

1 The Lander County Planning Commission met in session in the
2 Community Meeting Room of the Lander County Courthouse and
3 Administration Building in Battle Mountain, Nevada, 50 State
4 Route 305, on June 14, 2017, at 6:00 p.m. Transcript produced
5 by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: JOHN WILLIAMS, CHAIRMAN**
8 **LOUIS LANI, VICE CHAIRMAN**
9 **TOM REICHERT, MEMBER**
10 **WALT HOLLAND, MEMBER**
11 **KYLA BRIGHT, COMMUNITY SERVICES OFFICER**
12 **DEONILLA FULLER, EXECUTIVE SECRETARY**
13

14 CHAIRMAN WILLIAMS: I'd like to call this meeting of Lander
15 County Planning Commission to order.

16 If everyone will rise, please, we'll do the Pledge of
17 Allegiance.

18 (Pledge of Allegiance)
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21 CHAIRMAN WILLIAMS: Can we get a roll call, please?
22
23

24 **ROLL CALL**
25

26 KYLA BRIGHT: John Williams?

27 CHAIRMAN WILLIAMS: Here.

28 KYLA BRIGHT: Louis Lani?

29 LOUIS LANI: Here.

30 KYLA BRIGHT: Monte Price? Absent.

31 Tom Reichert?

32 TOM REICHERT: Here.

33 KYLA BRIGHT: Walt Holland?

34 WALT HOLLAND: Here.

35 KYLA BRIGHT: Colt Nelson also absent.
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37

38 **APPROVAL OF AGENDA NOTICE**
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40 CHAIRMAN WILLIAMS: We'd entertain a motion for posting of

1 agenda?
2 LOUIS LANI: So moved.
3 CHAIRMAN WILLIAMS: To approve? Second?
4 TOM REICHERT: Seconded.
5 CHAIRMAN WILLIAMS: All in favor?
6 WALT HOLLAND: Aye.
7 LOUIS LANI: Aye.
8 TOM REICHERT: Aye.
9 CHAIRMAN WILLIAMS: I got to vote? No.
10 TOM REICHERT: Yes. Are we --
11 CHAIRMAN WILLIAMS: No. No. You've got --
12 TOM REICHERT: That's getting down here. Are we officially
13 a seven-member --
14 CHAIRMAN WILLIAMS: Not yet.
15 KYLA BRIGHT: No, not yet.
16 TOM REICHERT: So we only need three.
17 CHAIRMAN WILLIAMS: Yeah. Okay.

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20 **APPROVAL OF MEETING MINUTES**

21

22 CHAIRMAN WILLIAMS: And how about approval of the regular
23 session meeting minutes for March? We have a motion to do that?
24 TOM REICHERT: I abstain. I was not at that meeting.
25 CHAIRMAN WILLIAMS: Walt?
26 WALT HOLLAND: I'll make a motion to approve the minutes
27 for March 8th. Was it the 8th?
28 TOM REICHERT: Yes.
29 CHAIRMAN WILLIAMS: No?
30 LOUIS LANI: Nope.
31 CHAIRMAN WILLIAMS: You don't approve them?
32 LOUIS LANI: No. On these minutes, the way they're coming
33 out, I -- I've got a problem with them. In -- in my opinion,
34 they're incomplete. When it just says, Louis says and then
35 blank, John says and blank, you don't know what you're agreeing
36 to. And I'm not going to sign -- sign off on those. They tell
37 me I've got to go to some office and get the tape to find out
38 what the meeting said. No.
39 CHAIRMAN WILLIAMS: Okay. We had this before.
40 LOUIS LANI: Let me ask you this question. I mean, if I

1 sit here and a- -- and we approve these minutes and then
2 somebody questions who said what -- but they're not in writing.
3 Sure, they're on file somewhere in the tape. But that doesn't
4 do me any good. Give me some direction on this.

5 DEONILLA FULLER: We do keep all of the recordings on
6 record here. So anytime you wanted to come and listen to them
7 -- or I could get you a recording anytime you want it.

8 But I don't have it on tape. I can burn it on a CD.

9 CHAIRMAN WILLIAMS: If there's a -- okay, first question
10 is, if there is a question, then we would go to the --

11 DEONILLA FULLER: And we --

12 CHAIRMAN WILLIAMS: -- tape.

13 DEONILLA FULLER: -- would have -- yes. And I could get
14 it. And it would be available right then.

15 CHAIRMAN WILLIAMS: So if it came to a conflict; right?

16 DEONILLA FULLER: Right.

17 CHAIRMAN WILLIAMS: I wonder, would there be a possibility
18 that we could do -- burn some CDs? How much work is that?

19 DEONILLA FULLER: It's not a ton of work.

20 CHAIRMAN WILLIAMS: Would that be better?

21 LOUIS LANI: That'd be fine. Because I got asked this
22 morning in Austin down there, they said, I just read the minutes
23 and it started to say that you said and then it quit, what did
24 you say? And that's --

25 CHAIRMAN WILLIAMS: Well, then it picks up the -- yeah.

26 LOUIS LANI: It's --

27 CHAIRMAN WILLIAMS: If you go down a few lines further,
28 then it comes back and it picks up there. But I understand your
29 confusion.

30 LOUIS LANI: I -- I don't want to sign off on something and
31 have it come back and bite me. Say, --

32 DEONILLA FULLER: And I will --

33 LOUIS LANI: -- well, --

34 DEONILLA FULLER: -- say --

35 LOUIS LANI: -- you said --

36 DEONILLA FULLER: -- that --

37 LOUIS LANI: -- this.

38 DEONILLA FULLER: -- some --

39 LOUIS LANI: You know.

40 DEONILLA FULLER: I will say sometimes it's because you

1 guys talk at the same times, and so she can't pick up -- she
2 knows that one of you guys is talking, but she can only
3 understand the other person. And that's where it'll say --
4 because it's hard for her on a recording to pick up both voices.
5 Do you know what I'm saying?
6 So if we can try not to talk over each other, it'll be a
7 lot easier for us to get clearer minutes.
8 CHAIRMAN WILLIAMS: Okay. There will be no more of that.
9 LOUIS LANI: I guess it's as clear as mud. So I'll second
10 it.
11 CHAIRMAN WILLIAMS: No, but I -- I -- I -- if you'd like a
12 CD, I mean --
13 DEONILLA FULLER: I can burn one --
14 CHAIRMAN WILLIAMS: We're paying --
15 DEONILLA FULLER: -- probably --
16 CHAIRMAN WILLIAMS: -- for it; so if you want one --
17 DEONILLA FULLER: -- tomorrow.
18 CHAIRMAN WILLIAMS: -- it's got to be --
19 LOUIS LANI: I think so. And that way if --
20 CHAIRMAN WILLIAMS: That'd --
21 LOUIS LANI: -- I --
22 CHAIRMAN WILLIAMS: -- be --
23 LOUIS LANI: -- get --
24 CHAIRMAN WILLIAMS: -- all right?
25 LOUIS LANI: -- questioned on -- because there's a few
26 rabble-rousers on my end of the county down there that they want
27 to quote everything word for word and --
28 CHAIRMAN WILLIAMS: Okay. I'll pass that one.
29 Any -- any other members, would -- would you like a --
30 TOM REICHERT: They don't play on my reel-to-reel. So...
31 CHAIRMAN WILLIAMS: Okay. So how about -- are you in favor
32 of a second? Or you want to wait?
33 LOUIS LANI: Oh. No. I'll second it.
34 CHAIRMAN WILLIAMS: Okay. Well, all in favor?
35 WALT HOLLAND: Aye.
36 LOUIS LANI: Aye.
37 CHAIRMAN WILLIAMS: Aye. I guess. Huh? Tom's not going
38 to --
39 TOM REICHERT: Well, we're still talking the March 8th
40 meetings; right?

1 WALT HOLLAND: Yeah, --
2 CHAIRMAN WILLIAMS: Yes.
3 WALT HOLLAND: -- he abstained.
4 TOM REICHERT: I was not here; so I abstained.
5 CHAIRMAN WILLIAMS: Okay. Good enough.
6 Discussion and possible action regarding approval -- dis-
7 -- minutes for the March 10th.
8 DEONILLA FULLER: Should be (indiscernible, too far from
9 the microphone) --
10 KYLA BRIGHT: May. Oh.
11 TOM REICHERT: May 10th.
12 WALT HOLLAND: May 10th.
13 CHAIRMAN WILLIAMS: Oh, I'm -- oh, it was May 10th.
14 KYLA BRIGHT: You what?
15 TOM REICHERT: You weren't here.
16 CHAIRMAN WILLIAMS: I wasn't here on that one.
17 Anybody like to --
18 TOM REICHERT: Were you here?
19 Did you read them?
20 WALT HOLLAND: A good portion of them.
21 CHAIRMAN WILLIAMS: Were you here in May?
22 You were, huh?
23 LOUIS LANI: Yeah.
24 CHAIRMAN WILLIAMS: Do we have anybody that --
25 WALT HOLLAND: You were here.
26 CHAIRMAN WILLIAMS: -- wants to --
27 TOM REICHERT: Uh-huh. I have to admit I haven't read the
28 whole minutes. What I've read sounds very familiar.
29 WALT HOLLAND: I'll make a motion to approve May 10th's
30 minutes.
31 CHAIRMAN WILLIAMS: Do I have a second?
32 LOUIS LANI: I'll second it.
33 CHAIRMAN WILLIAMS: All in favor?
34 WALT HOLLAND: Aye.
35 TOM REICHERT: Aye.
36 LOUIS LANI: Aye.
37 CHAIRMAN WILLIAMS: Okay.
38
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40

1 **BOARD AND STAFF REPORTS**

2
3 CHAIRMAN WILLIAMS: Any of the board have anything they'd
4 like to share with us on meetings, conferences, anything they've
5 attended?

6 (No comment.)

7 CHAIRMAN WILLIAMS: Staff member?
8 Nope.

9 KYLA BRIGHT: Nope. Not yet.

10 CHAIRMAN WILLIAMS: At --

11 LOUIS LANI: The --

12 CHAIRMAN WILLIAMS: -- this --

13 LOUIS LANI: -- the -- the only thing I've got, I was told
14 today, that the Navy is trying to take an end run and take over
15 the airport in the Austin area.

16 CHAIRMAN WILLIAMS: Oh, yeah?

17 LOUIS LANI: And it's come -- supposedly it's come before
18 the county commissioners, and the public lands is trying to get
19 something done.

20 The Navy wants that Austin Airport because now the BLM's
21 give them all the property right up to and including Austin.

22 And we need that airport down there. That's where the
23 emergency services and stuff travel through.

24 And they're just putting in new fuel tanks and everything
25 down there. So I -- I don't know how it's going to go. That's
26 just --

27 WALT HOLLAND: Huh.

28 KYLA BRIGHT: Yeah.

29 LOUIS LANI: -- information.

30 KYLA BRIGHT: That was something I had heard as well.

31 CHAIRMAN WILLIAMS: Anybody have anything on -- well, this
32 is over the public too so --

33 TOM REICHERT: Hadn't heard it.

34 CHAIRMAN WILLIAMS: Anything else?

35
36
37 **PUBLIC COMMENT**

38
39 CHAIRMAN WILLIAMS: Okay.

40 Anything from -- anybody have anything in the audience they'd

1 like to cuss, discuss? You've got two minutes.

2 (No comment.)

3 CHAIRMAN WILLIAMS: Okay.

4
5 **1) Discussion and possible action regarding approval/disapproval**
6 **of the following special-use permit, and other matters**
7 **properly related thereto.**

8
9 **Applicant: T-Mobile/AT&T/USFS**

10 **Location: Humboldt-Toiyabe National Forest: Austin**
11 **Summit**

12 **APN: 006-090-01**

13 **Type: Special-use permit to install panel antennas,**
14 **microwave antenna, and two equipment cabinets**
15 **adding 15' to existing 80' AT&T tower. Overall**
16 **height will be 95'. Zoning A-3.**

17
18 CHAIRMAN WILLIAMS: Agenda Item Number 1. Discussion and
19 possible action regarding approval/disapproval of the following
20 special-use permit for T-Mobile, AT&T, USFS; Toiyabe National
21 Forest, Austin Summit.

22 Another tower?

23 LOUIS LANI: They're going to add 15 feet to the 80-foot
24 tower that's already up there. Give them a 95-foot tower.

25 CHAIRMAN WILLIAMS: Yeah.

26 TOM REICHERT: If you'll remember in -- it was last year --
27 AT&T, who is our long distance carrier that takes care of our
28 hard lines out there, --

29 CHAIRMAN WILLIAMS: Uh-huh.

30 TOM REICHERT: -- decided to pull residential service
31 because everyone in the state of Nevada is now able to get cell
32 phone service.

33 CHAIRMAN WILLIAMS: Absolutely. Uh-huh.

34 TOM REICHERT: And a lot of us that do not get cell phone
35 service in Lander County opposed that, because it's not true.
36 You know, some of us are out.

37 And so I would presume that AT&T is trying to improve their
38 service so they can say, okay, now everybody in the state of
39 Nevada gets cell.

40 I -- that's just a guess. But there is that happened last

1 year.
2 The county commissioners did not agree to let AT&T --
3 We wrote letters to --
4 CHAIRMAN WILLIAMS: Yeah, they nixed it.
5 TOM REICHERT: Yeah.
6 WALT HOLLAND: Yeah.
7 TOM REICHERT: So it's just something to think about. But,
8 I mean, as far as cell phone tower? Great. Better service?
9 Fine with me.
10 CHAIRMAN WILLIAMS: I'm sorry. You have something?
11 KYLA BRIGHT: I'm --
12 Jeff was going to be called. Jeff wanted us to call him on
13 this item.
14 WALT HOLLAND: He's the AT- -- or the AT&T guy?
15 KYLA BRIGHT: He's the AT&T guy.
16 CHAIRMAN WILLIAMS: Okay.
17 KYLA BRIGHT: Okay?
18 CHAIRMAN WILLIAMS: (Indiscernible, unclear what was said).
19
20 (Contacting Jeff via telephone.)
21
22 CHAIRMAN WILLIAMS: We'll get the guy right now.
23
24 (Contacting Jeff via telephone.)
25
26 TOM REICHERT: They're not going to admit to this.
27 CHAIRMAN WILLIAMS: Huh?
28 WALT HOLLAND: They're clearly --
29 TOM REICHERT: It's -- if they're --
30 WALT HOLLAND: -- it's just adding --
31 TOM REICHERT: -- if they're trying --
32 WALT HOLLAND: -- 15 --
33 TOM REICHERT: -- to give better --
34 WALT HOLLAND: -- foot --
35 TOM REICHERT: -- service, that --
36 WALT HOLLAND: -- to the tower.
37 TOM REICHERT: Yeah.
38 CHAIRMAN WILLIAMS: Yeah.
39
40 (Contacting Jeff via telephone.)

