Smith-Clerk, Bill Morris- HT Attorney, Brooke Hontz- Powder Mountain, Olga M.- Powder Mountain, Jeff Keeney- PC Member, Red Erickson, Aimee Erickson, Aimee McConkie, Bryant McConkie, Esther Hansen, Gwen McConkie, Jodi Richardson, Paul Stringham, Kim Stringham, Casey Munger, Eric Wansgaard, Briana Bingham, Alisa Gardner, Mary Jane Munger, Carol Raleigh, Ron Gault, Kim Parkinson, Larel Parkinson, Tom Freeman, Becky Benson, Kris Larsen, Carl Smith, Deanne Smith, Ashton Strems, Judy Gault

TCM Sandy Hunter began the meeting by summarizing the history of the property owned by Powder Landing. She recalled that prior to Powder Mountain purchasing the property in 2024, it was used as a corporate recreational facility for another company. Powder Mountain is currently using it as a recreational property for their members.

TCM Sandy Hunter explained that there were problems last year when Powder Mountain (PM) had an event. There were complaints about their loud music and the number of cars. In response, they stopped playing the music and started using shuttles to reduce traffic and parking.

For the remainder of the meeting, the Town Council and Powder Mountain representatives addressed comments made in the previous meeting from the public. Some of the concerns (written in bold) and explanations are written below.

- **Parking lots are not allowed in residential zones**- TCM Hunter read the definition from the code. Their current driveway and parking area do not fit the definition of a parking lot. The parking area in their future site plan would be controlled by the development agreement.
- **PM should stay in an R-1 Zone**.- If Powder Landing stayed in the residential zone then the Town could not regulate the property.
- **The PM property is operating "24x7 365 Days a year"**. - It's currently a seasonal property. TCM Sandy Hunter visited the property earlier that day and there were only a few people and no loud music. When citizens complained about the loud music last year PM stopped playing it.
- **Powder Mountain wanted to buy the Ogden Boat Club and expand.** A Commandant from the Ogden Boat Club said they were not going to sell their property despite the rumors.
- **Traffic on 1st street increased because of Powder Mountain.** -Port Ramp was closed for the season. The town was addressing traffic concerns on 1st street and had used the VIPS truck to reroute boaters when the ramp was full. Everyone in Town adds to the traffic problem especially on the 4th of July.
- **The shuttle service is against town code.** -Brooke from PM explained that the shuttle service was to reduce traffic.

- **A dirt road on 200 N. will be paved-** Last year on the day of a PM event the dirt road was being used to avoid the traffic on 100 S. They stopped using that option. The road will not be paved. Some of it is on private property owned by the boat club.
- **PM was taking over the beach.** The beaches are owned by the Forest Service. Most people have private paths to the beach behind their properties. Powder Mountain needs to address causing erosion on the beach they use behind their property.
- **PM septic system is a water quality risk-** PM explained that they will go through the health department for their septic system. They are planning on having an enhanced system with safeguards. There will be higher standards with more protection.
- **Residents want Blackout Dates for PM-** Brooke Hontz from PM- Instead of blackout dates PM has consented to 3 events instead of 5. She explained that PM guests want to celebrate holidays just like Huntsville citizens do. They applied for a special event permit this year for their 4th of July event. TCM Lewis Johnson pointed out that PM having special events on holidays might be the least disruptive time because everyone in the town is also making noise.

- **100 people or 30 people at events?-** PM- they want to have more than 100 people at their events, 30 cars and the shuttle.

TCM Jim Truett explained that people do not want the town to change, but it has changed. Some are buying little homes that were primary residences and tearing them down and building bigger 2nd homes.

TCM Sandy Hunter commented that people are building big homes that stretch from the 10 foot setback on either side of the property line. Because Powder Mountain had two lots they could build two large homes and block the view. A DA with Powder Mountain would restrict what's being built there

Ms. Hontz from PM explained that they have had 11 public meetings over the past 2 years about this property. They are spending a lot of time on it. They want to blend in and mitigate the scale of their property. Their buildings are shaped to create a physical buffer to divert the noise of the reservoir from the nearby neighborhood. It's a one-story open-air building. There are no overnight accommodations.

She also explained that they are part of Weber County and part of the community. There are people who live outside of the community and come to Huntsville as 2nd homeowners. They want to enjoy it and Powder Mountain guests do too. PM wants to help Huntsville remain quaint and amazing. That's why they are doing a DA to help in that goal. The community is really important to them.

TCM Lewis Johnson commented that he loved the town like everyone else. He feels divisiveness. He stated that PM was a property owner just like the rest of them and they should have that respect. He said that the Huntsville he wants to change the least is the civility. He stated that the people on the town board care very much about what goes on there.

Mayor Sorensen recounted the opposition in the 1980s when town leaders wanted to replace the open irrigation ditches with piped secondary water. Homeowners were having to take their water

turn at all times of the night, which was difficult, but they didn't want to change. Many people including TCM Johnson were against it and now he is the president of the irrigation company.

Mayor Sorensen stated that members of the Town Council had lived in Huntsville for a very long time. They loved the town as much or more than anyone in the room and no matter what the outcome was, they loved the town and were trying to make the best decision they could.

Mayor Sorensen motioned to adjourn the meeting. TCM Truett seconded the motion. All votes ayes. Motion passed.

Meeting adjourned at 5:18 P.M.

Nikki Wolthuis, Huntsville Town Clerk

HUNTSVILLE TOWN
ORDINANCE NO. 2026.4.23 1A

DEVELOPMENT AGREEMENT – POWDER LANDING

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, ADOPTING A DEVELOPMENT AGREEMENT FOR POWDER LANDING; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Huntsville Town (hereafter "Town") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the Town;

WHEREAS, Title 10, Chapter 20, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the Town and Powder Landing negotiated the attached Development Agreement in accordance with *Utah Code Annotated* §10-20-508;

WHEREAS, after publication of the required notice the Planning Commission held a series of Public Hearings to take public comment on the Development Agreement in this Ordinance, after which the Planning Commission gave its recommendation to _____ this Ordinance;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on _____, 2026;

NOW, THEREFORE, be it ordained by the Town Council of Huntsville Town as follows:

Section 1: **Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Development Agreement.** The Development Agreement in Exhibit "A" is hereby adopted.

Section 3: **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: **Effective date.** This Ordinance take effect immediately upon approval and posting.

PASSED AND ADOPTED by the Town Council on this ____ day of _____, 2026.

_____
Mayor

ATTEST:

_____
Town Clerk

RECORDED this ___ day of _____, 2026.
PUBLISHED OR POSTED this ___ day of _____, 2026.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, hereby certify that the foregoing Ordinance was duly passed and published or posted as provided by State Law.

