Glenda Wiles

From: Russ Lawrence [russ@chapter1bookstore.com]
Sent: Tuesday, March 18, 2008 12:59 PM
To: Glenda Wiles
Cc: Karen Hughes; Front Desk
Subject: Darby zoning

Ravalli County Board of County Commissioners:

I attended yesterday's meeting, but had to leave before you took action. I was extremely disheartened to find that you are allowing the "straw poll" to proceed at all, and further that you are agreeing to abide by its outcome. This is a time for leadership from the County Commissioners, not for abdication of same. I hope you will find an opportunity to reconsider that decision at the earliest opportunity.

This decision is potentially disastrous to getting ANY countywide planning done. To the extent that you back away from the Countywide Planning effort, the anti-zoning forces will jump all over it, and we'll end up with exactly NOTHING to show for everybody's efforts for the last two years. There may even be legal liability, since the all zoning decisions have been based on the premise of "countywide" zoning.

Zoning is all about defining the extent to which we allow our neighbors to act in ways detrimental to our own property and to the community at large. Allowing Darby to "secede" is exactly the same thing, on a macro level. Darby is my "neighbor." What happens in Darby affects us all, countywide.

The zoning process is a gift to the people of Darby. It's a chance for them to say "this is what we want." To say "we don't want zoning" doesn't tell anybody anything. There are a thousand reasons to be against zoning, and there's no way to know what particular aspect of it is causing any one person's irritation. If they TELL us what they WANT, there's a damn good chance they'll get it . . . but they've got to stay with the process in order to do that.

Allowing Darby to "secede" disenfranchises all the voters in the County who have supported Countywide Zoning. That's how it's been approached from the start, and to begin eroding that approach is an insult to all who have brought it this far. The people of Darby should have a right to reject the outcome of the process, but the process should be allowed to carry through to a finished product.

In a republic such as ours, the laws do not always protect the will of the majority—many laws, most notably the Bill of Rights in the Constitution, protect the rights of minorities FROM the "tyranny of the majority." At what point do the commissioners say that a minority in favor of zoning in the Darby area—if indeed, it IS a minority—no longer count? Are you willing to face a 49% minority and tell them, "sorry?" 25%? 10%? It's an ominous line to be drawing.

The representatives from Darby said they want to be treated differently from the rest

of the county. That's a very dangerous road to start down—once you give that status to one group, every group will want differential—meaning, preferential—treatment. The U.S. Supreme Court has the words "Equal Treatment Under Law" carved above its entrance; if it's good enough for the US Supreme Court, I think it should be good enough for the people of Ravalli County. Either everybody participates equally, or the deal's off!

I truly believe that if you allow this "secession" vote to proceed, it will be the end of countywide zoning for the rest of our lives. I hope that I am wrong.

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