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CHAIRMAN WILLIAMS: What's his name?

(Contacting Jeff via telephone.)

CHAIRMAN WILLIAMS: Jeff?

KYLA BRIGHT: Jeff. Jeff.

(Contacting Jeff via telephone.)

JEFF: This is Jeff.

KYLA BRIGHT: Hi, Jeff. This is Kyla.

JEFF: Hi, Kyla.

KYLA BRIGHT: I have the planning commission here for you.

JEFF: Okay. Hello.

CHAIRMAN WILLIAMS: Jeff, this is John Williams, chairman.

JEFF: Hi, John.

CHAIRMAN WILLIAMS: How are you?

Maybe you can shed some light on what you're doing here and why.

JEFF: Yeah. I'm doing some work for T-Mobile.

And we're trying to -- we're doing -- we're putting in a lot of new sites in this part of Nevada to expand our coverage.

And we want a site up at Austin mountain. There's lot of communication facilities up there already. So we were looking at doing a co-location on the state of Nevada tower, but they were -- they had a lot of stuff going on. We were trying -- we were having a hard time finding the way to -- finding a way to make that tower site work.

And ultimately, it just -- we couldn't figure out placement and whatnot for T-Mobile's antennas. And they didn't have room inside their shelter for any more equipment.

So we switched gears. And we now are trying to make something work on the AT&T tower.

And what we're proposing -- well, what we initially tried to do was co-locate our antennas on their tower. But they have several microwave dishes on there. They have Verizon on there. And there was just no vertical space to put our antennas on the existing 80-foot tower. So what we're proposing to do is add a 15-foot tower extension and co-locate our antennas -- T-Mobile's

1 antennas -- their panel antennas, which are the antennae that
2 actually transmit and receive frequencies that your cell phone
3 uses. They would be mounted to that tower extension.

4 And then we're proposing to add a microwave dish antenna
5 lower on the tower. And that's been -- the purpose of that
6 antenna is to relay a fiber connection since there's no fiber up
7 there. So that -- that would help make the site operate. Or
8 it's needed to make the site operate.

9 And then we're -- I've been working with the Forest
10 Service. And they were -- wanted a -- they -- they discouraged
11 us from any ground disturbance. So we have a solution that has
12 a couple -- two small radio cabinets that we're going to
13 actually mount to the base of the tower leg.

14 And then we're going to run one conduit from those radio
15 cabinets to the existing power transformer. And -- and that
16 conduit's going to go aboveground, similar to some other conduits
17 that are up there so that we don't have trench or disturb ground
18 space.

19 So that's -- that's pr- -- that's what we're proposing.
20 And the purpose to is provide T-Mobile with wireless service in
21 that area.

22 TOM REICHERT: Good.

23 CHAIRMAN WILLIAMS: So that would really enhance the
24 coverage?

25 JEFF: Yes, it'll -- it'll -- I'm working on -- myself, I'm
26 working on approximately ten -- ten or so sites for T-Mobile.

27 In -- gosh -- Bald Mountain; Schurz, Nevada; several
28 different areas in kind of the eastern, northeastern part of
29 Nevada where T-Mobile doesn't have a presence. But they have FCC
30 licenses, and they're -- they need to deploy coverage. So they're
31 -- there's a whole smack of sites that T-Mobile is working on
32 right now that'll really improve their coverage once they're all
33 on-air, which we're trying to get them all on-air by the end of
34 this year. But I think there's a few of them that are just --
35 they have, you know, various problems that just are more
36 time-consuming. So probably some of them will come on-air, --

37
38 (Cell phone ringing.)

39
40 JEFF: -- you know, first or second quarter of 2018.

1 CHAIRMAN WILLIAMS: Any questions from the board?
2 LOUIS LANI: Yeah, I've got one.
3 AT&T is -- last fall put up an 80-foot tower in -- in
4 Austin that's not really being -- it's not being utilized. Are
5 you going to try to use that one?
6 And then there's another tower going up right now. NDOT is
7 putting a tower up down by their yard that -- to tie into the
8 fiber system.
9 JEFF: This is -- we're up on -- this is a separate
10 location than Austin Summit?
11 LOUIS LANI: No, I know. I'm quite familiar with the area.
12 That's --
13 JEFF: No. No. I'm sorry. That was a question -- I'm --
14 from me. Is -- is that -- is that a different -- different
15 location than Austin Summit?
16 LOUIS LANI: Yes. The tower -- the 80-foot tower that they
17 just built is right, literally, in the middle of the town of
18 Austin.
19 JEFF: Okay. Yeah. I was not aware of that. I know that
20 -- there's not a -- there's not a lot of population in that
21 area. So we -- higher sites are what we want so that we can
22 cover a bigger geographic area.
23 So we are utilizing the AT&T's tower. It's just the one
24 that's on Austin mountain, not -- not the one they're proposing
25 to build.
26 LOUIS LANI: Well, the other one's been built. And Lander
27 County put up the money to put that one up. And the purpose of
28 that was supposed to be to give the sheriff's office almost a
29 direct communication with -- with Battle Mountain.
30 And they've got a little tower down there that they're using
31 now. But the big tower's just sitting there and makes a good
32 roost for the vultures.
33 JEFF: I think -- well, I think, obviously T-Mobile's
34 network deployment is behind Verizon and AT&T. So usually when
35 the carriers build out an area that doesn't have sites, they
36 build out the higher sites first. And then over a period of
37 time, they come in and have infill sites that are typically
38 lower where they're trying to offload traffic from another site
39 that's too busy.
40 But we're just not -- we're just not that far along yet.

1 So we're just trying to get the highways. We're trying to
2 maximize our coverage with these sites so that the -- the higher
3 sites are kind of what we're gearing towards right now.

4 LOUIS LANI: Well, I guess my question would be: When that
5 15-foot goes on top of the tower up there, is it going to help
6 the reception in Austin? Because only about half the town has
7 got reception.

8 If you've got line of site with the tower on a hill, fine.
9 If you sit down in a canyon, you've got nothing.

10 JEFF: I don't -- I don't know that it propagated the
11 coverage much differently, because we were -- we were originally
12 trying to fit -- squeeze in between some of the microwave
13 antennas. We were trying to avoid a height increase. We were
14 trying to utilize the existing vertical space.

15 But it just -- there just was no vertical space where there
16 weren't already antennas on that tower. So --

17 TOM REICHERT: Jeff, may I ask -- may I ask a question?

18 JEFF: If --

19 TOM REICHERT: My name is Tom Reichert. I'm on the
20 planning commission.

21 JEFF: Okay.

22 TOM REICHERT: Quick question. At this time, is there any
23 T-Mobile service in Austin?

24 JEFF: If -- if there is, it's -- it's not on T-Mobile's
25 network. If -- they've been -- I believe they may have a
26 roaming agreement with --

27 TOM REICHERT: So -- so basically, what you are doing is
28 adding one more carrier to the area? Not necessarily expanding
29 overall service, but adding one more carrier to the people that
30 already get service?

31 JEFF: Yeah. If you -- if you have AT&T or Verizon right
32 now, they have sites there. You have coverage.

33 T-Mobile, there's just a lot of this part of Nevada that
34 does not have -- that T-Mobile does not have a presence. But
35 they own an FCC license. So they're just now getting around to
36 deploying their own facilities in this part of Nevada.

37 I mean, you can go a hundred miles north, south. There're
38 building sites. We're trying to build sites and get them on-air
39 by the end of this year.

40 TOM REICHERT: Thank you.

1 CHAIRMAN WILLIAMS: Anybody else have anything?
2 Okay, Jeff. Thank you.
3 JEFF: Thank you.
4 CHAIRMAN WILLIAMS: We'd entertain a motion one way or the
5 other.
6 TOM REICHERT: I'll make a comment.
7 As long as there's no problem with the Navy or the -- what
8 would it be? -- FAA or whoever for build- -- making a tower
9 15 feet taller, I don't see a problem with it.
10 CHAIRMAN WILLIAMS: Well, it's always been my understanding
11 you'd have to clear it with them first before it comes here.
12 So...
13 LOUIS LANI: On the top of that mountain, you put 15 feet
14 on top of an 80-foot tower, they better be complying with the
15 lighting because there's a lot of air traffic up there. And
16 you're literally on top of the world up there.
17 TOM REICHERT: They must be. So as long as they're --
18 JEFF: Guys, I can add that we do our FAA and FCC
19 compliance with all our sites. There's another site that I'm
20 working on right now where I have been working with the Navy.
21 And we had several meetings with them to make sure there's no
22 interference. In fact, we're doing a special test for them when
23 we deploy our site and turn it in on-air. We'll be do- -- doing
24 some testing together with them. So that once we turn it on,
25 they're able to check and make sure there's no interference.
26 So those are all check -- check boxes we go through when we
27 build a site. We do our phase one, our NEPA, FAA, and FCC. And
28 we don't start construction until all that stuff is clear.
29 LOUIS LANI: Well, I'm assuming you've got all your
30 special-use permits and stuff with the for- -- U.S. Forest
31 Service?
32 JEFF: The Forest Service, I'm working with. They -- they
33 -- they're waiting for me to provide them with a structural
34 analysis. They just want to make sure that structurally it
35 works. And that's been delayed due to access because of the
36 snow. But I should have that, I would say, the next three to
37 four weeks.
38 So they haven't expressed any concerns other than they
39 didn't want us to -- they wanted us to avoid disturbing
40 additional ground space, which is why our design is what it is

1 so that we're meeting the concerns they expressed to us.
2 Because I was in touch with them up front to say, Hey, this
3 is what we want to do.
4 And they kind of said, Well, let's -- you can do it this
5 way. This would be better.
6 That's kind of why our -- we're not putting in is a new
7 shelter. We're not putting in a concrete pad with new cabinets.
8 Everything is on existing.
9 LOUIS LANI: You can't get any ground disturbance up there
10 because you're on top of a rock pile.
11 JEFF: It --
12 TOM REICHERT: Okay. I'll make a motion we approve it.
13 LOUIS LANI: I'll second it.
14 TOM REICHERT: There is a -- we changed something in the
15 use permits for things like this where it's not an annual;
16 correct?
17 CHAIRMAN WILLIAMS: Right.
18 Until use ceases.
19 TOM REICHERT: Or the lease -- yeah.
20 CHAIRMAN WILLIAMS: Runs out.
21 TOM REICHERT: Okay.
22 I have the motion.
23 CHAIRMAN WILLIAMS: Do we have a second?
24 LOUIS LANI: You have the second.
25 CHAIRMAN WILLIAMS: All in favor?
26 WALT HOLLAND: Aye.
27 TOM REICHERT: Aye.
28 LOUIS LANI: Aye.
29 CHAIRMAN WILLIAMS: Okay.
30 TOM REICHERT: Thank you for your time, Jeff.
31 CHAIRMAN WILLIAMS: Thank you, Jeff.
32 JEFF: Okay. Yeah, thank you for calling me. I appreciate
33 it. I -- I had to drive to Kern County today. So I've been
34 about 600 miles already. I just couldn't make it there.
35 CHAIRMAN WILLIAMS: That's all right. We appreciate you
36 being on the phone.
37 JEFF: Okay. Well, thank you.
38 CHAIRMAN WILLIAMS: Thank you.
39 JEFF: Uh-huh. Bye-bye.
40 CHAIRMAN WILLIAMS: Do I have to shut that off? Or it'll

1 shut off?

2 DEONILLA FULLER: Yep.

3 CHAIRMAN WILLIAMS: Yeah. I think it's dead.

4 LOUIS LANI: Some of the lights went out --

5 KYLA BRIGHT: Yep.

6 LOUIS LANI: -- here.

7

8 2) Discussion for possible action regarding approval/disapproval
9 of the following zone change, and other matters properly
10 related thereto:

11

12 Applicant: Jay Wintle

13 Location: Faded Sage Drive, South of Allen, North of
14 Yellow Brick Road, Battle Mountain, Nevada

15 APN: 010-280-07, 010-280-08, 010-280-09, 010-280-12,
16 010-280-13

17 Type: To change APN #010-280-07 (26.38 AC) from A-3
18 to A-1 with a minimum lot size of 2.5 acres and
19 to change APN #010-280-09 (26.35 AC),
20 APN #010-280-13 (23.72 AC), and the easterly
21 720 feet of APN #010-280-08 (14.35 AC), and the
22 easterly 720 feet of APN #010-280-12 (12.94 AC)
23 from A-2 to A-1 with a minimum lot size of 2.5
24 acres.

25

26 CHAIRMAN WILLIAMS: Okay. Agenda Item Number 2. Mr.
27 Wintle.

28 JAY WINTLE: Yes.

29 CHAIRMAN WILLIAMS: Discussion and possible action
30 regarding approval/disapproval of the following zone change, and
31 other matters properly related thereto. Jay Wintle. Oh, my
32 God. Faded Sage Drive. Yellow Brick Road. APN 010-280-07,
33 010-280-08, -09, -12, and -13.

34 And to change the APNs from 010-280-07 from A-3 to A-1;
35 correct?

36 JAY WINTLE: Yep.

37 CHAIRMAN WILLIAMS: Then on the si- -- lot size 2 1/2 acres
38 change APN 010-280-09 and -13 on the easterly 720 foot of that
39 one, -13.

40 JAY WINTLE: Should be two of them, 750 feet.

1 CHAIRMAN WILLIAMS: Then we have 010-280-08, 14 and .35 and
2 easterly 720 APN -- and I ran -- oh, there it is -- 010-280-12
3 from A-2 to A-1 also. Minimum lot size, 2 1/2.