_____ DATE:_____
Town Clerk

DEVELOPMENT AGREEMENT

At 6510 East 100 South, Huntsville, Utah (Powder Landing)

This DEVELOPMENT AGREEMENT, hereinafter referred to as "the AGREEMENT" is entered into this ___ day of _____, 2026, between Huntsville Town, a Utah municipal corporation, hereinafter referred to as "the TOWN", and Powder Beach LLC, a Delaware limited liability company, hereinafter referred to as "the OWNER".

RECITALS

WHEREAS, this Agreement is entered in accordance with Utah Code 10-20-508 for the use of real property located in the TOWN that is owned by the OWNER;

WHEREAS, in furtherance of the land use goals and objectives of the Huntsville Town General Plan, the TOWN has considered a petition for a zone change on certain real property located at approximately 6510 East 100 South, more particularly described as Lots 1 and 2 of the Sanctuary Lakeside Subdivision as set forth in Exhibit A, hereinafter referred to as the "PROPERTY"; and

WHEREAS, the PROPERTY consists of approximately 2.403 acres (104,695.63 square feet) and is currently classified under the Single-Family Residential (R1) zoning designation; and

WHEREAS, the OWNER represents that it is the fee simple owner of the PROPERTY and has petitioned the TOWN to rezone the Property to Recreation Zone (RC) to facilitate the development of a member-only private recreation facility known as "Powder Landing"; and

WHEREAS, the TOWN finds that this Property is directly adjacent to an RC Zone and sits between an RC Zone and significant public spaces and uses; and

WHEREAS, the TOWN has determined that it is in the best interest of the TOWN to provide for a formal transitional zone between the R1 Zone in this case and public uses and that the RC Zone provides an idea transition from residential to public areas by providing distance, protection, natural quieting of uses and other softening; and

WHEREAS, the TOWN finds that by providing the RC Zone as a transition, this Property provides a great benefit to the TOWN as a buffer so long as it is developed and used in accordance with the terms and conditions agreed to by both Parties in this AGREEMENT formally addressing traffic, noise, number of people, costs parking, and other matters; and

WHEREAS, the proposed development and use on the PROPERTY includes three (3) buildings, a parking lot, a lawn area, a pool, and associated recreational amenities as set forth in Exhibit B; and

WHEREAS, the OWNER and the TOWN have identified that the Recreation Zone (RC) is the preferred designation under this AGREEMENT ; and

WHEREAS, the TOWN desires to stridently maintain all of the qualities that make it a beautiful and serene place to live, work and recreate by carefully reviewing all use and development requests in the context of ensuring those values; and

WHEREAS, the TOWN further recognizes that there are certain areas that are appropriate for recreational uses so long as all impacts are mitigated to ensure that the TOWN can maintain the quality of life and work and play environment that exists; and

WHEREAS, the TOWN has provided for all of the necessary and requisite legislative controls necessary to ensure that effort while also recognizing that it is beneficial to the TOWN and those who own property in the TOWN who recognize its unique nature and the benefit to the TOWN in having a diverse tax base and the benefit that buffering between uses provides to its residents as the TOWN seeks to allow for certain uses while creating mechanisms to ensure harmony; and

WHEREAS, the TOWN has required and the OWNER has agreed to limit large events to five (5) per year, certain hours of operation and noise limitations that operate as time, place and manner limitations in order to remain in harmony with neighbors and to facilitate a desirable experience for the OWNER; and

WHEREAS, the OWNER has submitted a Storm Drain Mitigation Strategy designed to manage stormwater through underground pipes and retention systems to prevent direct discharge into Pineview Reservoir during designed storm conditions; and

WHEREAS, the OWNER has proposed a Traffic Plan that limits on-site parking to thirty (30) designated stalls, prohibits off-site parking, requires a shuttle bus for large events and utilizes a shuttle service with dedicated drop-off zones to mitigate the impact on local streets and parking; and

WHEREAS, the OWNER has agreed to providing a shuttle in order to limit vehicular traffic in and around the Property and to limit shuttle usage to 1st Street only in order to secure the area, limit vehicular interaction and increase the safety of the area; and**WHEREAS**, the OWNER has committed to a lighting approach that ensures all fixtures are fully shielded and compliant with the TOWN's "Dark Sky" principles to eliminate upward light spill and overnight illumination of the pool area; and

WHEREAS, the Huntsville TOWN Planning Commission has reviewed the proposed development and recommended the rezoning and this AGREEMENT to the TOWN Council, finding it consistent with the intent of the Recreation Zone (RC); and

WHEREAS, in addition to the requirements set forth in this Agreement, the TOWN finds that there is public benefit to this use and development including acting as a buffer zone, providing a significant influx of revenue into the TOWN budget through sales and property tax, and

WHEREAS, the TOWN Council finds that the use and development of the PROPERTY pursuant to the terms of this AGREEMENT is in the best interest of the health, safety, and welfare of the residents of Huntsville.

AGREEMENT

NOW, THEREFORE, each of the Parties hereto, for and in consideration of the premises and agreement of the other Party hereto, does hereby covenant and agree as follows:

ARTICLE I
DEFINITIONS

The following terms have the meaning and content set forth in this ARTICLE I, wherever used in this AGREEMENT:

1.01 "SITE PLAN." The Site Plan depicting the proposed layout, including the welcome lodge, dining/recreation building, pool, and parking, attached and incorporated herein as EXHIBIT B.

1.02 "PRIVATE RECREATIONAL CLUB." Hereinafter referred to as "the CLUB", a limited to a member-based organization whose primary purpose is to provide recreational, social/dining, or leisure amenities exclusively to a limited number of members and their guests.

ARTICLE II
THE PROJECT 2.01OWNER shall develop the Property in accordance with all TOWN requirements and in accordance with this AGREEMENT and shall not object or otherwise oppose the TOWN amending its Official Zoning Map for the Property to the Recreation Zone (RC).

2.02 In addition to the specific requirements of Exhibit B, the Property shall only be allowed to be used in compliance with the following explicit uses:

ARTICLE III
DEVELOPMENT AND USE STANDARDS

3.01 Vested Rights and Use Limitations. The OWNER is vested with the right to develop and use the Property for all uses permitted within the Recreation Zone (RC) as if the PROPERTY is located in the Recreation Zone (RC). However, as a condition of this AGREEMENT, the OWNER shall be subject to the following limitations and site standards which shall govern the project notwithstanding broader allowances in the underlying zone.

3.02 Standards.

B. Lighting (Dark Sky). All fixtures must be fully shielded and certified as Dark Sky compliant in accordance with TOWN Dark Sky principles. Lighting for buildings must meet Full Cutoff (CAC) standards, and pool lighting shall be controlled by timers/sensors to eliminate overnight illumination.

