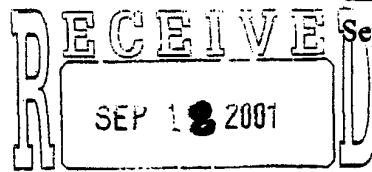


Russell Clark
Jefferson County Planning Dept.
100 Jefferson County Parkway
Golden, CO.80401

September 17th, 2001

Dear Russell,

JEFFERSON COUNTY
PLANNING AND ZONING

Attached is the letter from the Clear Creek County Planning Dept., which describes in detail the building space allowable. This went through Clear Creek County's legal department as well as Squaw Mountain's attorney. Jefferson County received this for their files in 1999. I thought you might want another copy.

Regarding RF. The FCC governs RF. All Telecommunications Sites in America must abide by those guidelines. If you would like, I will forward information on the allowable RF etc. Please advise if you do not have a copy.

Also, please see the attached Clear Creek County building procedures and Telecommunications Regulations.

Regarding our Tower size, as you can see by the ODP, the only specification is a 200' height restriction. Being in the Planning Dept. and with all you've been assigned responsibility wise, you more than most, understand an Approved Official Development is a legal document that cannot be revoked and is a development plan that is totally approved and states clearly what can happen on the property. Any area that is not addressed in the ODP is not an issue for the County.

It makes me wonder about the intention of Jefferson County with the recent recommendation of staff to approve Eldorado even though it clearly violates Jefferson County's Zoning Resolution, section 15,F, sub g as well as section 15F2,a2 in relation to alternative sites. It is not Jefferson County's obligation to provide the broadcasters a place to broadcast from in Jefferson County, or to verify what RF guidelines there are on Squaw Mtn., or to find an on channel repeater solution for the Broadcasters. While I applaud you for your attention to detail, it's confusing that that kind of detail is not given to the more than vague, general, loose application recently recommended for approval in Jefferson County for Eldorado. One can surmise that since Squaw Mountain Communications, Inc. is the *universal solution* for Jefferson County, the Broadcasters, the FCC and the residents of several Counties'. As well as poses no health threat, no safety issues and does not impact the mountain backdrop that perhaps moving to Squaw seems too easy. It is, just that easy. How many engineering reports and letters do I need to provide? So I have an idea. Squaw Mountain's engineer will be available to you, your engineer and Commissioners Wednesday at the site. Then, let's you and I make a list of all concerns that Jefferson County has. As has been SMC's practice, to maintain open and honest communications, I will get with Clear Creek and get a letter, which will give valid answers to valid questions and resolve this once and for all. To reiterate and to make sure there is no misunderstanding at any level, it is SMC's position that we, not Jefferson County, will speak to Clear Creek County and get you any answers regarding development of Squaw Mountain.

If I'm understanding the planning department procedures and guidelines. Eldorado does an analysis and only states half the scenario. Example: Eldorado does an analysis only on Squaw Mountain's shadowing; they conveniently leave out the fact that they themselves, as well as *all* sites have shadowing issues. Therefore, when someone at the

County, or a hired consultant verifies this, a report comes out like the July 10th letter from Mr. Hart. Where he indeed verifies that yes Squaw Mountain does have shadowing, but because other sites, including Eldorado were not mentioned in the Eldorado- Mullaney report, Mr. Hart's analysis does not address the fact that all sites have shadowing. Let's take it one step further; now the planner recommends approval, due to the information given to her based on the interpretation that Squaw Mtn. isn't as good. Which only reiterates the statements made by the applicant and does not represent the truth. It's a vicious cycle of incomplete misinformation and manipulation that starts at the application level and continues throughout. The least I can say is this is wrong and will most likely lead to continued legal conflict and shouldn't be allowed to happen! As it is not in the highest good for the County or the residents.

The bottom line is all 4 sites work, all have shadowing, all shadowing can be technically solved as you stated to Tom Baran. So no matter what anyone or any group says SQUAW MOUNTAIN COMMUNICATIONS, INC. is as valid of a site as the other Jefferson County sites. Squaw Mtn. is not going away despite any opposition. If Jefferson County abides by the Jefferson County Zoning Resolution, which has been stated as a requirement, then the answer to the telecommunications dilemma is obvious. *No rezoning is necessary for any site in Jefferson County.*

Russell, I appreciate all the time you dedicate to the Telecommunications issue and look forward to working with you in getting to the truth and letting the chips fall where they may.



Victoria West
Vice President

CC Jefferson County Commissioners