4 JAY WINTLE: Yep.

5 CHAIRMAN WILLIAMS: Why?

6 JAY WINTLE: A little background of what's going on. The
7 city's budgeted in their 2017 budget to put water out there.

8 Trying to get ahead of them to utilize the water. The
9 water's going into a design phase right now.

10 CHAIRMAN WILLIAMS: They are going to run water?

11 JAY WINTLE: Well, we'll see.

12 They say they are. I mean, it's -- but it went through the
13 budget meeting. Bert's working on it.

14 CHAIRMAN WILLIAMS: From that corner over there, huh?

15 JAY WINTLE: Oh, they want to make a loop over and catch
16 what --

17 CHAIRMAN WILLIAMS: Yeah.

18 JAY WINTLE: -- they've got going on with that Indian thing
19 over there (indiscernible, unclear). Before they promise them
20 utilities, they want to make a loop coming from Casey going out,
21 coming down Allen Road, going back in to where the school is
22 there.

23 CHAIRMAN WILLIAMS: Uh-huh. Okay.

24 JAY WINTLE: That's what their plan is. It's just try to
25 stay ahead if -- makes more sense if they're running water to
26 run a little smaller lots. But we want to stay at least 2 1/2
27 acres. In case it don't happen, we're still within --

28 CHAIRMAN WILLIAMS: Right.

29 JAY WINTLE: -- current zoning.

30 CHAIRMAN WILLIAMS: Any question from the board?

31 JAY WINTLE: Requirements from the master plan.

32 TOM REICHERT: Have they --

33 CHAIRMAN WILLIAMS: Pardon me?

34 JAY WINTLE: Stay at 2 1/2 acres so we'd stay within the
35 master plan.

36 CHAIRMAN WILLIAMS: Amen.

37 TOM REICHERT: They're talking about water. Are they
38 talking about sewer?

39 JAY WINTLE: No. Just water.

40 They got a sewer plan. But I don't know if it stays on this

1 side. It's a couple years. It was budgeted year before. They
2 got -- want to run another sewer line from the sewer plant
3 somewhere there. I don't know the --
4 LOUIS LANI: Yeah, put --
5 JAY WINTLE: -- course it is.
6 LOUIS LANI: -- put some lift stations in out there.
7 Have you seen this letter, in regards to yours, from Eddie
8 King?
9 JAY WINTLE: No. I haven't. I've seen it before. But
10 probably this is a new one.
11 LOUIS LANI: This -- this one's directed to the planning
12 commission. It was just -- just come out today.
13 JAY WINTLE: Yeah. Okay.
14 WALT HOLLAND: And you got the only copy of it, Louis? Or
15 --
16 LOUIS LANI: I picked it up from Miteshell. She calls
17 it -- I got a copy down here for you. So I went down and got
18 it.
19 KYLA BRIGHT: It's in your email.
20 WALT HOLLAND: Oh.
21 KYLA BRIGHT: (Indiscernible, too far from the microphone)
22 got a copy of it.
23 CHAIRMAN WILLIAMS: I don't see one.
24 LOUIS LANI: It wasn't in the packet. It just showed up
25 today.
26 TOM REICHERT: She emailed it --
27 KYLA BRIGHT: It came after, though, --
28 TOM REICHERT: -- to you.
29 KYLA BRIGHT: -- you sent the --
30 WALT HOLLAND: Sent it out.
31 CHAIRMAN WILLIAMS: You Au- -- you Austin guys get all
32 the --
33 LOUIS LANI: Oh, we get all the perks down --
34 CHAIRMAN WILLIAMS: Sure.
35 LOUIS LANI: -- there.
36 CHAIRMAN WILLIAMS: Stuff. Yeah.
37 Did you get anything, Walt?
38 WALT HOLLAND: It's on my email.
39 CHAIRMAN WILLIAMS: Is it?
40 Hm.

1 TOM REICHERT: Do you have any more copies of it?
2 KYLA BRIGHT: In the office, I do.
3 JAY WINTLE: It's --
4 CHAIRMAN WILLIAMS: So we need to enter that into the
5 record, probably, huh? Is that a --
6 TOM REICHERT: I've read --
7 JAY WINTLE: Are you going to read --
8 TOM REICHERT: -- Louis' copy.
9 JAY WINTLE: -- it into the record? Or --
10 LOUIS LANI: Now, what he's putting in there, if you're
11 going to get water out there, that would address part of the
12 problems there.
13 JAY WINTLE: I address that. Plus it's already -- done all
14 the requirements for the septic. We can have 90 septic systems
15 in a mile. We're currently -- she says we're adding 40, but
16 we're not adding 40. We're -- actually, by this here, we'd only
17 add about 15, 20 from what we already got. We're five acres
18 anyway.
19 So we're still way under on the septic --
20 LOUIS LANI: Yeah, but, --
21 JAY WINTLE: -- system.
22 LOUIS LANI: -- you know, this nitrate and nitrite is
23 getting to be a big item.
24 JAY WINTLE: No, it is.
25 LOUIS LANI: And he --
26 JAY WINTLE: And that's -- that's --
27 LOUIS LANI: He addressed --
28 JAY WINTLE: -- a good deal putting water out there --
29 LOUIS LANI: Yeah.
30 JAY WINTLE: -- because that addresses it.
31 LOUIS LANI: But with that many septics and stuff, he
32 indicates in here, you know, it could have a negative influence
33 on his production wells, irrigation wells.
34 So this ought to be put into our minutes so that there is a
35 record of it.
36 CHAIRMAN WILLIAMS: Yeah.
37 JAY WINTLE: It requires a --
38 Which we are. That's why there's a 600-foot bumper, why
39 we're doing 720 feet and leaving 600 or -- master plan requires
40 that you don't abut him with A-1 property on a current farm

1 operation.

2 TOM REICHERT: He --

3 JAY WINTLE: His well's another 1300 feet past that, where
4 his irrigation well is from any development we'd have.

5 CHAIRMAN WILLIAMS: Well, I'll read it. And then we should
6 file this. Okay?

7 This letter's from Samuel E. and Jeanne King, 1150 Allen
8 Road.

9 In response to your letter, May 31, 2017, regarding a
10 proposed zone change near our residence, we would like you to
11 carefully consider several things of the utmost importance.

12 First, be the issue of potentially 40 private septic
13 systems. This ground in question is historically hardpan and
14 poor -- and of poor drainage. This is evidenced by the water
15 standing in puddles for a long time after a main -- a minor
16 rain. This is hardpan clay. Has a soil test been done on the
17 land?

18 With such poor drainage and absorption, you need to think
19 about possible existing domestic wells becoming contaminated.

20 Have you considered that?

21 That may have legal ramifications.

22 Second, is the issue of potentially 40 domestic well
23 drilled next to irrigation wells in low-water-table system,
24 impact it would have on existing wells of all kinds.

25 Has there been any study done on the water table in the
26 area?

27 Third, the road system is not -- as it is, will not handle
28 40 families and their vehicles. Heavy dust layers will have
29 impact on growing crops, landscaping. Dust also affects
30 livestock, domestic animals.

31 Are you prepared to handle dust control as well as snow
32 control?

33 Fourth, is our fire department prepared to take on
34 protection of this large subdivision as far tow- -- away from
35 town as it is?

36 How about trash pickup? Have they required -- been required
37 to have trash service? Or will they will be required to burn
38 freely? Or be allowed to?

39 We question if the developers make any -- make all these
40 points clear to the potential buyers.

1 We most sincerely request you think these points through
2 thoroughly before recommending -- rescinding a decision.
3 Samuel E. King.
4 Most all of those are -- been addressed.
5 JAY WINTLE: Yeah, there's several septic systems went in.
6 They've -- there's been no problems --
7 CHAIRMAN WILLIAMS: The --
8 JAY WINTLE: -- with their soil --
9 CHAIRMAN WILLIAMS: -- state --
10 JAY WINTLE: -- tests.
11 CHAIRMAN WILLIAMS: -- regulates the septic systems and the
12 wells.
13 JAY WINTLE: And the wells.
14 CHAIRMAN WILLIAMS: And the --
15 JAY WINTLE: It's open district still.
16 CHAIRMAN WILLIAMS: -- aquifers are number one priority
17 anymore with the state.
18 The dust? That one's on you; right?
19 JAY WINTLE: Well, it will be built to county specs. But
20 the county is -- we're working on negotiating a deal that I
21 build the road to county specs to Allen Road. And they were
22 going to pave the road all the way back to where it ties in to
23 26th in this budget they've got too.
24 CHAIRMAN WILLIAMS: Snow removal.
25 JAY WINTLE: So that would be an emergency loop around the
26 town, will give you -- give the town -- basically what they're
27 working at is getting the emergency services off of Allen Road
28 back to 305.
29 CHAIRMAN WILLIAMS: And, of course, trash pickup will be --
30 JAY WINTLE: It's already out there. They -- they just
31 call when they want a trash can. They come anywhere you get
32 trash -- everywhere you need trash.
33 CHAIRMAN WILLIAMS: They're not required to sign on. But
34 --
35 JAY WINTLE: I mean, they're not required by me.
36 CHAIRMAN WILLIAMS: No. Yeah, but if --
37 JAY WINTLE: But the --
38 CHAIRMAN WILLIAMS: -- but if --
39 JAY WINTLE: -- trailers are --
40 CHAIRMAN WILLIAMS: -- they do --

1 JAY WINTLE: The trailer that's already out there has
2 trash.
3 CHAIRMAN WILLIAMS: They do pick up. Uh-huh.
4 Burn freely?
5 JAY WINTLE: I think that's against --
6 CHAIRMAN WILLIAMS: I don't --
7 JAY WINTLE: -- county --
8 CHAIRMAN WILLIAMS: -- think that's --
9 JAY WINTLE: -- ordinances. So if --
10 CHAIRMAN WILLIAMS: I don't think that's --
11 JAY WINTLE: -- somebody's doing that, --
12 CHAIRMAN WILLIAMS: -- allowed anywhere --
13 JAY WINTLE: -- I think they're --
14 CHAIRMAN WILLIAMS: -- in the county, is it?
15 WALT HOLLAND: Well, I --
16 LOUIS LANI: Certain --
17 WALT HOLLAND: -- don't do it.
18 LOUIS LANI: -- certain times of the year --
19 TOM REICHERT: Nobody does --
20 LOUIS LANI: -- there's a little --
21 TOM REICHERT: -- it anyway.
22 LOUIS LANI: -- window you can burn. But that's --
23 CHAIRMAN WILLIAMS: Oh, --
24 JAY WINTLE: You need a permit. And I think --
25 CHAIRMAN WILLIAMS: Okay.
26 JAY WINTLE: -- you got to be out of city -- out -- out of
27 the town. I mean, you could --
28 LOUIS LANI: Uh-huh.
29 JAY WINTLE: -- you -- like I say, if you're out of town a
30 ways. I don't think you can burn anywhere in town.
31 CHAIRMAN WILLIAMS: Well, and I think ranchers and out and
32 about in areas like that --
33 JAY WINTLE: They have to notify, I think, the fire
34 department, I believe.
35 WALT HOLLAND: Uh-huh.
36 JAY WINTLE: It's still --
37 LOUIS LANI: The fire department and the sheriff's office.
38 Everybody's in the loop.
39 CHAIRMAN WILLIAMS: But out --
40 JAY WINTLE: When you're going to burn, --

1 CHAIRMAN WILLIAMS: -- there, they wouldn't.
2 JAY WINTLE: -- for when somebody calls in the smoke, they
3 don't go rushing out there.
4 CHAIRMAN WILLIAMS: Poor drainage?
5 Yeah. We know about that.
6 JAY WINTLE: That's all of Nevada.
7 TOM REICHERT: Do you have two perc tests with the septic
8 systems? Or --
9 JAY WINTLE: Yeah, they do a perc test. And we have --
10 TOM REICHERT: That goes through the --
11 JAY WINTLE: There's --
12 TOM REICHERT: -- state health --
13 JAY WINTLE: Yeah, that --
14 TOM REICHERT: -- department?
15 JAY WINTLE: -- go- --
16 TOM REICHERT: Right?
17 JAY WINTLE: Well, it goes through Anna. Anna's goes
18 through the state. She handles it all. But she has to -- like
19 I say, we did -- working on the -- we've had three perc tests in
20 the area, plus everybody else'll get a perc test up to there.
21 There has been no --
22 CHAIRMAN WILLIAMS: Well -- yeah. Correct me if --
23 JAY WINTLE: No. No. Nothing out of the ordinary.
24 CHAIRMAN WILLIAMS: Correct me if I'm wrong, but anymore
25 it's gotten to the point that septic systems and wells and/or
26 aquifers are all totally controlled by the state.
27 JAY WINTLE: Yeah.
28 CHAIRMAN WILLIAMS: They have to go every --
29 JAY WINTLE: That's -- that's why you're looking at --
30 well, the state allows still on an acre, but they recommend 2
31 1/2 acres. That's why the master plan says 2 1/2 acres.
32 The state will -- is still let a septic and a well on an a-
33 -- acre. And they'll let a septic tank on a half acre.
34 CHAIRMAN WILLIAMS: Well, you have to go through the state.
35 JAY WINTLE: Yeah.
36 WALT HOLLAND: Uh-huh.
37 CHAIRMAN WILLIAMS: So this is one thing. I don't know how
38 we do this, but we need to get out to the public somehow.
39 JAY WINTLE: And it is an open district. When he talks is
40 -- you know, this -- water table's high out there anyway. But

1 it is still an open -- it's still -- Clover here is still an
2 open basin, in theory. I don't think --
3 CHAIRMAN WILLIAMS: So --
4 JAY WINTLE: -- you can g- --
5 CHAIRMAN WILLIAMS: -- there's no --
6 JAY WINTLE: I don't think you can get a major water permit
7 out of it. But there's time. It's still open, in theory.
8 CHAIRMAN WILLIAMS: What I'm getting at is, this board is
9 the wrong one that -- this has nothing to do with us. Water
10 wells, septic systems, totally out of our control.
11 JAY WINTLE: I mean, basic- --
12 CHAIRMAN WILLIAMS: They have to apply.
13 JAY WINTLE: -- basically what's addressed with you is the
14 2 1/2-acre in the master plan to address that you don't
15 oversaturate an area.
16 CHAIRMAN WILLIAMS: Uh-huh.
17 JAY WINTLE: Yeah.
18 CHAIRMAN WILLIAMS: And they have to go --
19 JAY WINTLE: As --
20 WALT HOLLAND: Which meets the requirements of the master
21 plan.
22 CHAIRMAN WILLIAMS: Uh-huh.
23 TOM REICHERT: And so --
24 WALT HOLLAND: So --
25 TOM REICHERT: -- you basically --
26 WALT HOLLAND: -- do we really want to --
27 TOM REICHERT: -- want to rezone these five parcels,
28 dropping off 720 acres in the back for the --
29 JAY WINTLE: Seven hundred --
30 TOM REICHERT: But --
31 JAY WINTLE: Six hundred feet --
32 TOM REICHERT: Se- --
33 JAY WINTLE: -- in the --
34 TOM REICHERT: Yeah.
35 JAY WINTLE: -- back.
36 TOM REICHERT: 720 feet, wasn't it? Or --
37 JAY WINTLE: No, it's six -- we keep -- we rezone 720 feet.
38 TOM REICHERT: Oh, and --
39 JAY WINTLE: There's 600 feet --
40 TOM REICHERT: -- 600 left that --