C. Parking and Traffic. Total on-site parking is limited to thirty (30) designated stalls. No street parking is permitted; once the lot reaches capacity, additional guests shall arrive via the CLUB's shuttle service utilizing the designated drop-off zones as set forth in Exhibit C. The OWNER shall maintain two (2) dedicated shuttle drop-off and pick-up zones, which shall be clearly marked and utilized for guest arrival via the club's shuttle service once the primary parking lot reaches capacity. The shuttle service shall utilize 1st Street as the only access route in order to provide a higher level of safety to the surrounding area.

3.03 Special Events.

A. OWNER is limited to five (5) special events per year, subject to procuring necessary special event permits from the TOWN. A special event is an event that involves more than thirty (30) people.

B. OWNER agrees that the daily hours of operation shall be between 8:00AM- and 10:00 PM, and that the hours of operation for special events shall be set by a special permit issued by the TOWN.

C. OWNER agrees that daily operations shall comply with all noise ordinances and limits of the TOWN, and that special events shall be subject to the limits outlined in any special events permit issued by the TOWN.

ARTICLE IV
INFRASTRUCTURE AND MITIGATION

4.01 Storm Drain Strategy. No direct discharge of storm water from the PROPERTY shall be made into Pine View Reservoir. Stormwater shall be managed through underground pipes and surface and/or subsurface collection basins, to be retained in an open retention pond and/or an underground storage system approved by the TOWN Engineer. The system shall be designed to prevent direct discharge into Pineview Reservoir as set forth in Exhibit C.

4.02 Wastewater. Development is subject to the installation of an on-site individual wastewater disposal system in accordance with the Rules and Regulations of the Weber-Morgan District Health Department rules.

ARTICLE V
REMEDIES

In the event the OWNER fails to meet the requirements set forth:

ARTICLE VI

GENERAL PROVISIONS

6.01 Assignability. OWNER shall not assign this AGREEMENT without the prior written consent of the TOWN, which shall not be unreasonably withheld, provided the assignee demonstrates the financial ability to perform the obligations hereunder.

6.02 Successors and Assigns. This AGREEMENT shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

6.03 Runs with the Land. This AGREEMENT shall be recorded in the office of the Weber County Recorder and shall be deemed to run with the land, binding all future owners of the Property to the Recreation Zone (RC) restrictions unless terminated by OWNER, abandoned by a period of one (1) year of non-use, or as may otherwise be provided by Law.

6.04 Governing Law. This AGREEMENT shall be governed by and construed in accordance with the laws of the State of Utah.

6.05 Entire Agreement. This AGREEMENT, including all attached exhibits (such as the Storm Drain Mitigation Strategy and Traffic Plan), constitutes the entire understanding between the parties.

6.06 Notices. All notices required under this AGREEMENT shall be in writing and delivered to the principal offices of the TOWN and the OWNER.

6.07 Force Majeure. Neither party shall be considered in default if performance is delayed by causes beyond their control, such as acts of God, fires, floods, or unusually severe weather.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT on the date first written above.

TOWN: HUNSTVILLE TOWN CORPORATION, a Utah Municipal Corporation

By: _____

Richard Sorensen, Mayor

ATTEST:

_____

City Recorder

APPROVED AS TO FORM:

_____

City Attorney

OWNER: POWDER BEACH LLC, a Delaware limited liability company

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Title: _____

APPROVED AS TO FORM:

_____

Attorney

ACKNOWLEDGMENTS

STATE OF UTAH)
: SS
COUNTY OF WEBER)

On this ____ day of _____, 2026, before the undersigned notary public in and for the said state, personally appeared Richard Sorensen, known or identified to me to be the Mayor of Huntsville Town, who executed the foregoing instrument on behalf of said Town and acknowledged to me that said Town executed the same by authority of its Town Council.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

_____
Notary Public

STATE OF UTAH)
: SS
COUNTY OF WEBER)

On this ____ day of _____, 2025, before the undersigned notary public in and for the said state, personally appeared _____, known or identified to me to be the_____ of Powder Beach LLC, a Delaware limited liability company, who executed the foregoing instrument on behalf of said LLC and acknowledged to me that said LLC executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

_____
Notary Public

EXHBIT A

LEGAL DESCRIPTION

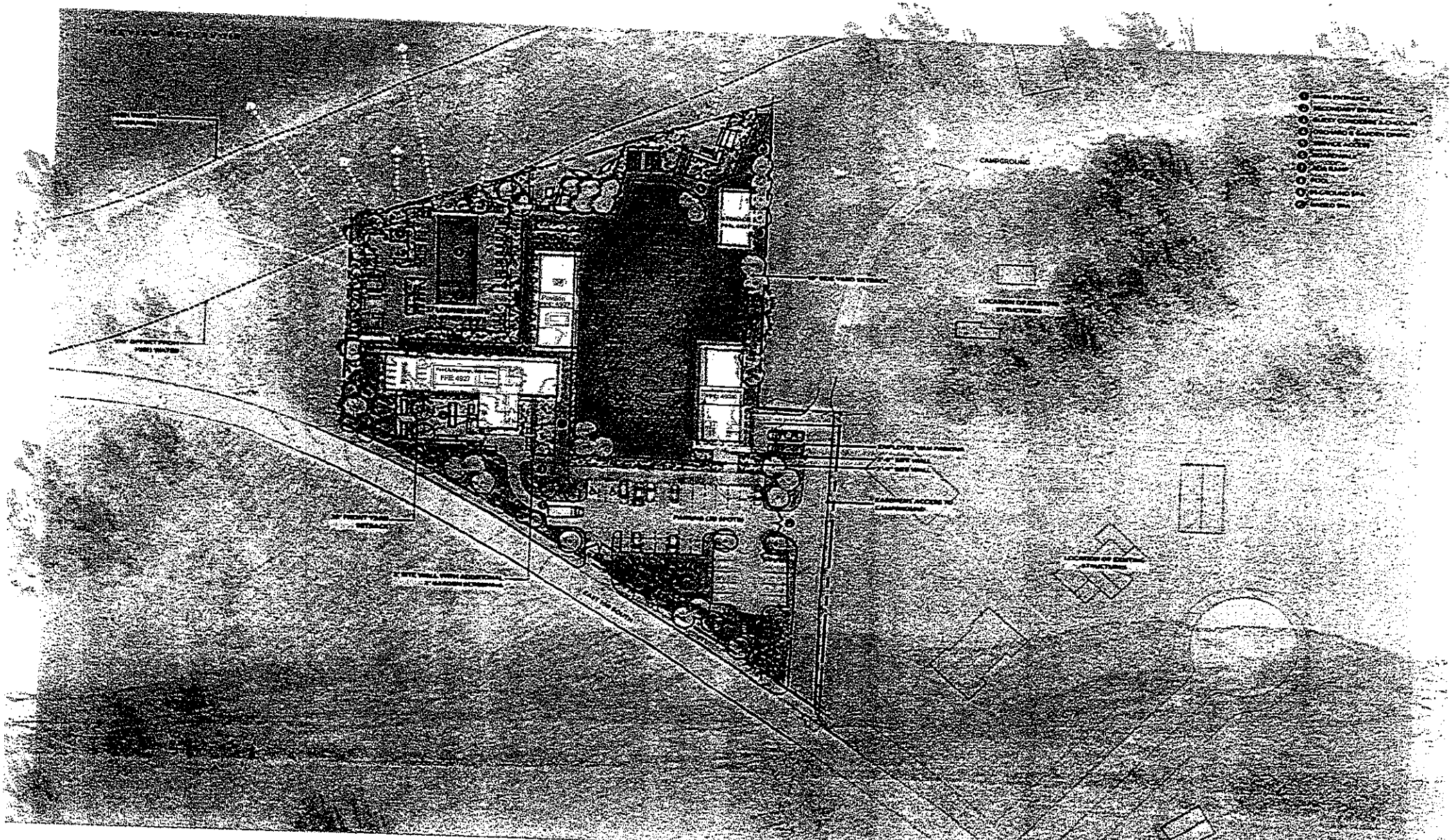
THE BASIS OF BEARING IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND IS CONSIDERED TO BEAR NORTH 89°11'31" WEST 2663.19 FEET. MONUMENTED AT THE SOUTH QUARTER CORNER WITH 3" BRASS CAP AND MONUMENTED AT THE SOUTHWEST CORNER WITH A 3" BRASS CAP. THE BEARING WAS MEASURED IN UTM 12 NORTH, NAD83 ZONE, U.S. SURVEY FEET.

