

Land Development Liaison Report, March 12, 2008

The Jefferson County commissioners have scheduled a hearing on the Mt. Morrison Tower issue for April 1, 2008. This hearing was necessitated after the appeals court overthrew the prior approval of the tower and sent it back to the county commissioners.

In the original application, PBS, channel 6 was listed as a co-applicant and it was stated that they needed the tower to comply with the Federally mandated digital cable TV broadcast requirement taking effect in February, 2009.

Recently, PBS notified the FCC that they were in compliance with the requirement via a DTV antennae located on the existing ice bridge at the current tower structure. We now believe that it would be inappropriate for Channel 6 to continue to be a co-applicant.

Given that the only TV station originally identified as needing the tower to comply with federal requirements has now resolved the issue another way, we believe that it would be appropriate for Genesee to once again oppose the tower.

I am available to speak out in opposition as the President of the Genesee Foundation on April 1. Scott Albertson is able to draft for us, a formal written statement of opposition to the tower and has agreed to do that, in the interests of the community, for roughly ½ of his normal hourly rate.

To oppose the tower, I will need your authorization to spend \$500-\$1000 in attorney fees for this next hearing. In the event that the hearing is continued beyond April 1, I may need your authorization at that time to spend a bit more. That cannot be estimated at this time.

I believe it continues to be in the best interest of the community to oppose the tower and I believe there is a reasonable probability of success in our opposition. I also believe the required investment to be a minor sum given the benefit to Genesee residents of successful opposition to the tower.

Reported by Gary Anderson, President Genesee Foundation