1 JAY WINTLE: -- against --
2 TOM REICHERT: -- stays --
3 JAY WINTLE: -- King's --
4 TOM REICHERT: -- A-2 --
5 JAY WINTLE: -- that stays --
6 TOM REICHERT: -- to make --
7 JAY WINTLE: -- A-2.
8 TOM REICHERT: -- a buffer so you're not going from A-3 to
9 A-1.
10 JAY WINTLE: Oh, yeah. And we're not -- yeah, we're not --
11 this master plan addresses that you can't bump up with an A-1
12 against a --
13 TOM REICHERT: Existing.
14 JAY WINTLE: -- current, existing agricultural operation.
15 It don't say how far; it just --
16 TOM REICHERT: And this isn't the subdivision plan that
17 says where your lots are going to be. This is just changing
18 those large parcels, the zoning on them, to --
19 JAY WINTLE: Just changing --
20 TOM REICHERT: -- A-1.
21 JAY WINTLE: -- the zoning for we can -- basically to get
22 ahead. I mean, it's -- it's probably a 5-, 10-year project, 15-
23 year project and things. I mean, how a county sell them.
24 But, Like I say, it's just to get Bert something on the
25 master -- you know, to put a -- where the va- -- master valves
26 need to go, where -- where he needs to run services across the
27 street before we build the street and stuff like that. Because
28 he wants to run services before the street's built.
29 CHAIRMAN WILLIAMS: And roads and everything. Yeah.
30 JAY WINTLE: Well, the road. It'll be, like I said, it's
31 all addressing one road. We're -- we're basically adding --
32 TOM REICHERT: We have a question in the audience.
33 GARY SWEENEY: Is the county now doing services for
34 subdivisions? Or willing to provide the laterals and all that
35 stuff off the mains for subdivisions?
36 JAY WINTLE: No. You've got to -- you've got to pay your
37 hookup fee.
38 GARY SWEENEY: No, I mean you've got to do your own work;
39 right?
40 JAY WINTLE: No.

1 GARY SWEENEY: County's going to do that?
2 JAY WINTLE: Counties always do it.
3 GARY SWEENEY: No, they haven't.
4 JAY WINTLE: Always did it for me.
5 GARY SWEENEY: They never did it for me. It costs me a
6 hundred thousand dollars to do 17 lots with the improvements.
7 JAY WINTLE: Because the last one we did, it cost -- on
8 Turquoise Hills out there, they run all the laterals.
9 GARY SWEENEY: No, we did our own. Had to do all the
10 water, sewer, pavement, everything.
11 CHAIRMAN WILLIAMS: Now, this one's been about five years
12 now.
13 And I don't know what's -- it --
14 JAY WINTLE: Well, we would have to run the main if the
15 city wasn't running the main. I just -- like I say, I have no
16 preference whether the main's out there or not. It's --
17 GARY SWEENEY: Yeah. But, I mean, they're doing laterals
18 off of that to --
19 JAY WINTLE: No. Not --
20 CHAIRMAN WILLIAMS: No. No.
21 JAY WINTLE: -- not big lateral, just the service laterals
22 across the street.
23 GARY SWEENEY: Okay.
24 JAY WINTLE: They're just sitting flat. It's service
25 laterals.
26 CHAIRMAN WILLIAMS: They're running the trunk line.
27 JAY WINTLE: Yeah, they're running a trunk line.
28 GARY SWEENEY: Oh.
29 JAY WINTLE: And he's running where he don't have to cross
30 the asphalt. Where he cut asphalt, --
31 GARY SWEENEY: Yeah.
32 JAY WINTLE: -- he's running --
33 CHAIRMAN WILLIAMS: Is that what you're asking?
34 JAY WINTLE: -- one-inch.
35 GARY SWEENEY: Yeah. See. That -- they never used to do
36 that. We got to -- we had to do the asphalt. We had to do the
37 -- we had to do the grade work. We had to do the curb and
38 gutter, had to do everything.
39 WALT HOLLAND: The way I understand it, Gary, they're --
40 they're wanting to put these services in so they can make the

1 loop of the city for their emergency services.
2 GARY SWEENEY: Uh-huh.
3 WALT HOLLAND: So if I understand this, is if they don't
4 put water in, he still wants 2 1/2-acre lots.
5 GARY SWEENEY: Yeah. That's all right.
6 WALT HOLLAND: And he's going to do wells.
7 GARY SWEENEY: Yeah.
8 WALT HOLLAND: But the other piece of it is, is if the
9 city's going to put it in, then --
10 JAY WINTLE: And what I --
11 WALT HOLLAND: -- why --
12 JAY WINTLE: -- did is --
13 WALT HOLLAND: -- put the well?
14 JAY WINTLE: -- approach the city on -- because there's
15 probably about 2,000 foot of road out there that's not on my
16 property. I told them I'd build that last piece of roa- --
17 piece of road if they paved it from Allen Road back into --
18 GARY SWEENEY: Uh-huh.
19 JAY WINTLE: -- where it ties into --
20 GARY SWEENEY: Well, I don't blame you too. I think if you
21 try to get anything you can out of them, but I just --
22 JAY WINTLE: But basically where -- where this generated
23 from, they -- I made that -- and they were pretty interested
24 because they don't have an emergency loop.
25 GARY SWEENEY: Uh-huh. Oh, i can see that. I just didn't
26 think the county should be putting in anything off of the --
27 into the private districts. But --
28 WALT HOLLAND: But they're just putting the trunk line so
29 you don't have to dig up the road.
30 GARY SWEENEY: Uh-huh.
31 WALT HOLLAND: So it's just going to be stubbed out.
32 JAY WINTLE: Yeah, they're stubbing servi- --
33 WALT HOLLAND: So into the property --
34 JAY WINTLE: One-inch is across the offside of the road, is
35 what they're doing.
36 GARY SWEENEY: Uh-huh.
37 WALT HOLLAND: The landowner would still have to do that.
38 JAY WINTLE: Well, it comes in your hookup fee. But, like
39 I say, you pay a premium hookup fee when you pay a hookup fee --
40 GARY SWEENEY: Yeah. It's what it --

1 JAY WINTLE: -- for the service.
2 GARY SWEENEY: -- used to be. I don't know. I didn't know
3 they changed it. Before if you were -- unless if they -- if
4 they just want to deal with it, I guess they can do whatever
5 they want to do with it.
6 CHAIRMAN WILLIAMS: Well, it's kind of been hit and miss.
7 But --
8 GARY SWEENEY: Yeah.
9 CHAIRMAN WILLIAMS: -- on this one, it's been in the -- in
10 the works for about five years. And it was off and on. And I
11 guess they're going for it now.
12 JAY WINTLE: I think you'd --
13 CHAIRMAN WILLIAMS: Part of --
14 JAY WINTLE: -- want it to go --
15 CHAIRMAN WILLIAMS: -- the master plan is --
16 JAY WINTLE: -- under the bed. I don't know. We'll have
17 to see where it goes, like I say.
18 GARY SWEENEY: Uh-huh.
19 JAY WINTLE: I don't know where they get --
20 Well, they've been after a looping road forever, trying to
21 figure out how to get one through there.
22 CHAIRMAN WILLIAMS: Uh-huh.
23 JAY WINTLE: For emergency services.
24 CHAIRMAN WILLIAMS: There was another developer about five
25 years ago propose that and the county said no. And then they
26 said yes. And then -- then it's kind of been laying there. But
27 now they're going with it, right from the corner there at the
28 school.
29 JAY WINTLE: Yeah. They're going -- well, yeah,
30 they're going back --
31 CHAIRMAN WILLIAMS: From a --
32 JAY WINTLE: They approved that one last year, from the
33 corner of the school going over through the Indian colony.
34 Supposedly got a right-of-way through there last --
35 CHAIRMAN WILLIAMS: Uh-huh.
36 JAY WINTLE: -- year. And then, like I say, they don't
37 want to make it an existing dead-end main. So they want to
38 make --
39 CHAIRMAN WILLIAMS: Okay.
40 JAY WINTLE: -- a loop back around to where you don't have

1 a dead-end main.

2 LOUIS LANI: The law won't let you have a dead-end main.

3 TOM REICHERT: Well, it seems to make sense for the county

4 to put the main line in, the water line, before they put the

5 road in.

6 JAY WINTLE: That's what they're planning on doing.

7 That's why we're holding off on the road.

8 TOM REICHERT: In your case, Gary, was the road and the

9 line already in? And you had to dig it up or --

10 GARY SWEENEY: We had to hook onto their main line and

11 bring -- extend it through our property.

12 TOM REICHERT: It -- but the line was already there before

13 that -- those lots were?

14 GARY SWEENEY: No, the line wasn't off of our lots. We had

15 to hook onto that and go through.

16 TOM REICHERT: Yeah.

17 JAY WINTLE: If you was going somewhere -- if I was going

18 somewhere without a main, it's still somewhat probably the same

19 as you. They give you -- base how many hookups you get, they

20 give you the first -- first hookup a hundred percent free. The

21 next hookups, like I say, is gradually in the --

22 GARY SWEENEY: Oh, yeah, parcel splits. If you do a

23 subdivision, it's different, though.

24 JAY WINTLE: I'm not doing a subdivision.

25 GARY SWEENEY: Oh.

26 JAY WINTLE: I'm doing parcel splits.

27 GARY SWEENEY: Okay.

28 JAY WINTLE: I'm splitting 20s.

29 GARY SWEENEY: Uh-huh.

30 JAY WINTLE: Slowly.

31 GARY SWEENEY: Yeah.

32 JAY WINTLE: No, a subdivision's a whole different --

33 But it's -- I mean, the county -- I mean, we did a -- I did a

34 subdivision out south --

35 GARY SWEENEY: Huh.

36 JAY WINTLE: -- by the golf course.

37 GARY SWEENEY: Uh-huh. Yeah. Yeah.

38 JAY WINTLE: And water line was in place --

39 TOM REICHERT: This is your --

40 JAY WINTLE: -- there.

1 TOM REICHERT: -- idea, --
2 JAY WINTLE: So like I say, --
3 TOM REICHERT: -- the county. So --
4 JAY WINTLE: -- the water line was in place. It come from
5 the wells out there.
6 CHAIRMAN WILLIAMS: Anything else?
7 GARY SWEENEY: Nope.
8 CHAIRMAN WILLIAMS: Anybody?
9 Why I'd entertain a motion to approve if there's no further
10 discussion, questions?
11 LOUIS LANI: When are we going to get something from Bert?
12 I mean, you -- you know, you're talking about, you talked to
13 Bert, and he's talking about doing this and doing that. But it's
14 still leaving us out in the dark. Are they actually going to put
15 a water line out there? And if so's, when? The next five years?
16 Ten years? And how's that --
17 JAY WINTLE: It's supposed to be this year. He's promising
18 me this year. He's promised me he's going to bid within
19 probably three weeks. Promised he's going in design right now.
20 That's why I'm trying to get this through to decide whether
21 I want to stay at 5-acre lots or 2 1/2-acre lots on it.
22 But I can't answer the question. I mean, that's just what
23 he's telling me. Until -- I know the -- it was budgeted -- this
24 project -- for the road and the water line was budgeted in their
25 April meeting.
26 CHAIRMAN WILLIAMS: Where?
27 JAY WINTLE: For the two thou- -- 2017 --
28 CHAIRMAN WILLIAMS: Down here?
29 JAY WINTLE: -- budget. It's --
30 LOUIS LANI: Yeah. I know. We're --
31 CHAIRMAN WILLIAMS: We're --
32 JAY WINTLE: It's --
33 CHAIRMAN WILLIAMS: -- on a need- --
34 JAY WINTLE: -- it's --
35 CHAIRMAN WILLIAMS: -- -to-know --
36 JAY WINTLE: -- it's in their bu- -- it's in their budget.
37 LOUIS LANI: It's in their budget, but it's got to come
38 before us, and we don't know damn thing. Excuse the --
39 JAY WINTLE: I don't --
40 LOUIS LANI: -- language.