BEGINNING AT A POINT BEING NORTH 89°11'31" WEST 1013.82 FEET ALONG THE SECTION LINE, FROM THE FOUND SOUTH QUARTER CORNER, SECTION 12, TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING, THENCE SOUTH 2°00'00" WEST, 216.80 FEET; THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3,363.73 FEET, (CHORD BEARS NORTH 58°43'30" WEST 369.21 FEET), THROUGH A CENTRAL ANGLE OF 6°17'32", FOR AN ARC DISTANCE OF 369.40 FEET THENCE NORTHWESTERLY A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 568.69 FEET, (CHORD BEARS NORTH 64°12'59" WEST, 51.82 FEET), THROUGH A CENTRAL ANGLE OF 5°13'22", FOR AN ARC DISTANCE OF 51.84 FEET; THENCE NORTH 0°45'42" EAST, 161.46 FEET; THENCE NORTH 71°28'10" EAST, 326.43 FEET; THENCE SOUTH 0°45'35" WEST, 239.57 FEET; THENCE SOUTH 88°57'57" EAST, 62.10 FEET; THENCE SOUTH 2°00'00" WEST, 22.08 FEET, TO THE POINT OF BEGINNING.

CONTAINING 104,695.63 SQUARE FEET, OR 2.403 ACRES, MORE OR LESS

EXHIBIT B

SITE PLAN



POWDER LANDING | SCHEMATIC SITE PLAN

2025.07.08

FIELDSTUDIO
LANDSCAPE ARCHITECTS

EXHIBIT C

TRAFFIC MITIGATION PLAN



POWDER LANDING | SCHEMATIC SITE PLAN

2025.07.08

FIELDSTUDIO
LANDSCAPE ARCHITECTS

From: Jonathan Gardner <gardner33@gmail.com>
Sent: Wednesday, June 17, 2026 11:02 PM
To: Richard Sorensen <rsorensen@huntsvilleutah.gov>
Cc: Bill M. Morris <bill@mscityut.org>; Bryant McConkie <Bryant@mcconkiehales.com>; Aimee McConkie <aimee@fivestone.pro>; Alisa Gardner <alisa.gardner@gmail.com>; Tom Freeman <tom.freeman@colliers.com>; Jim Truett <jtruett@huntsvilleutah.gov>; bahlstrom@hunstvilleutah.gov; Lewis Johnson <Ljohnson@huntsvilleutah.gov>; Clerk <clerk@huntsvilleutah.gov>
Subject: Encouragement to Follow Town Ordinances

Dear Mayor Sorensen,

We are sending the attached letter tonight to you, the Town Council, and the Town Clerk (for proper recording and distribution) regarding the proposed Development Agreement with Powder Mountain. We're writing to you separately and directly because we want you to hear, in our own words, why we felt this letter was necessary and what we hope comes of it.

The letter does not rest on opinion. Every point in it is drawn directly from the Town's own ordinances and the Town's own Use Table. We raised these issues because we believe they deserve a direct answer, not because we are looking for a fight. Our goal here is not confrontation. It's resolution — specifically, resolution through enforcement of the Town's existing ordinances and an honest public process, rather than a negotiated agreement that sets them aside.

We'd welcome the chance to discuss this with you directly before the next round of public proceedings, if you're open to it. We think a conversation now could save everyone — the Town, Powder Mountain, and residents alike — a great deal of difficulty later.

We appreciate your attention to this and your willingness to hear us out.

Respectfully,
The Undersigned Concerned Residents of Huntsville

CONCERNED RESIDENTS OF HUNTSVILLE

Huntsville, Utah 84317

June 17, 2026

VIA ELECTRONIC MAIL AND U.S. MAIL

Mayor Richard Sorensen
Huntsville Town Council
Huntsville Planning Commission
Huntsville Town Hall
P.O. Box 277
Huntsville, UT 84317

Re: Proposed Development Agreement with Powder Beach LLC — Formal Request to Reject the Agreement and Enforce Existing Zoning Ordinances

Dear Mayor Sorensen, Members of the Town Council, and Members of the Planning Commission:

We write on behalf of a group of concerned residents of Huntsville Town (the "Concerned Residents") regarding the proposed development agreement (the "Development Agreement" or "DA") currently under discussion between the Town and Powder Beach LLC, a Delaware limited liability company ("Powder Beach" or "Powder Landing"). We attended the public hearing and Town Council Work Session held on June 16, 2026, at which this matter was discussed, and we respectfully but firmly request that the Town Council reject the proposed Development Agreement and instead enforce its existing zoning ordinances as written. We further request that this letter be entered into the official record of these proceedings.

I. THE TOWN'S ZONING ORDINANCE DOES NOT PERMIT THE OPERATIONS POWDER BEACH SEEKS TO CONTINUE OR EXPAND

Powder Beach's property is currently zoned Residential (R-1). The R-1 zone is, by its own terms, designated for use for residential purposes. (Huntsville Town Ordinance § 15.6.1.) The Town's Table 15-1 Acceptable Uses by Zone (adopted May 1, 2024) governs what additional uses are

permitted within that zone. The Table lists "Recreation and athletic facilities" as Permitted ("P") in the R-1 zone. It lists "Parking lot" and "Transportation/Shuttle Services" as Not Permitted ("N") in R-1, allowing both only as conditional uses in the Town's commercial zones. The Table's own governing instruction states that any use not listed is not permitted, confirming that these classifications are exhaustive and exclusionary, not illustrative. Accordingly, while a recreation or athletic facility may be a use Powder Beach is entitled to operate on its R-1-zoned property, the parking lot and shuttle service it currently operates, and proposes to expand, are not, and never have been, permitted uses on that property under the Town's current zoning.