1 JAY WINTLE: -- know.
2 LOUIS LANI: We don't know anything about it. It just --
3 JAY WINTLE: I don't know. I come before you. But like I
4 say, it's --
5 TOM REICHERT: Just want to make sure --
6 JAY WINTLE: -- in our budget. And then they've got to --
7 TOM REICHERT: -- it works.
8 JAY WINTLE: -- approve it. Like I say, they've got to
9 approve -- to me, they're going to have to approve --
10 CHAIRMAN WILLIAMS: Well --
11 JAY WINTLE: -- approve this after -- after it goes out --
12 out to bid. They're going to have to accept the bid.
13 CHAIRMAN WILLIAMS: When they approve it, they'll let us
14 know, Louis. And then we'll be --
15 LOUIS LANI: Okay.
16 WALT HOLLAND: So unless I'm confused, it doesn't really
17 matter.
18 CHAIRMAN WILLIAMS: No, it doesn't.
19 LOUIS LANI: No, it doesn't.
20 JAY WINTLE: It doesn't real- -- like I say, --
21 LOUIS LANI: No.
22 JAY WINTLE: -- I want to stay (indiscernible) --
23 WALT HOLLAND: Even if --
24 JAY WINTLE: -- and develop it --
25 WALT HOLLAND: -- even if they don't --
26 JAY WINTLE: -- either way.
27 WALT HOLLAND: -- approve it, you are -- fell within the
28 master plan.
29 JAY WINTLE: Yeah.
30 CHAIRMAN WILLIAMS: Well --
31 WALT HOLLAND: Because then you're going to have to go with
32 the state for wells and --
33 CHAIRMAN WILLIAMS: As far as --
34 WALT HOLLAND: -- meet all the same requirements.
35 CHAIRMAN WILLIAMS: As far as this order --
36 WALT HOLLAND: It makes no difference.
37 CHAIRMAN WILLIAMS: -- of business, bah.
38 WALT HOLLAND: Yeah. So --
39 TOM REICHERT: Yeah.
40 WALT HOLLAND: -- it doesn't. But it makes --

1 LOUIS LANI: Well, we're done --
2 WALT HOLLAND: -- zero difference.
3 LOUIS LANI: -- with it. It just --
4 CHAIRMAN WILLIAMS: Thank you.
5 LOUIS LANI: I just don't like to be left in the dark on
6 it. I'd just kind of like to be in the loop on some of this
7 stuff.
8 CHAIRMAN WILLIAMS: Well, we'll -- they'll show us a little
9 light. And we'll --
10 LOUIS LANI: And then -- then John slaps me alongside the
11 head and says, now, just never mind. It's not on the agenda.
12 CHAIRMAN WILLIAMS: When the time's right -- times right,
13 we'll be -- they'll shed a little light on us mushrooms.
14 Okay. There being no further questions? Comments?
15 Concerns?
16 WALT HOLLAND: I'll make a motion to approve the applicant,
17 Jay Wintle, on -- as writ, if -- if I have to read all the --
18 all the changes. But basically the zoning from A-3 to A-1 and
19 then A-2 to A-1 as writ, going from the five acres to -- or
20 the -- just the parcels -- acreage to 2 1/2 acres.
21 TOM REICHERT: Is it A-3 to A-1? Or A-2 to A-1?
22 WALT HOLLAND: Well, there's the first --
23 JAY WINTLE: There's both.
24 WALT HOLLAND: -- one's A-3 to --
25 JAY WINTLE: There --
26 WALT HOLLAND: -- A-1.
27 JAY WINTLE: -- there's --
28 WALT HOLLAND: The --
29 TOM REICHERT: Oh --
30 WALT HOLLAND: -- second --
31 JAY WINTLE: -- one 25-acre --
32 WALT HOLLAND: -- one's A-2 to --
33 TOM REICHERT: -- that --
34 JAY WINTLE: -- parcel --
35 TOM REICHERT: -- that one --
36 WALT HOLLAND: -- A-1.
37 JAY WINTLE: -- section is --
38 TOM REICHERT: -- to --
39 JAY WINTLE: -- to A-3 that --
40 TOM REICHERT: Yeah.

1 CHAIRMAN WILLIAMS: Yeah.
2 JAY WINTLE: -- we didn't --
3 TOM REICHERT: That's right.
4 JAY WINTLE: -- change last time. And them others is the
5 last change we made, where I was planning on putting 5-acre
6 parcels.
7 CHAIRMAN WILLIAMS: Yep.
8 JAY WINTLE: They sprung this on me.
9 CHAIRMAN WILLIAMS: No further questions, we'd entertain a
10 second?
11 LOUIS LANI: Come on, Tom.
12 TOM REICHERT: Oh, I'll second it.
13 CHAIRMAN WILLIAMS: All in favor?
14 LOUIS LANI: Aye.
15 TOM REICHERT: Aye.
16 CHAIRMAN WILLIAMS: Okay.
17 JAY WINTLE: Thank you much.
18 CHAIRMAN WILLIAMS: Thank you once again.
19 TOM REICHERT: It fits with the master plan.
20 CHAIRMAN WILLIAMS: Uh-huh.

21
22 3) **Discussion for possible action regarding approval/disapproval**
23 **of the following variance, and other matters properly related**
24 **thereto.**
25

26 **Applicant: Candy Friday**
27 **Location: 3215 John Tyler Ave., Battle Mountain, Nevada**
28 **APN: 011-360-10**
29 **Type: To place a manufactured home older than 15**
30 **years on parcel.**
31

32 CHAIRMAN WILLIAMS: Agenda Item Number 3. Discussion and
33 possible action regarding approval/disapproval of the following
34 variance, and other matters properly related thereto. Candy
35 Friday, 3215 John Tyler Avenue, Battle Mountain, 011-360-10. To
36 place a manufactured home older than 15 years on a parcel.

37 Okay.

38 CANDY FRIDAY: I'm nervous enough. Don't make me even
39 more.

40 CHAIRMAN WILLIAMS: Oh, I -- I don't -- I --

1 WALT HOLLAND: I don't blame --
2 CHAIRMAN WILLIAMS: I don't mean --
3 WALT HOLLAND: -- you.
4 CHAIRMAN WILLIAMS: -- to --
5 WALT HOLLAND: In front --
6 CHAIRMAN WILLIAMS: -- do --
7 WALT HOLLAND: -- of John, --
8 CHAIRMAN WILLIAMS: -- that.
9 WALT HOLLAND: -- I'd be nervous --
10 CANDY FRIDAY: Oh.
11 WALT HOLLAND: -- too.
12 TOM REICHERT: Please state your name for the recorder.
13 CANDY FRIDAY: Candy Friday.
14 CHAIRMAN WILLIAMS: And why do you want to do this?
15 CANDY FRIDAY: Actually, it's being bought for our son.
16 It's a 1986 mobile home. And he bought it. And he's -- it's a
17 1986 mobile home. And it was -- the reason the man sold it --
18 it's from Spring Creek -- is because he's getting a triple-wide.
19 And it's a really nice mobile home. He got it for a really good
20 deal. And we had no idea we couldn't bring it in from another
21 county.
22 So he bought it. And, you know, he doesn't have all the
23 money in the world. He's just starting out.
24 And -- and he's putting it on our back five acres.
25 And we take care of our stuff. And we -- you know, we plan
26 on taking care of that too. And it upgrades the community. It's
27 a very nice mobile home.
28 CHAIRMAN WILLIAMS: I have no doubt. But you know what the
29 statute reads.
30 CANDY FRIDAY: I do know what the statute --
31 CHAIRMAN WILLIAMS: You're --
32 CANDY FRIDAY: -- reads.
33 CHAIRMAN WILLIAMS: -- aware --
34 CANDY FRIDAY: I do.
35 CHAIRMAN WILLIAMS: -- of that.
36 LOUIS LANI: You say it's -- you're bringing it in. It's
37 coming from where?
38 CANDY AND BRANDON FRIDAY: Spring Creek.
39 CHAIRMAN WILLIAMS: Spring Creek to here.
40 LOUIS LANI: Mm.

1 TOM REICHERT: Different county.
2 As the statue reads --
3 WALT HOLLAND: Well, you can't even move one in the county.
4 CHAIRMAN WILLIAMS: Huh?
5 WALT HOLLAND: Because I tried that too.
6 TOM REICHERT: I thought as the statute read you could move
7 from inside the county --
8 KYLA BRIGHT: Inside the county.
9 CHAIRMAN WILLIAMS: As long as --
10 WALT HOLLAND: Well, they --
11 CHAIRMAN WILLIAMS: -- it was in --
12 WALT HOLLAND: -- denied me.
13 CHAIRMAN WILLIAMS: -- the county.
14 KYLA BRIGHT: Did they?
15 WALT HOLLAND: Yeah. They did.
16 CHAIRMAN WILLIAMS: But to bring one in to the county?
17 KYLA BRIGHT: Yeah. It's from anything outside the county.
18 If it's already here --
19 TOM REICHERT: And --
20 KYLA BRIGHT: -- on land.
21 TOM REICHERT: And it matches. And it's up to code where
22 it's at now, then you can move it in the county.
23 CHAIRMAN WILLIAMS: Within the county. Yeah.
24 WALT HOLLAND: Hm.
25 LOUIS LANI: Well, you're putting us on the spot here.
26 TOM REICHERT: It's 23 years old. That's a little over 15.
27 CANDY FRIDAY: Yes. Ours is too. Our -- and ours -- I
28 mean, you know, it --
29 TOM REICHERT: It's existing.
30 CANDY FRIDAY: Yes. It is.
31 KYLA BRIGHT: I'm -- may I?
32 I'm pretty sure that going through the records, I've seen
33 this come before you guys before. And it has been approved.
34 And then I also showed, you know, your pictures and your
35 letters of support, not only from the assessor but the building
36 department, as well. Both extended their support for this. So
37 that's just a little tidbit for you.
38 CANDY FRIDAY: And we have -- we've spoke to our neighbors.
39 Jim and Shar Peterson wrote a letter and a recommendation.
40 And our neighbors have no problem with it.

1 LOUIS LANI: We've got a copy of the letter from Shar
2 here. All of us know Shar.

3 TOM REICHERT: Our problem -- and members of the audience
4 have heard me say this before -- is variances are not a given.
5 They are not supposed to be granted because of financial
6 hardships.

7 A variance is more of a case where your zoning says your
8 house has to be this far from your lot line, but there's a rock
9 outcropping on the other side and you can't fit it.

10 CANDY FRIDAY: Uh-huh.

11 TOM REICHERT: You know, it's an act of nature, something
12 that you can't change.

13 I would like to put older than 15-year-old mobiles on my A-3
14 Ag property that doesn't have a neighbor for 15 miles.

15 CANDY FRIDAY: Uh-huh.

16 TOM REICHERT: But at this time, the code says I can't.
17 So I don't necessarily agree with that "older than 15 year"
18 reading, but I understand why it was put in.

19 CANDY FRIDAY: I read why it was put in. Yes. People were
20 trashing -- bringing in trashed mobile homes. I understand
21 that.

22 And we bought this mobile home before we knew anything about
23 this. So we now own this mobile home.

24 And when we came in and talked to Anna, she did tell us
25 that there was -- you guys had approved somebody in -- Kingston?
26 -- Kingston. I don't remember where.

27 CHAIRMAN WILLIAMS: Kingston.

28 CANDY FRIDAY: Yes. And so we were hopeful that you would.
29 Because we -- we -- we, you know, we've been here for ten years.
30 We -- we employ a lot of people in the community. We take care
31 of our place. And we've -- I -- we, you know, we try to do
32 everything right. This was completely -- we didn't do this on
33 purpose.

34 TOM REICHERT: But you understand what you didn't do right
35 was check to see if --

36 CANDY FRIDAY: I --

37 TOM REICHERT: -- that mobile --

38 CODY FRIDAY: Actually, I did call. And it was stated to
39 me that it was 1980 or newer you could move.

40 TOM REICHERT: Really?

1 CODY FRIDAY: And then when I called again, I was told that
2 it wasn't for county for county.
3 So that was kind of --
4 CANDY FRIDAY: That was where the -- well --
5 CODY FRIDAY: That was where the mix-up was.
6 CANDY FRIDAY: Because we had talked to them several times.
7 TOM REICHERT: I can understand --
8 CANDY FRIDAY: And then --
9 TOM REICHERT: -- that. Okay.
10 CANDY FRIDAY: And then someone said, now, wait a minute,
11 this is in county; right?
12 And we had already, you know -- because we had talked to
13 people several --
14 CODY FRIDAY: I had --
15 CANDY FRIDAY: -- times.
16 CODY FRIDAY: In fact, I called before --
17 CANDY FRIDAY: I said, --
18 CODY FRIDAY: -- I even --
19 CANDY FRIDAY: -- ah.
20 CODY FRIDAY: -- bought the -- bought the home and -- and
21 checked to see if that was right on the 1980 deal. And everyone
22 said it was an okay deal.
23 But then -- so I -- I buy the home and then come to find
24 out, oh, it's in Spring Creek. And now it's like I'm stuck with
25 this deal now.
26 WALT HOLLAND: The Paul Harvey. The rest of it.
27 CODY FRIDAY: 30,000 bucks into it now. So --
28 TOM REICHERT: He's too young to understand that.
29 WALT HOLLAND: Well, he probably --
30 CANDY FRIDAY: Well --
31 WALT HOLLAND: -- knows who Paul Harvey is.
32 CANDY FRIDAY: You'd be surprised.
33 CHAIRMAN WILLIAMS: So who did you --
34 CANDY FRIDAY: He has us for parents.
35 CHAIRMAN WILLIAMS: I don't know. That's a -- that's
36 probably a moot question. But, you know, you called the county?
37 CANDY FRIDAY: We -- we -- yeah, we called the planning
38 commission. I talked to Kyla and someone else.
39 And we were all -- you know --
40 CHAIRMAN WILLIAMS: This is --

1 CANDY FRIDAY: I mean, I didn't --
2 CHAIRMAN WILLIAMS: -- prior to the purchase?
3 CANDY FRIDAY: I had already purchased it.
4 CHAIRMAN WILLIAMS: No, I'm --
5 CANDY FRIDAY: So I'm --
6 CHAIRMAN WILLIAMS: I'm -- I'm talking --
7 TOM REICHERT: He called prior to the purchase.
8 CODY FRIDAY: I called.
9 CANDY FRIDAY: Oh.
10 CODY FRIDAY: Yeah, that was --
11 CHAIRMAN WILLIAMS: You called --
12 CODY FRIDAY: -- before the purchase.
13 CHAIRMAN WILLIAMS: -- the county.
14 CODY FRIDAY: Yes.
15 CHAIRMAN WILLIAMS: I'm going to ask. What -- what
16 department did you get ahold of?
17 CODY FRIDAY: I was speaking with -- we both spoke with
18 Anna. And then I was speaking with Larry Rogers who does a
19 lot of building around here.
20 Everyone who I've talked to said 1980 or newer.
21 No one stated to me that it was -- no one said, well, is
22 it -- is it in Lander County? They just assumed, I'm assuming,
23 that it was in --
24 CANDY FRIDAY: Yeah, I --
25 CODY FRIDAY: -- the County.
26 CANDY FRIDAY: Everybody assumed.
27 CHAIRMAN WILLIAMS: Even Anna, huh? Anna didn't ask
28 you if --
29 CODY FRIDAY: No one asked. I just was saying I was moving
30 a mobile home to my back parcel of five acres. So it was a
31 complete misunderstanding on that part.
32 CANDY FRIDAY: I think that it was just assumed that we --
33 and we didn't even think to ask, you know. And then -- then --
34 CODY FRIDAY: I just assumed the state of Nevada was the
35 state of Nevada.
36 CANDY FRIDAY: Yeah, my second call in --
37 CODY FRIDAY: I wasn't bring it from Oregon (indiscernible,
38 too far from the microphone and simultaneous conversation).
39 CHAIRMAN WILLIAMS: Well, sure. But we'll --
40 CANDY FRIDAY: Right.

1 CHAIRMAN WILLIAMS: Yeah. No. That's like Louis said,
2 that's a t- -- tough predicament. We'd like to help you.
3 And -- and I -- this is just me talking. The history and you
4 say you -- you know a lot about it. But that's why we're -- we
5 are where we are in a lot of this -- a lot of places in the
6 state of Nevada with these old things.

7 And it's even a big financial burden to destroy them.

8 And on this is -- that's another part of the reason we are
9 where we are with our statute.

10 I don't know. I don't remember giving a variance for one.
11 Do you, fellows?

12 LOUIS LANI: No, I don't. I know the three of them that
13 were in the southern part of the county were denied for this
14 very reason.

15 CANDY FRIDAY: Anna's the one who told me that there was a
16 variance given.

17 LOUIS LANI: There's a couple down there sitting on
18 property that are not supposed to be there. But they were kind
19 of get- -- getting grandfathered in or whatever.

20 TOM REICHERT: They were already there.

21 LOUIS LANI: They were already --

22 CANDY FRIDAY: No, this --

23 LOUIS LANI: -- there. That's --

24 CANDY FRIDAY: -- wasn't moved in. Anna --

25 TOM REICHERT: Hm.

26 CANDY FRIDAY: -- Anna told me about it.

27 TOM REICHERT: And you --

28 LOUIS LANI: Two of them told me this --

29 TOM REICHERT: -- understand --

30 LOUIS LANI: -- morning --

31 TOM REICHERT: -- the whole setting precedent?

32 You know, if we give you a variance, then anybody else at
33 Hill Top says, well, I bought it. You know.

34 CODY FRIDAY: I see where you're coming from.

35 CANDY FRIDAY: Uh-huh.

36 TOM REICHERT: But you --

37 CODY FRIDAY: Let me ask you this. In --

38 TOM REICHERT: -- you understand --

39 CODY FRIDAY: -- 2006 --

40 TOM REICHERT: -- what we're -- where we're coming --

1 CODY FRIDAY: I understand --
2 TOM REICHERT: -- from.
3 CODY FRIDAY: -- that. Let me ask you this. In 2006, who
4 was moving one for you guys to change it from five years to
5 fifteen years?
6 TOM REICHERT: It was --
7 Why did we go from 5 to 15?
8 CODY FRIDAY: Correct.
9 TOM REICHERT: I don't believe I was on the --
10 CHAIRMAN WILLIAMS: The --
11 TOM REICHERT: -- planning commission --
12 CHAIRMAN WILLIAMS: -- state.
13 TOM REICHERT: -- then.
14 CHAIRMAN WILLIAMS: That was one of the state's
15 recommendations.
16 And we were the only county that didn't have -- that had such
17 relaxed time frame on them.
18 CODY FRIDAY: Uh-huh.
19 CHAIRMAN WILLIAMS: So we researched. Our legal department
20 recommended that we do that.
21 TOM REICHERT: No, he -- he's talking about going the other
22 way. We went --
23 CODY FRIDAY: Yeah, the --
24 TOM REICHERT: -- from --
25 CODY FRIDAY: -- backwards --
26 TOM REICHERT: -- five years old --
27 CODY FRIDAY: Yeah.
28 TOM REICHERT: -- to fifteen years.
29 CODY FRIDAY: Correct.
30 CHAIRMAN WILLIAMS: Right.
31 LOUIS LANI: Uh-huh.
32 CHAIRMAN WILLIAMS: That's what I'm saying.
33 We would allow anything five years. And they s- -- we
34 researched it out. And they said, you need to give a little more
35 latitude. That's a little tight.
36 So the general consensus around all the counties was -- I
37 don't know. The longest one, I think, was on -- on one end was a
38 17 or 18 years. They've since gone to 15. And we were five. And
39 the closest one to us, I think, was eight. And they went to 15 as
40 well.

1 And a lot of it was the construction. And a lot of people,
2 you know. In that time frame, 15 years old at that time, that --
3 the construction was still good. The wiring was good and
4 everything.
5 So that seemed like the -- the prudent way to go at the time.
6 That's --
7 I mean, it wasn't just an arbitrary thing. There was a lot
8 of -- the county officials and the DA and everybody researched
9 this thing out for about year. And their recommendation was to
10 go with that.
11 TOM REICHERT: And that was in 2006, you said?
12 CODY FRIDAY: That's what it said.
13 TOM REICHERT: So that would have meant one that was built
14 in '91.
15 CODY FRIDAY: Correct.
16 TOM REICHERT: And this one was built in '86.
17 CODY FRIDAY: Correct.
18 WALT HOLLAND: Maybe we could trade -- trade houses. I was
19 trying to move one to Elko County and -- and they say no. So
20 maybe we can trade houses.
21 CANDY FRIDAY: Well, I mean, I -- nothing was done on
22 purpose.
23 TOM REICHERT: We understand --
24 CANDY FRIDAY: But we now --
25 CHAIRMAN WILLIAMS: No.
26 CANDY FRIDAY: -- know --
27 TOM REICHERT: -- that.
28 LOUIS LANI: No.
29 CHAIRMAN WILLIAMS: No.
30 LOUIS LANI: We know that.
31 TOM REICHERT: We understand that.
32 CANDY FRIDAY: We now own this mobile home. And, I mean,
33 if you look around our neighborhood, it's far nicer than many of
34 the mobile homes are in our neighborhood.
35 And, you know, I was --
36 BRANDON FRIDAY: Well, you guys let single-wides come in
37 there that are just completely trashed.
38 CODY FRIDAY: That's --
39 BRANDON FRIDAY: We've seen --
40 CODY FRIDAY: That's what I would like to know.

1 BRANDON FRIDAY: I mean --
2 CODY FRIDAY: There's no ordinance on single-wide mobile
3 homes. Who's -- who's going to spend the time to tear down a
4 beat-to-hell double-wide? That's what I -- I guess that's what
5 I'd like -- you could have gone to a single-wide and do whatever
6 you want. And there -- not even there, there's no law.
7 CANDY FRIDAY: There's no ordinance on a single-wide.
8 CODY FRIDAY: There's no law on --
9 TOM REICHERT: Do --
10 CODY FRIDAY: -- on --
11 CANDY FRIDAY: There's --
12 CODY FRIDAY: -- a single.
13 CANDY FRIDAY: -- no ordinance on how old a single-wide is
14 that comes in, but there is on a double-wide.
15 TOM REICHERT: I thought it was a mobile --
16 CHAIRMAN WILLIAMS: No, no.
17 TOM REICHERT: -- home. Period.
18 CHAIRMAN WILLIAMS: It's -- it's a mobile.
19 WALT HOLLAND: It's mobile.
20 CHAIRMAN WILLIAMS: It doesn't have to be -- a
21 single-wide's the same thing.
22 CODY FRIDAY: Mm.
23 CHAIRMAN WILLIAMS: Oh, yeah.
24 CODY FRIDAY: Uh-uh.
25 CHAIRMAN WILLIAMS: Oh, yes. Absolutely.
26 CODY FRIDAY: We were going in ten years ago and you guys
27 said there was -- we called you guys first. And you said there
28 was no ordinance on it.
29 CHAIRMAN WILLIAMS: Ten years ago.
30 CODY FRIDAY: Ten years ago.
31 CANDY FRIDAY: Has it changed since then?
32 CHAIRMAN WILLIAMS: Well, I --
33 CODY FRIDAY: (Indiscernible, simultaneous conversation.)
34 change.
35 CHAIRMAN WILLIAMS: -- I don't know about that, but I do
36 know that the current situation is a mobile home, manufactured
37 home. Single-wide, double-wide, triple-wide, doesn't make any
38 difference.
39 There -- there's --
40 CANDY FRIDAY: Well --

1 CHAIRMAN WILLIAMS: -- no distinction between any of the
2 three.
3 CANDY FRIDAY: Well, Anna did say you did approve somebody.
4 So we wouldn't be the first that you approved.
5 CHAIRMAN WILLIAMS: And, you know, Anna's not in our
6 charge.
7 CANDY FRIDAY: I -- I -- I realize that. I do realize
8 that.
9 CHAIRMAN WILLIAMS: And we don't --
10 CANDY FRIDAY: And I'm not trying to get anybody in
11 trouble.
12 CHAIRMAN WILLIAMS: No, I understand that. But a little
13 clarification, we don't communicate that regularly with Anna.
14 CANDY FRIDAY: Uh-huh.
15 CHAIRMAN WILLIAMS: We should.
16 Used to be, building inspector, the DA, and one of the
17 board members from the commissioners attended our meetings. We
18 don't have that anymore. I don't know why that went by -- so we
19 have no real communication with any of those people, unless we
20 request it or they do on a certain matter.
21 So what Anna's done, I don't know.
22 LOUIS LANI: Basically she shouldn't be approving things
23 that haven't --
24 CHAIRMAN WILLIAMS: She shouldn't --
25 LOUIS LANI: -- come to this board.
26 CHAIRMAN WILLIAMS: -- be.
27 TOM REICHERT: Well, she didn't --
28 CANDY FRIDAY: She didn't --
29 TOM REICHERT: -- approve it.
30 CANDY FRIDAY: -- approve it.
31 TOM REICHERT: She -- she said, go for the variance. They
32 have made --
33 WALT HOLLAND: The move history.
34 TOM REICHERT: -- it once before.
35 CHAIRMAN WILLIAMS: No, she's saying --
36 CANDY FRIDAY: Yes.
37 CHAIRMAN WILLIAMS: -- that Anna told her she approved one.
38 CANDY FRIDAY: No.
39 TOM REICHERT: No. She is saying, go ahead and try the
40 variance. They let somebody go with it once before.

1 CANDY FRIDAY: Yes.
2 TOM REICHERT: I personally don't --
3 CHAIRMAN WILLIAMS: Right.
4 TOM REICHERT: -- remember that case.
5 CHAIRMAN WILLIAMS: I do not either.
6 TOM REICHERT: But, you know, we see a lot of cases.
7 And --
8 CANDY FRIDAY: Yeah.
9 TOM REICHERT: But I would think I'd remember that one
10 because this is an issue that's dear to my heart because we need
11 employee housing and I can't afford a mobile newer than 15 years
12 old. And there aren't any used mobiles in this county for sale
13 that are newer than -- that are up to 20 years --
14 BRANDON FRIDAY: I've got one for --
15 TOM REICHERT: -- old.
16 BRANDON FRIDAY: -- sale right now.
17 CANDY FRIDAY: Yeah. Apparently.
18 WALT HOLLAND: So what's the -- their next move? If it
19 doesn't pass through here, they go to the county commission?
20 CHAIRMAN WILLIAMS: You can appeal --
21 TOM REICHERT: You can --
22 CHAIRMAN WILLIAMS: -- to the --
23 TOM REICHERT: -- appeal it.
24 CHAIRMAN WILLIAMS: -- commissioners.
25 Full within your rights.
26 TOM REICHERT: If we deny it.
27 CHAIRMAN WILLIAMS: If we deny it. We --
28 TOM REICHERT: We have not made a motion yet.
29 CHAIRMAN WILLIAMS: No, we haven't.
30 TOM REICHERT: I don't --
31 CHAIRMAN WILLIAMS: Is there --
32 TOM REICHERT: It doesn't sound good, listening to my other
33 board members. But if we deny it, you can appeal it to the
34 board of commissioners.
35 LOUIS LANI: If it's any justification to you, I -- I
36 probably shouldn't say this, but I had two people approach me
37 today, said we hope that you guys approve this variance because
38 there's four of us in Austin. You'll be setting a precedence,
39 and we're going to be coming right back and asking for the same
40 type of variance.

1 CHAIRMAN WILLIAMS: And this is the other problem --
2 LOUIS LANI: And that's --
3 CHAIRMAN WILLIAMS: -- we have.
4 LOUIS LANI: -- the problem we have with it.
5 CHAIRMAN WILLIAMS: Austin has been knocking at the door
6 for 20 years for this and a whole lot of other things, as well
7 as a lot of people on Hill Top and out this way, I mean, all
8 over in the county.
9 And --
10 TOM REICHERT: One problem we have, these are county
11 planning ordinances. All sec- -- all sections of the county
12 think very differently.
13 There was a person who wanted to put in an RV park in
14 Kingston, and the town -- it's like -- I would say the town came
15 up in arms. Would that be a --
16 LOUIS LANI: Uh-huh.
17 TOM REICHERT: -- apt description?
18 They didn't want people staying in RVs in their town.
19 CANDY FRIDAY: Uh-huh.
20 TOM REICHERT: At the same time, Austin was lobbying to let
21 people live in RVs.
22 It -- it's hard to get a county ordinance that covers all
23 areas. And once you grant variances -- you kind of shouldn't. It
24 kind of shoots the ordinance down. Your reasons are just. You --
25 but a variance is --
26 I've been in planning a lot of years. Variances are very
27 seldom passed. Because basically what you're saying is the
28 rules don't matter. This rule. And it's hard to have rules and
29 say that.
30 CANDY FRIDAY: So if I find out who this varia- -- who you
31 gave this variance to --
32 TOM REICHERT: It -- we probably -- if Anna says we did,
33 then it must've passed. I don't know if I was on the commission
34 at that time.
35 CHAIRMAN WILLIAMS: Let me --
36 TOM REICHERT: It's kind of ringing a bell, but --
37 CHAIRMAN WILLIAMS: -- shed a little light on this. It
38 doesn't always happen, but there have been rare occasions where
39 we are -- we were overridden by the county commissioners.
40 So whether we approved it or we said no and it was appealed,

1 which just happened, and the commissioners went ahead and approved
2 it, which could happen in your case if we deny it.

3 That was -- that would be the only way I can see that it
4 could have happened.

5 I just -- we -- we took a long, hard line on this a long time
6 ago and finally got this where we're comfortable with it now 15
7 years.