II. THE PROPOSED REZONE TO RECREATION ZONE (RC) WOULD NOT CURE THIS PROBLEM, AND IS INCONSISTENT WITH THAT ZONE'S PURPOSE

We understand that Powder Beach is seeking, in conjunction with the proposed Development Agreement, a rezone of its property from R-1 to the Recreation Zone (RC). That rezone would not accomplish what Powder Beach needs, and should not be treated as a solution to the issues raised in this letter. Table 15-1 lists "Recreation and athletic facilities" as Not Permitted ("N") in the RC zone — meaning a rezone to RC would move the very facility at issue into a zone where the Town's own Use Table does not allow it, where it is currently permitted as of right under R-1. Nor would a rezone to RC resolve the parking and shuttle issues: both "Parking lot" and "Transportation/Shuttle Services" are listed as Not Permitted in RC, just as they are in R-1. A rezone, standing alone, therefore accomplishes nothing for the uses Powder Beach is actually trying to legitimize; the only mechanism that could supply what neither zone's Use Table allows is the Development Agreement itself. This confirms that it is the Development Agreement, not the rezone, that is doing the real work of authorizing uses the Town's Code does not permit in any zone.

The RC zone is also a poor fit for Powder Beach's operation on its own terms. The RC zone was established to promote private fishing and recreational purposes, to facilitate conservation of natural resources, and to preserve open space and natural features — not to accommodate a commercial recreation or athletic facility serving private membership, like Powder Beach. (§ 15.14.1.) Its special provisions restrict use to property owners and the members and guests of a bona fide non-profit association, prohibit any sewage dump facility, and limit the placement of motor homes, travel trailers, or tents to the period between October 15 and May 1 of the following

year. (§ 15.14.4(B), (C), (F).) These provisions were plainly written for seasonal, member-based recreational camps, not for a year-round commercial recreation and athletic facility of the kind Powder Beach may operate. The requested rezone appears designed less to fit Powder Beach's actual use into an appropriate zoning category than to create a procedural vehicle through which the Development Agreement can grant exceptions the Use Table does not otherwise allow in either zone.

III. POWDER BEACH HAS OPERATED A NON-COMPLIANT PARKING LOT AND SHUTTLE SERVICE FOR APPROXIMATELY TWO YEARS

We wish to put the Town on formal notice that Powder Beach has, for approximately the past two years, operated a parking lot and a shuttle service transporting private members to and from its site on its R-1-zoned property, without either use being permitted under Table 15-1 as described above. We are concerned that this ongoing non-compliance has been allowed to continue without enforcement, and we do not believe it should continue further — whether informally, or formally sanctioned through a Development Agreement that has not gone through the public rezoning process the Land Use Regulations Title requires. Regardless of whether the pending rezone application is ever approved, Powder Beach remains, today, bound by the R-1 zoning currently in effect, and must comply with it. We request that the Town direct code enforcement to address this non-compliance directly and on a defined timeline, independent of any decision on the proposed Development Agreement or any future rezone application.

IV. THE TOWN'S OWN LEGAL COUNSEL HAS PUBLICLY CONFIRMED THIS INTERPRETATION

This is not merely a resident's reading of the Code. At the Town Council Work Session held on June 16, 2026, in direct and public response to a question posed to him, Town Attorney Bill Morris confirmed, on the record, that Powder Beach's shuttle service is not a permitted use under the Town's current ordinance. Mr. Morris further stated that Powder Beach could proceed with its site plan, but would need to rely on parking located on Town streets, since on-site parking and shuttle services are not permitted uses. The Town's own counsel has therefore already reached the same conclusion reflected in this letter and in the Town's own Use Table.

V. THE THEORY THAT THE SHUTTLE IS PERMITTED BECAUSE IT IS NOT A "STAND-ALONE BUSINESS" DOES NOT WITHSTAND SCRUTINY

We understand that some members of the Town Council have suggested that Powder Beach's shuttle service may be permissible because it is not operated as a separate, stand-alone business. This theory does not survive examination of the Town's own Use Table. The Table classifies land uses, not corporate or business structures; it asks whether a given activity is occurring on the property, not how the operator chooses to bill, brand, or organize it. The Town has demonstrated, elsewhere in the same Table, that it knows how to create a distinct accessory-use classification when it intends one — "Accessory Building, Private" is listed and separately classified by zone. No comparable accessory carve-out exists for transportation or shuttle services; instead, "Transportation/Shuttle Services" is listed as its own use and marked Not Permitted in both R-1 and RC. If an otherwise-prohibited use could be exempted from the Table simply by characterizing it as incidental to some other, permitted activity, no prohibited use in the Table could ever actually be enforced — a parking lot could be recharacterized as incidental access, a restaurant as incidental food service for members, and so on without limit. That reading cannot be reconciled with the Table's own instruction that any use not listed is not permitted.

VI. THE PROPOSED ALTERNATIVES ARE NOT VIABLE UNDER EXISTING TOWN REQUIREMENTS

At the same Work Session, when it was noted that Town ordinance restricts parking on Town streets during the warmer months absent a permit (Huntsville Town Ordinance No. 2018-04-19, which, as posted on Town signage, limits on-street parking to permit holders between May 1 and September 30 of each year, with violators subject to citation or towing at the owner's expense), Mr. Morris suggested that Powder Beach's guests could instead park near the Town library. That suggestion is not a realistic solution: it would require Powder Beach's guests to walk approximately 1.17 miles to reach the Powder Beach site, a distance they will not, as a practical matter, walk. The absence of any code-compliant parking or transportation solution is itself telling. It confirms that the development Powder Beach wishes to operate cannot function within the Town's existing zoning framework as written — which is precisely why a Development Agreement, rather than the standard public rezoning process, is being pursued by Powder Beach.

VII. A DEVELOPMENT AGREEMENT IS NOT A SUBSTITUTE FOR REZONING

A development agreement is an appropriate tool for clarifying how an applicant will comply with existing standards or for addressing site-specific conditions. It is not an appropriate tool for authorizing land uses that the underlying zoning, and the Town's own Use Table, specifically prohibit. If the Town believes Powder Beach's parking, shuttle, and recreational operations should be allowed in the R-1 or RC zones, that is a policy decision that belongs in the formal, public rezoning or text amendment process — with the notice, hearings, and findings the Land Use Regulations Title requires — not in a negotiated agreement with a single applicant that bypasses that process entirely.