8 TOM REICHERT: Well, actually, we're still working with Rex
9 Massey on this as far as different --

10 CHAIRMAN WILLIAMS: We're updating -- yeah --

11 TOM REICHERT: Because --

12 CHAIRMAN WILLIAMS: -- the master plan.

13 TOM REICHERT: -- my -- my thing is it's -- it's
14 blanket-wide. What's your zoning out there? A- -- A-2?

15 CANDY FRIDAY: I'm not sure.

16 WALT HOLLAND: You guys are Ag.

17 CANDY FRIDAY: We are Ag.

18 JAY WINTLE: It's A-2, --

19 TOM REICHERT: How many acres?

20 JAY WINTLE: -- I believe, on the --

21 TOM REICHERT: A-2, probably.

22 LOUIS LANI: Probably A-2.

23 TOM REICHERT: And --

24 KYLA BRIGHT: Yeah. Sorry. I'm --

25 TOM REICHERT: Yeah. Do --

26 KYLA BRIGHT: -- in the packet.

27 TOM REICHERT: -- you have --

28 KYLA BRIGHT: Two.

29 TOM REICHERT: -- it? A-2? Yeah, it's --

30 CODY FRIDAY: A-2?

31 TOM REICHERT: -- right here in front of me, but I can't
32 read it with my glasses on, and I can't talk to the lady with
33 them off.

34 KYLA BRIGHT: A-2.

35 TOM REICHERT: So --

36 KYLA BRIGHT: Yes.

37 TOM REICHERT: You know, myself, I've been lobbying with
38 Rex Massey to redo the code saying, A-3, this shouldn't
39 qualify. Because if we have 640 acres and no neighbors and the
40 equipment to put it in right and make it look good, then what's

1 --

2 BRANDON FRIDAY: What does it hurt?

3 TOM REICHERT: Yeah. You know. You know what I'm saying.

4 BRANDON FRIDAY: Yeah.

5 TOM REICHERT: And you can look around Hill Top and say,
6 oh, they care about their property and they make it look right.
7 And they don't, and it looks like a dump. But, unfortunately,
8 it's all A-2, so we have to write the codes for A-2 to try to
9 keep it as clean as possible.

10 BRANDON FRIDAY: Right.

11 TOM REICHERT: But -- so we are currently working on some
12 changes. Trying to. We haven't made them, but we're
13 researching, you know, saying, what about this? What about
14 that?

15 He'll be here later tonight or on the phone. Right?

16 So --

17 CHAIRMAN WILLIAMS: But that won't do them any good.

18 TOM REICHERT: It won't do you any good.

19 LOUIS LANI: Just a suggestion from past experience. I've
20 got a few years of government. You talk to somebody and they
21 tell you whatever, document it: time, date, place. So-and-so
22 said this, that, and the other. Get your document --
23 documentation in place. Then you've got something to come back
24 and argue with.

25 TOM REICHERT: It's -- even still.

26 LOUIS LANI: That makes it tough, but, I mean --

27 TOM REICHERT: It wasn't their mistake. I mean --

28 CHAIRMAN WILLIAMS: Well, where they were at, you wouldn't
29 think -- that'd be the last thing you'd think you'd have to do.

30 BRANDON FRIDAY: That's true.

31 CHAIRMAN WILLIAMS: I understand.

32 WALT HOLLAND: Yeah. I -- I get it too.

33 LOUIS LANI: It's a litigious society. You're really got
34 to --

35 CHAIRMAN WILLIAMS: I pulled it off a few years ago in Elko
36 County just before they changed theirs, luckily.

37 WALT HOLLAND: Thanks, John.

38 CODY FRIDAY: Thanks, John.

39 CHAIRMAN WILLIAMS: Huh?

40 WALT HOLLAND: Yeah. Wow. I can't move my place to Wild

1 Horse.

2 CHAIRMAN WILLIAMS: But anything else? Anybody? Yes, sir.

3 TRAVIS MASTERSON: I've just got a quick question. And

4 this is --

5 CHAIRMAN WILLIAMS: Can we get your name, please.

6 TRAVIS MASTERSON: It's Travis Masterson. I'm not

7 representing the *Bugle* right now. I'm just representing myself.

8 But just out of curiosity, would tiny homes fall under that

9 same thing? Say you built a -- a home that's a really small one

10 and you have on a trailer and pull it, would that fall under a

11 mobile home as well?

12 CHAIRMAN WILLIAMS: That's an RV.

13 TRAVIS MASTERSON: Would that be considered an RV, then?

14 CHAIRMAN WILLIAMS: I would think that would be.

15 TRAVIS MASTERSON: All right.

16 CHAIRMAN WILLIAMS: You know, this is one --

17 TOM REICHERT: Mobile -- mobile homes -- anything under 500

18 square foot is not a mobile -- is not a manufactured --

19 TRAVIS MASTERSON: That --

20 TOM REICHERT: -- home.

21 TRAVIS MASTERSON: -- then goes into RV.

22 CHAIRMAN WILLIAMS: Uh-huh.

23 TRAVIS MASTERSON: All right. Just curious.

24 TOM REICHERT: According to the manufactured home

25 associations.

26 CHAIRMAN WILLIAMS: And I think that's -- we addressed that

27 in our --

28 TOM REICHERT: Yeah.

29 WALT HOLLAND: Master plan.

30 CHAIRMAN WILLIAMS: -- Our -- our change in our latest

31 master plan.

32 TRAVIS MASTERSON: Because I know a lot of people in Austin

33 call us and have been thinking about that stuff too. So --

34 CHAIRMAN WILLIAMS: Uh-huh.

35 TOM REICHERT: And --

36 TRAVIS MASTERSON: -- is that's what they ask me.

37 TOM REICHERT: -- it is something that could be, you know,

38 that needs to be talked about down there. But there are -- you

39 know, are they set up to live in the winter when it gets to 30

40 below? You know. But that's a separate subject.

1 TRAVIS MASTERSON: Yeah.
2 CHAIRMAN WILLIAMS: We're dealing with it.
3 TRAVIS MASTERSON: Okay.
4 CHAIRMAN WILLIAMS: Thank you.
5 TRAVIS MASTERSON: No problem.
6 CHAIRMAN WILLIAMS: Anything else?
7 TOM REICHERT: Anybody?
8 CHAIRMAN WILLIAMS: I --
9 Would there be no further discussion from the board?
10 TOM REICHERT: You have to call for a motion.
11 CHAIRMAN WILLIAMS: I call for a motion.
12 TOM REICHERT: With great regret, I make a motion that we
13 decline the variance.
14 CHAIRMAN WILLIAMS: Any last kibitz in the bothering? Or
15 --
16 WALT HOLLAND: Yeah, I'd say the same thing. I'll second
17 it.
18 CHAIRMAN WILLIAMS: Okay.
19 WALT HOLLAND: And I understand where you're at because
20 I've been trying to do some stuff the last few years as well.
21 And I've not been on the planning commission very long.
22 But if we accept this tonight, there's -- there's at least
23 six of them that's going to come from -- from another place
24 instantly that aren't, you know, quality --
25 CHAIRMAN WILLIAMS: Well, and this is --
26 WALT HOLLAND: -- quality homes. And people don't want
27 them next to them. And -- and --
28 CHAIRMAN WILLIAMS: Yeah.
29 WALT HOLLAND: -- I don't think we're the ones to fight
30 that battle. I would take it to the county and -- and let
31 them -- them go for a variance. Or let us -- or change the
32 master plan. Because the master plan's writ. And we are
33 reviewing it. So it's a good time to get good feedback because
34 maybe there's ways to put things in the master plan that take
35 care of these kind of things. Because the way it's writ right
36 now, it's -- it's not probably the best. But --
37 CANDY FRIDAY: So we want --
38 WALT HOLLAND: -- that would be my --
39 CANDY FRIDAY: -- to go --
40 WALT HOLLAND: -- comment.

1 CANDY FRIDAY: -- to the county?
2 TOM REICHERT: We -- we have a motion and a second.
3 CHAIRMAN WILLIAMS: We have -- all in favor?
4 LOUIS LANI: Aye.
5 WALT HOLLAND: Aye.
6 TOM REICHERT: Aye.
7 CHAIRMAN WILLIAMS: Okay.
8 DEONILLA FULLER: You would -- to go --
9 TOM REICHERT: Ms. --
10 DEONILLA FULLER: -- to the county, --
11 TOM REICHERT: -- Ms. Bright?
12 DEONILLA FULLER: -- you would go to the administration
13 office, get an agenda request form, and have it filled out the
14 Monday before -- it's going to be screwed up on dates -- come
15 see me tomorrow --
16 CANDY FRIDAY: Okay.
17 DEONILLA FULLER: -- in the administration office. And I
18 will get you all hooked up.
19 CANDY FRIDAY: Okay.
20 DEONILLA FULLER: Okay?
21 CANDY FRIDAY: Okay.
22 LOUIS LANI: Just kind of on silent. And you get -- you go
23 to the commissioners, they want to hear your protest. Ask them
24 for some recommendations. Because you could come back and say,
25 I went to the commissioners and they think if you do this or do
26 that or whatever that they can back you.
27 DEONILLA FULLER: And I would also suggest you talk to him
28 and see about a swap.
29 LOUIS LANI: A swap. Yeah.
30 CHAIRMAN WILLIAMS: A what?
31 WALT HOLLAND: Get paid already.
32 CHAIRMAN WILLIAMS: See about a what?
33 WALT HOLLAND: A swap of trailers.
34 CHAIRMAN WILLIAMS: Oh.
35 WALT HOLLAND: I'm trying to get one to Elko County.
36 DEONILLA FULLER: See? And his is in Elko County.
37 WALT HOLLAND: Yeah.
38 CHAIRMAN WILLIAMS: Sorry, folks.
39 BRANDON FRIDAY: Thank you.
40 CHAIRMAN WILLIAMS: Thank you very much.

1 CANDY FRIDAY: Thank you.
2 TOM REICHERT: Thank you for coming in.
3 I mean, we're here to serve.
4 JAY WINTLE: No, you did the right thing. But you hate to
5 -- I mean.
6 DEONILLA FULLER: Well, at least they were trying to do it
7 the right way instead of just doing it and begging for
8 forgiveness later.

9
10 **4) Discussion for possible action regarding approval/disapproval**
11 **of the following merger and resubdivision parcel map, and**
12 **other matters properly related thereto.**
13

14 **Applicant: Miller Enterprises/Gary Sweeney**
15 **Location: 106 & 108 Lupin Drive, Battle Mountain, Nevada**
16 **APN: 002-425-10, 002-425-11**
17 **Type: To combine 2 (two) parcels into 1 (one) parcel**
18 **totaling 16,190 sq/ft zoned R-1.**
19

20 CHAIRMAN WILLIAMS: Well, I'm going tell you what, agenda
21 Item Number 4 says we're going to discuss for possible action
22 regarding approval/disapproval of the following merger and
23 resubdivision parcel map, and other matters properly related
24 thereto.

25 Miller Enterprises, slash, Gary Sweeney; 106, 108 Lupin
26 Drive, APN 002-425-10, 002-425-11. Going to combine two parcels
27 into one totaling 16 acres.

28 TOM REICHERT: No, --

29 GARY SWEENEY: No.

30 TOM REICHERT: -- 16,000 square feet.

31 CHAIRMAN WILLIAMS AND LOUIS LANI: Square feet.

32 CHAIRMAN WILLIAMS: I was going to say you're growing corn?

33 GARY SWEENEY: Going to take up the whole block.

34 CHAIRMAN WILLIAMS: Have a -- a seat, the honorable seat,
35 please.

36 And we'll just kind of -- for those of us that don't know,
37 exp- -- brief explanation.

38 LOUIS LANI: Put it right here.

39 TOM REICHERT: And for the recorder, Gary, state your name
40 and --

1 GARY SWEENEY: Gary Sweeney.
2 We're just going to try to get this thing put into -- from
3 one -- two separate lots into one lot because we're going to --
4 I -- my stepson's going to try to put a house on that. So we
5 just wanted a bigger lot.
6 TOM REICHERT: It's R-1; correct?
7 GARY SWEENEY: Yes.
8 CHAIRMAN WILLIAMS: Yes.
9 GARY SWEENEY: Yeah.
10 CHAIRMAN WILLIAMS: Uh-huh.
11 Kind of like Kingston's been doing.
12 WALT HOLLAND: Yeah.
13 TOM REICHERT: Yeah. Small lots.
14 CHAIRMAN WILLIAMS: Give yourself a little breathing room.
15 GARY SWEENEY: Yeah. Yeah.
16 CHAIRMAN WILLIAMS: You got 'er checked out, boss?
17 LOUIS LANI: Looks to me like they've done their homework.
18 CHAIRMAN WILLIAMS: Oh, hell. We don't have the --
19 TOM REICHERT: Resubdivide and combining lots is about the
20 --
21 CHAIRMAN WILLIAMS: -- the official --
22 TOM REICHERT: -- most slam --
23 LOUIS LANI: Oh, the questions?
24 TOM REICHERT: -- dunk thing we can do.
25 LOUIS LANI: I don't think I've got them either.
26 GARY SWEENEY: Yeah. If we do it right, it shouldn't be a
27 problem, really, I don't think.
28 CHAIRMAN WILLIAMS: Oh, damn.
29 GARY SWEENEY: I've (indiscernible, papers rustling on
30 microphones) a bit of a lot, but --
31 CHAIRMAN WILLIAMS: I've got one --
32 GARY SWEENEY: -- (indiscernible, simultaneous
33 conversation) --
34 CHAIRMAN WILLIAMS: -- in here somewhere.
35 GARY SWEENEY: -- for about 20 years now. I'd like to get
36 rid of them today.
37 CHAIRMAN WILLIAMS: These are the ones you were talking
38 about?
39 GARY SWEENEY: Uh-huh.
40 JAY WINTLE: I've got a trailer on one of them right now.

1 That's not on yours?

2 GARY SWEENEY: No. No, mine's on 1^{9th} and Lupin right
3 there on that -- there's one (indiscernible, too far from the
4 microphone) each way.

5 CHAIRMAN WILLIAMS: Damn, it, Louis, I --

6 GARY SWEENEY: (Indiscernible, too far from the microphone
7 and simultaneous conversation.)

8 CHAIRMAN WILLIAMS: -- had one. I was going to -- I put it
9 where I could find it. You know what I mean?

10 JAY WINTLE: Well, you've got the ones -- the other ones
11 the other way; didn't you?

12 LOUIS LANI: Oh, boy.

13 JAY WINTLE: (Indiscernible, simultaneous conversation and
14 papers rustling near microphone) and set that one on
15 (indiscernible, too far from the microphone and simultaneous
16 conversations).

17 CHAIRMAN WILLIAMS: I don't know what the hell I did with
18 it.

19 GARY SWEENEY: (Indiscernible, too far from the
20 microphone.)

21 TOM REICHERT: Your list?

22 CHAIRMAN WILLIAMS: My checklist.

23 GARY SWEENEY: (Indiscernible, too far from the microphone)
24 set one about a year and a half ago on (indiscernible, papers
25 rustling near microphone).