VIII. THE TOWN SHOULD PUBLICLY DISCLOSE ANY FINANCIAL TERMS ASSOCIATED WITH THE DEVELOPMENT AGREEMENT AND THE BASIS FOR THEM

We have heard discussion within the community suggesting that the Development Agreement may include a payment from Powder Beach to the Town, with figures of approximately $300,000 mentioned. We have no independent confirmation of this figure and do not assert it as fact. We are likewise not aware of any fiscal or economic impact study assessing the costs this development would impose on the Town — including increased demand on roads, parking enforcement, water and sewer infrastructure, and emergency services — or establishing whether any proposed payment reflects those costs. Independent of, and regardless of the outcome of, our request that the Development Agreement be rejected outright, we request that the Town publicly disclose: (1) whether any monetary payment or other consideration from Powder Beach to the Town has been discussed or contemplated in connection with the Development Agreement, and if so, the amount and terms; and (2) whether any fiscal or impact study has been conducted to support that figure, and if so, that it be made part of the public record. Residents are entitled to know the full financial terms under discussion, and the analysis, if any, supporting them, whether or not the Development Agreement ultimately proceeds.

IX. REQUESTED ACTION

We respectfully request that the Town Council and Planning Commission:

1. Reject the proposed Development Agreement in its current form, and decline to use it as a substitute for the Town's formal rezoning or conditional use process.

2. Confirm that Powder Beach remains subject to, and must comply with, the Town's current R-1 zoning unless and until any rezone application is independently reviewed and approved through the Town's standard public process; and direct Town staff to bring the existing parking lot and shuttle operations into compliance with Table 15-1 on a defined and enforceable timeline.

3. Require that any rezone application be evaluated strictly on its own merits, independent of the Development Agreement, with full public notice, hearings, and findings.

4. Confirm, in the public record, that any future facility, parking, or transportation proposal from Powder Beach will be evaluated against the uses actually permitted under the Town's ordinances and Use Table, rather than authorized wholesale through a negotiated agreement.

5. Publicly disclose any financial terms associated with the Development Agreement, including any payment or other consideration from Powder Beach to the Town, and any fiscal or impact analysis supporting them.

6. Enter this letter into the official record of the Town's proceedings on this matter.

Huntsville's zoning exists because past residents and Town officials made deliberate choices about what kind of development belongs in this town. We are asking this Council not to set those choices aside through a negotiated agreement with one applicant, and not to allow ongoing non-compliant operations to continue while that agreement is finalized. We appreciate the Town's attention to these concerns and welcome the opportunity to discuss them further before any further action is taken on the proposed Development Agreement.

Respectfully submitted,

THE UNDERSIGNED CONCERNED RESIDENTS OF HUNTSVILLE

Jonathan Gardner
Name

Alisa Gardner
Name

Bryant McConkie
Name

Aimee McConkie
Name

Tom Freeman
Name

Jenny Freeman
Name

Rex Harris
Name

Eric Benson
Name

Becky Benson
Name

Maree Burkman
Name

Gil Burkman
Name

Casey Carlson
Name

Mariah Carlson
Name

Vance Cook

Name

Rudy Eilander

Name

Red Erickson

Name

Amiee Erickson

Name

Zach Grant

Name

Cindi Grant

Name

Amy Groll

Name

Tracy Groll

Name

Judy Gualt

Name

Dawson Hedges

Name

Lorraine Hedges

Name

Stephanie Hedges

Name

JR Johansen

Name

Deanna Johansen

Name

Gaylene Loeffler

Name

Todd May

Name

Pauline Maxwell

Name

Dale Maxwell

Name

Mary Jan Munger

Name

Casey Munger

Name

Kim Parkinson

Name

Larel Parkinson

Name

Star Prim

Name

Carol Raleigh

Name

Marc Raleigh

Name

David Robinson

Name

Michelle Robinson

Name

Maree Romero

Name

Elizabeth Seamons Ward

Name

Lander Seehuan

Name

Cole Sheppard

Name

Erika Sheppard

Name

Travis Sheppard

Name

Karen Stoker

Name

Paul Stringham

Name

Kim Stringham

Name

Brooke Saunders

Name

Brian Saunders

Name

Janae Tanner

Name

Pat Tanner

Name

Rachel Taylor

Name

Timothy Taylor

Name

Rhett Vandermeiden

Name

Cynthia Vandermeiden

Name

Tara Whitley

Name

cc:

Bill Morris, Esq., Huntsville Town Attorney

Huntsville Town Clerk (for inclusion in the official record)

Outlook

FW: Supplemental Letter Regarding Town Zoning Ordinance

From Beckki Endicott <bendicott@huntsvilleutah.gov>
Date Mon 7/6/2026 10:18 AM
To Nikki Wolthuis <nwolthuis@huntsvilleutah.gov>

1 attachment (7 MB)
Supplemental Letter to Huntsville Leadership_260621.pdf;

Thank You!
Beckki Endicott
Clerk – Huntsville Town
bendicott@huntsvilleutah.gov
801-745-3420

Attention: Huntsville Town is in the process of adopting huntsvilleutah.gov as its new domain name. Please update any contacts in your address book to use @huntsvilleutah.gov.
www.huntsvilleutah.gov

From: Jonathan Gardner <gardner33@gmail.com>
Sent: Sunday, June 21, 2026 8:54 PM
To: Richard Sorensen <rsorensen@huntsvilleutah.gov>; Jim Truett <jtruett@huntsvilleutah.gov>; Lewis Johnson <Ljohnson@huntsvilleutah.gov>; Clerk <clerk@huntsvilleutah.gov>; Bruce Ahlstrom <bahlstrom@huntsvilleutah.gov>
Cc: Bryant McConkie <Bryant@mcconkiehales.com>; Aimee McConkie <aimee@fivestone.pro>; Alisa Gardner <alisa.gardner@gmail.com>; Tom Freeman <tom.freeman@colliers.com>; Bill M. Morris <bill@mscityut.org>
Subject: Supplemental Letter Regarding Town Zoning Ordinance

Dear Mayor Sorensen,

We appreciated the opportunity to visit with you for a few minutes following the Work Session on Thursday, June 18th. We recognized from our conversation that this has not been an easy process for you and the Town Council. We are still hopeful that the Town Council will reconsider their desire to enter into a development agreement. We believe your current zoning ordinance is sufficient to make an informed decision regarding the Powder Mountain request.

We look forward to further engagement and hope we all can maintain open dialogue throughout the process.

Respectfully,
The Undersigned Concerned Residents of Huntsville

CONCERNED RESIDENTS OF HUNTSVILLE

Huntsville, Utah 84317

June 21, 2026

VIA ELECTRONIC MAIL AND U.S. MAIL

Mayor Richard L. Sorensen
Huntsville Town Council
Huntsville Planning Commission
Huntsville Town Hall
P.O. Box 277
Huntsville, UT 84317

Re: Supplemental Letter Regarding the Proposed Development Agreement with Powder Beach LLC — The Town's Own Use Table Already Resolves These Questions

Dear Mayor Sorensen, Members of the Town Council, and Members of the Planning Commission:

The R-1 zone exists, by its own terms, for residential purposes. (Huntsville Town Ordinance § 15.6.1.) We write as a follow-up to our letter dated June 17, 2026, regarding the proposed development agreement (the "Development Agreement" or "DA") between the Town and Powder Beach LLC, a Delaware limited liability company operating in this community as Powder Mountain ("Powder Mountain"). That letter addressed Powder Mountain's non-compliant parking lot and shuttle service. We write now because we believe the Town's own Use Table already provides clear answers to several additional questions raised by Powder Mountain's operation — answers that do not require new judgment calls, only a willingness to apply the Table as written. These facts provide additional, independent grounds — separate from those already raised — for the Town to reject the proposed Development Agreement and any associated rezone, and to enforce its existing ordinance.

I. WE ASK THE TOWN TO HAVE CONFIDENCE IN ITS OWN, CLEARLY WRITTEN ORDINANCE

The Town's R-1 ordinance and Table 15-1 are not vague or open to multiple reasonable readings on the questions raised in this letter. They were written clearly, adopted through the Town's own public process, and they say what they say. We ask the Mayor and Town Council to trust that work and apply it as written, rather than treating Powder Mountain's request as though it presents some difficult or novel question the existing ordinance cannot resolve.

As detailed below, Powder Mountain's use, under the zoning that exists today, is not a residential use. It is a staffed, organized commercial enterprise, and the Town's own ordinance already says so. That should be the end of this analysis, not an invitation to negotiate around it. Powder Mountain's request should not be evaluated under the Town's current R-1 zoning, because the current zoning does not allow it. And it should not be evaluated through a Development Agreement, because a Development Agreement is not a substitute for the rezoning process the Land Use Regulations Title requires when an applicant wants to change what the rule permits. We are not asking the Town to do something difficult. We are asking it to do something simple: apply the ordinance it has already written, exactly as it is written.

Many residents of Huntsville are watching closely to see how the Town responds to this request, and the concern extends well beyond Powder Mountain. If a clearly written ordinance is not enforced as written here, this will not be the last such request — it will be the first of many, each one able to point to this outcome as precedent. There is no reason for the Town to feel compelled or persuaded to negotiate over uses that do not match the zoning that exists today.

II. THE TOWN'S USE TABLE ALREADY ANSWERS SEVERAL QUESTIONS RAISED BY POWDER MOUNTAIN'S OPERATION

Table 15-1 classifies land uses by category, not by who operates them, how they are billed, or how they are described. Several categories relevant to Powder Mountain's Huntsville operation are listed as Not Permitted ("N") in the R-1 zone without qualification:

Food and Beverage Service. Table 15-1 lists "Restaurant, Full Service" as Not Permitted ("N") in the R-1 zone. Powder Mountain serves food to its members on-site, with charges most likely applied through members' monthly billing or some similar mechanism, rather than collected at a

point of sale in Huntsville. We also ask the Town to confirm whether alcohol is served on-site; if so, Table 15-1 separately lists "Bars, taverns, clubs" as Not Permitted ("N") in R-1 as well.

Recreation Equipment Rental. Table 15-1 lists "Recreation Equipment Rentals" as Not Permitted ("N") in the R-1 zone. Powder Mountain provides recreation equipment for use on the lake — including a surf boat, paddleboards, and other beach equipment — to its members. This equipment is owned and provided by Powder Mountain, not by the members themselves, and its cost is bundled into members' monthly dues rather than charged per use or collected at a local point of sale.

Organized Member Events. Table 15-1 lists the "Reception/Events Center" use as Not Permitted ("N") in the R-1 zone. Powder Mountain hosts large gatherings for its membership on a recurring basis throughout the year, including around major holidays such as the Fourth of July, Labor Day, and Memorial Day, among other occasions it designates — activities that appear substantially similar to that use.

None of this turns on where or how Powder Mountain chooses to invoice for these services. Table 15-1 classifies the activity that physically occurs on the property; billing through monthly dues rather than a local point of sale does not change that analysis. This is the same principle we raised in our prior letter regarding the shuttle service: an otherwise-regulated use does not become exempt from the Table because of the business or billing structure behind it.

III. THE USE TABLE DOES NOT CARVE OUT AN EXCEPTION FOR PRIVATE MEMBERSHIP MODELS

Nothing in Title 15.6 or in Table 15-1 exempts a use from classification because access is limited to paying members rather than the general public. The Recreation Zone (RC) ordinance does contain a specific provision limiting use to property owners and the members and guests of a bona fide non-profit association. (§ 15.14.4(F).) No comparable provision exists anywhere in the R-1 Title. "Restaurant, Full Service," "Bars, taverns, clubs," "Recreation Equipment Rentals," and "Reception/Events Center" are all listed as Not Permitted in R-1 without qualification, and the Table does not ask whether the customer base is the general public or a closed membership roll.

We understand that Powder Mountain operates on a private, dues-based membership model rather than selling access to the general public. Whatever the merits of that model, it does not place Powder Mountain's restaurant, equipment rental, or events operations outside the Use Table's reach. If anything, a structured membership program, recurring monthly billing, and scheduled member events are themselves the marks of an organized commercial enterprise, not a casual or incidental use of residential property.

IV. THE TOWN IS ENTITLED TO LOOK AT WHAT IS ACTUALLY HAPPENING ON THE PROPERTY, NOT JUST HOW IT IS DESCRIBED

The Town's zoning ordinance does not ask the Town to take a property owner's characterization of its own use at face value; it asks what is actually occurring on the property. Powder Mountain maintains substantial paid staff to operate its Huntsville site, including personnel overseeing garbage removal and collection, sanitation services (including servicing of portable restroom facilities), drivers operating shuttle vehicles bearing Powder Mountain's name (see Exhibit A and Exhibit B), and staff dedicated to boats and water equipment, along with division leads responsible for logistics, food and beverage, games, and water equipment. An operation organized into departments, with designated leadership for each, is not what a private recreational use incidental to residential property looks like, and the Town is entitled to weigh that organizational reality alongside the specific Table 15-1 classifications described above. It also weighs against any suggestion, of the kind addressed in our prior letter regarding the shuttle service, that any individual piece of this operation should be treated as merely incidental to some other permitted use.

V. THE TOWN CAN RESOLVE THE BUSINESS LICENSE QUESTION SIMPLY BY CHECKING ITS OWN RECORDS

We do not know whether Powder Mountain holds a Huntsville business license for any of the commercial activities described in this letter, and we do not assert that it does or does not — this is a question the Town is in the best position to answer from its own records. We ask that the Town confirm, in the public record: (1) whether Powder Mountain currently holds, or has at any time held, a Huntsville business license for any use described above; (2) if so, for which specific uses and as of what date; and (3) if not, why an operation of this scale and staffing has been permitted to continue without one.

VI. WE RENEW OUR REQUEST FOR A DIRECT MEETING WITH THE MAYOR AND TOWN COUNCIL

Following the Town Council Work Session held on June 16, 2026, Mayor Sorensen agreed that an open meeting between Town leadership and concerned residents would be appropriate, to allow for direct, two-way dialogue on these issues outside the formal hearing process. As of the date of this letter, no date or time for that meeting has been proposed or scheduled. We do not raise this to single out the Mayor personally; we recognize that scheduling takes time, and we want to give him every opportunity to lead this conversation. But a meaningful amount of time has now passed since the Work Session, and a substantial number of residents have expressed a strong desire to engage in exactly this kind of direct discussion.

We respectfully ask that the Mayor identify, within two weeks of the date of this letter, a specific date and time when he and members of the Town Council would be available to meet with us. We would much prefer to hold this conversation together, with the Mayor leading it, rather than as a separate, resident-organized event. If a Town-sponsored meeting is not feasible within that timeframe, residents intend to continue the discussion through a community meeting and would welcome participation from Town leadership.

VII. REQUESTED ACTION

In addition to the requests set forth in our letter dated June 17, 2026, we respectfully request that the Town Council and Planning Commission:

1. Direct code enforcement to investigate the food and beverage service, recreation equipment rental, and organized member events described above, in addition to the parking lot and shuttle service addressed in our prior letter.

2. Confirm Powder Mountain's business license status for all commercial activities conducted on its property, as described above, and make that confirmation part of the public record.

3. Confirm that no exception to Table 15-1 exists for member-restricted commercial uses, and that Powder Mountain's private membership model does not exempt it from the Table's classifications.

4. Provide, within two weeks of the date of this letter, a specific date and time for the direct meeting with residents described above.

5. Enter this letter into the official record alongside our letter dated June 17, 2026.

Residents purchased property, invested in homes, and made long-term decisions in reliance on the Town's adopted zoning ordinance. Whatever one's view of Powder Mountain, residents are entitled to expect that the ordinance will be applied consistently.

We raise these additional facts not to pile on, but because we believe the full scope of Powder Mountain's operation is directly relevant to the Town's evaluation of the proposed Development Agreement and any associated rezone. Whether viewed through the parking lot and shuttle service addressed in our prior letter, or through the food, beverage, equipment rental, and events operations addressed here, the conclusion is the same: this is a staffed commercial enterprise that the Town's current zoning does not permit on R-1-zoned property. We appreciate the Town's continued attention to these concerns.

We want to be clear: this letter is not an attack on Powder Mountain or the people who run it. Our request is the same one we would make of any property owner — that the Town apply its R-1 zoning ordinance consistently, as written. We believe that is a fair standard, and one the Town can meet regardless of anyone's personal views on Powder Mountain.

Respectfully submitted,

THE UNDERSIGNED CONCERNED RESIDENTS OF HUNTSVILLE

Jonathan Gardner
Alisa Gardner
Tom Freeman
Jenny Freeman
Aimee McConkie
Bryant McConkie
Becky Benson
Eric Benson
Gil Burkman
Maree Burkman
Jennifer Claesgens
Mariah Carlson
Mariah Carlson
Casey Carlson
Vance Cook
Rudy Eilander
Amiee Erickson
Red Erickson
Cindi Grant
Zach Grant
Amy Groll
Tracy Groll
Judy Gualt
Dawson Hedges
Lorraine Hedges
Stephanie Hedges
Emma Hedges

Iain Hueton
Deanna Johansen
JR Johansen
Gaylene Loeffler
Todd May
Dale Maxwell
Pauline Maxwell
Casey Munger
Mary Jan Munger
Kim Parkinson
Larel Parkinson
Star Primm
Carol Raleigh
Marc Raleigh
Jodi Richardson
David Robinson
Michelle Robinson
Maree Romero
Brian Saunders
Brooke Saunders
Elizabeth Seamons Ward
Lander Seehusen
Kaylie Seehusen
Cole Sheppard
Erika Sheppard
Travis Sheppard
Sonya Shupe
Paul Shupe
Karen Stoker
Kim Stringham
Paul Stringham
Janae Tanner
Pat Tanner
Rachel Taylor
Timothy Taylor
Cynthia Vandermeiden
Rhett Vandermeiden
Kari Waylan
Webster Waylan
Bill White
Tara Whitley

cc:

Bill Morris, Esq., Huntsville Town Attorney

Huntsville Town Clerk (for inclusion in the official record)

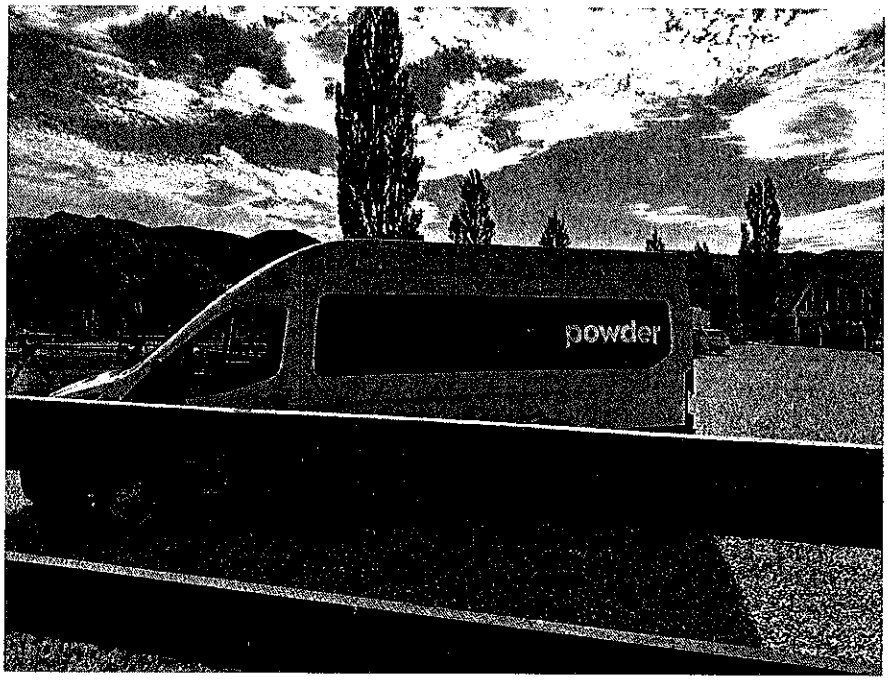
EXHIBITS

EXHIBIT A



Photograph of Powder Mountain-branded shuttle vehicles and adjacent staging area, taken from a neighboring residential property.

EXHIBIT B



Photograph of a Powder Mountain-branded shuttle vehicle, taken from a neighboring residential property.