26 TOM REICHERT: There might be one in the packet.

27 JAY WINTLE: First one's (indiscernible, simultaneous
28 conversation).

29 CHAIRMAN WILLIAMS: No, I didn't see it.

30 LOUIS LANI: I didn't see one in the packet.

31 TOM REICHERT: You know what we're looking for, Kyla?

32 GARY SWEENEY: That's 18th. Yeah. That's 18th Street.
33 (Indiscernible, too far from the microphone and papers
34 rustling.)

35 KYLA BRIGHT: I don't see one here.

36 GARY SWEENEY: (Indiscernible, too far from the
37 microphone.)

38 KYLA BRIGHT: That is my bad.
39 Let me go and get --

40 CHAIRMAN WILLIAMS: Variances, --

1 KYLA BRIGHT: -- you one.
2 CHAIRMAN WILLIAMS: -- we need to outlaw them goddamn
3 things.
4 JAY WINTLE: Rise from taxes through the years, they have
5 to shit out of (indiscernible, too far from the microphone).
6 GARY SWEENEY: Yeah. Pretty soon they'll give them what
7 they want so they can tax us.
8 TOM REICHERT: She's getting one right now.
9 GARY SWEENEY: If you keep them there long.
10 JAY WINTLE: I know that's --
11 CHAIRMAN WILLIAMS: Well, damn.
12 TOM REICHERT: Careful, you're on tape.
13 GARY SWEENEY: She's (indiscernible, too far from the
14 microphone).
15 CHAIRMAN WILLIAMS: Huh?
16 JAY WINTLE: (Indiscernible, too far from the microphone)
17 --
18 CHAIRMAN WILLIAMS: I had --
19 JAY WINTLE: -- two buildable lots. Not giving it all.
20 CHAIRMAN WILLIAMS: Put one in there right where I would
21 never forget it. You know what I mean?
22 TOM REICHERT: Put it in a safe place, huh?
23 CHAIRMAN WILLIAMS: Uh-huh.
24 JAY WINTLE: (Indiscernible, too far from the microphone.)
25 GARY SWEENEY: (Indiscernible, too far from the
26 microphone.)
27 TOM REICHERT: This last winter, I took a drawbar off of a
28 tractor to attach a plow to it.
29 GARY SWEENEY: (Indiscernible, too far from the
30 microphone.)
31 TOM REICHERT: Now it's time to put a baler on that
32 tractor.
33 JAY WINTLE: (Indiscernible, too far from the microphone.)
34 TOM REICHERT: Four-foot long piece of steel, --
35 GARY SWEENEY: (Indiscernible, too far from the
36 microphone.)
37 TOM REICHERT: Three inches by two inches.
38 JAY WINTLE: (Indiscernible, too far from the microphone.)
39 WALT HOLLAND: I can't find it anywhere.
40 GARY SWEENEY: That's where we generated some.

1 JAY WINTLE: (Indiscernible, too far from the microphone.)
2 TOM REICHERT: I remember thinking, well, at least I put it
3 someplace smart.
4 JAY WINTLE: (Indiscernible, too far from the microphone.)
5 We're going to put like -- like all these things (indiscernible,
6 too far from the microphone). That's what we're doing out
7 there.
8 GARY SWEENEY: Yeah. yeah, you're wait out of the
9 floodplain.
10 CHAIRMAN WILLIAMS: Can you believe that, huh?
11 TOM REICHERT: Gary, there's a slight hold up. We have a
12 checklist that we go through on maps.
13 GARY SWEENEY: And John can't find it.
14 TOM REICHERT: Everybody forgot to bring theirs.
15 DEONILLA FULLER: Kyla went to grab it. She'll be back in
16 a second.
17 GARY SWEENEY: Okay.
18 CHAIRMAN WILLIAMS: I have put it in here umpteen times.
19 GARY SWEENEY: But (indiscernible, too far from the
20 microphone).
21 TOM REICHERT: Are all the corners marked, Louis?
22 GARY SWEENEY: Yeah, I went to school with him.
23 LOUIS LANI: Yep, all the corners are marked. Square
24 footage is marked.
25 TOM REICHERT: Is -- is there a location map on it?
26 LOUIS LANI: Mm.
27 CHAIRMAN WILLIAMS: No.
28 LOUIS LANI: No, no location map.
29 CHAIRMAN WILLIAMS: No --
30 TOM REICHERT: Okay. Is --
31 Surveyor sign it?
32 LOUIS LANI: Yep.
33 CHAIRMAN WILLIAMS: And it's dated. And all the other
34 signatures are there. Right?
35 LOUIS LANI: The certificate. Notary. Commissioners have
36 got to do it. Bob Morely has signed it. All the commissioners
37 go and then they (indiscernible, not spoken clearly) and maps to
38 it. But --
39 CHAIRMAN WILLIAMS: Assessor does it after we do it.
40 LOUIS LANI: Uh-huh.

1 TOM REICHERT: Adjacent parcels are all listed?
2 CHAIRMAN WILLIAMS: Yep.
3 LOUIS LANI: Yep.
4 TOM REICHERT: Any easements?
5 CHAIRMAN WILLIAMS: All easements, dedications granted and
6 made.
7 Square footage --
8 LOUIS LANI: Square footage is there.
9 CHAIRMAN WILLIAMS: -- detailed.
10 TOM REICHERT: The only thing I'm --
11 CHAIRMAN WILLIAMS: You know, really --
12 TOM REICHERT: On some maps, you need a location map that
13 shows, like, the town and where it's at.
14 GARY SWEENEY: Oh. Oh, yeah.
15 CHAIRMAN WILLIAMS: We don't on this one because this is
16 just erasing a line.
17 TOM REICHERT: Right.
18 WALT HOLLAND: Yeah.
19 TOM REICHERT: Okay. So it's nothing new.
20 CHAIRMAN WILLIAMS: So we don't really need the --
21 WALT HOLLAND: Parcel.
22 TOM REICHERT: Location.
23 CHAIRMAN WILLIAMS: We don't need the checklist.
24 WALT HOLLAND: Okay.
25 JAY WINTLE: You can waive the whole survey, I think.
26 CHAIRMAN WILLIAMS: Yeah. Uh-huh.
27 JAY WINTLE: I mean, you're within your rights to waive a
28 survey --
29 CHAIRMAN WILLIAMS: Sure.
30 JAY WINTLE: -- if the pins are found in place.
31 CHAIRMAN WILLIAMS: Yeah. And -- and everything's
32 documented.
33 TOM REICHERT: It didn't have to be resurveyed if the --
34 CHAIRMAN WILLIAMS: No.
35 GARY SWEENEY: No, they -- he just did -- did it at his
36 office.
37 CHAIRMAN WILLIAMS: Yeah.
38 GARY SWEENEY: Just --
39 WALT HOLLAND: Yeah, and charged --
40 GARY SWEENEY: -- paperwork.

1 WALT HOLLAND: -- you for it.
2 GARY SWEENEY: Uh-huh. Yeah. He'll pay for that --
3 WALT HOLLAND: Yeah.
4 GARY SWEENEY: -- next week.
5 CHAIRMAN WILLIAMS: So actually --
6 WALT HOLLAND: Yeah, like 2500 bucks.
7 LOUIS LANI: John Milton, he's doing quite a few of
8 these --
9 GARY SWEENEY: A thousand bucks.
10 LOUIS LANI: -- for us. So --
11 WALT HOLLAND: Yeah.
12 CHAIRMAN WILLIAMS: No, you --
13 GARY SWEENEY: That's for the --
14 CHAIRMAN WILLIAMS: -- can count --
15 GARY SWEENEY: (Indiscernible, simultaneous conversation.)
16 CHAIRMAN WILLIAMS: -- on him.
17 LOUIS LANI: Yeah.
18 CHAIRMAN WILLIAMS: Actually, we're -- all we really need
19 to do is just act on this because all he -- all we're doing is
20 erasing one lot line.
21 LOUIS LANI: Taking one lot, tying it. When one is
22 contiguous with another one, making one big one out of it.
23 GARY SWEENEY: One big one. Yeah, he wants to have a big
24 garage on it.
25 CHAIRMAN WILLIAMS: So it -- it just --
26 TOM REICHERT: Metal building?
27 GARY SWEENEY: No, it's going to be either a framed or --
28 or old one. I'm not sure which one he wants to do yet, but --
29 CHAIRMAN WILLIAMS: Well, that's for Anna to worry about.
30 GARY SWEENEY: Yep.
31 CHAIRMAN WILLIAMS: Any questions for anybody?
32 WALT HOLLAND: I'm questioned out.
33 CHAIRMAN WILLIAMS: Oh, that's good.
34 Louis studied this and everything's good.
35 TOM REICHERT: And the new number will be...
36 CHAIRMAN WILLIAMS: New parcel number?
37 TOM REICHERT: Yeah, is that listed?
38 CHAIRMAN WILLIAMS: 9A.
39 LOUIS LANI: 9A.
40 CHAIRMAN WILLIAMS: Amended Parcel Number 9A.

1 TOM REICHERT: 002-425-9A?
2 CHAIRMAN WILLIAMS: Uh-huh.
3 TOM REICHERT: Go ahead and call for a motion.
4 CHAIRMAN WILLIAMS: I'd entertain a motion that we approve
5 the map.
6 TOM REICHERT: No, you'll entertain a motion.
7 CHAIRMAN WILLIAMS: I'll entertain a motion.
8 TOM REICHERT: If you say you entertain a motion --
9 CHAIRMAN WILLIAMS: You're correct.
10 TOM REICHERT: -- that we approve, --
11 WALT HOLLAND: (Indiscernible, simultaneous conversation.)
12 TOM REICHERT: -- someone could still make a motion that we
13 disapprove.
14 CHAIRMAN WILLIAMS: I stand corrected.
15 TOM REICHERT: *Robert Rules of Order.*
16 Okay. I make a motion that we approve combining two parcels
17 into one, totaling 16,190 square feet, zoned R-1, combining parcel
18 002-425-10 and parcel 002-425-11 into a new parcel, 002-425-9A,
19 for Miller Enterprises/Sweeney, Gary.
20 LOUIS LANI: Second.
21 CHAIRMAN WILLIAMS: All those in favor --
22 WALT HOLLAND: Aye.
23 CHAIRMAN WILLIAMS: -- please signify --
24 LOUIS LANI: Aye.
25 CHAIRMAN WILLIAMS: -- by saying aye.
26 WALT HOLLAND: Aye.
27 TOM REICHERT: Aye.
28 LOUIS LANI: Aye.
29 UNIDENTIFIED PARTICIPANT: Aye.
30 WALT HOLLAND: Sorry I jumped the gun on you, --
31 GARY SWEENEY: Thank you, --
32 WALT HOLLAND: -- John.
33 GARY SWEENEY: -- guys.
34 TOM REICHERT: Yeah.
35 CHAIRMAN WILLIAMS: We're so fortunate --
36 TOM REICHERT: Sorry we took so --
37 CHAIRMAN WILLIAMS: -- to have him; --
38 TOM REICHERT: -- long.
39 CHAIRMAN WILLIAMS: -- aren't we?
40 GARY SWEENEY: That's okay. It was --

1 CHAIRMAN WILLIAMS: Thank you very --
2 GARY SWEENEY: -- it was fun.
3 CHAIRMAN WILLIAMS: -- much, Gary. Oh, I better sign this,
4 huh?
5 TOM REICHERT: Got your special pen?
6 CHAIRMAN WILLIAMS: I don't know. I've got a black one.
7 TOM REICHERT: Doesn't it leave like a fancy felt-tip type
8 thing?
9 UNIDENTIFIED PARTICIPANT: Maybe not.
10 TOM REICHERT: Maybe not.
11 LOUIS LANI: Right.
12 TOM REICHERT: Doesn't look like anybody else used one.
13 CHAIRMAN WILLIAMS: You --
14 WALT HOLLAND: How long's it going to take to --
15 CHAIRMAN WILLIAMS: Oh, you don't need the map.
16 GARY SWEENEY: I think it goes back to you.
17 CHAIRMAN WILLIAMS: Yeah. It'll go to the --
18 GARY SWEENEY: Okay.
19 CHAIRMAN WILLIAMS: Thank you.
20 GARY SWEENEY: Okay.
21 CHAIRMAN WILLIAMS: Commissioners, should I sign there?
22 That'd fire them up. Wouldn't it? Yeah, it would.
23 DEONILLA FULLER: (Indiscernible, too far from the
24 microphone.)
25 WALT HOLLAND: Then I would, John.
26 CHAIRMAN WILLIAMS: They just finally got to where they
27 quit looking over my shoulder. I'm not going to -- what -- what
28 is today?
29 LOUIS LANI: What is it? Four- --
30 CHAIRMAN WILLIAMS: Fourteenth?
31 LOUIS LANI: Fourteenth?
32 TOM REICHERT: Fourteenth. June 14th, 2017.
33 CHAIRMAN WILLIAMS: That probably is the wrong ink, huh?
34 TOM REICHERT: I can remember --
35 CHAIRMAN WILLIAMS: So --
36 TOM REICHERT: -- wondering if --
37 CHAIRMAN WILLIAMS: -- (indiscernible, simultaneous
38 conversation) -- did that?
39 TOM REICHERT: -- I'd live long enough to see 2020. Or
40 twenty -- 2000.

1 CHAIRMAN WILLIAMS: Thank you for looking. But we didn't
2 need it because this is just erasing a lot line.
3 KYLA BRIGHT: Sounds good.
4 CHAIRMAN WILLIAMS: But I need to -- I've got one in here
5 somewhere. I'll find it.
6 KYLA BRIGHT: I know that I -- I've run into it. And I
7 just don't know where it's at at the moment.
8 TOM REICHERT: Telephono?
9 LOUIS LANI: Some-- --something else we're forgetting.
10 KYLA BRIGHT: You're ready for the telephone?
11 LOUIS LANI: We've got to --
12 TOM REICHERT: We can ask --
13 LOUIS LANI: -- got to sign --
14 TOM REICHERT: -- the chair.
15 LOUIS LANI: -- two copies of the minutes, I believe.
16 Don't we?
17 CHAIRMAN WILLIAMS: Uh-huh.
18 LOUIS LANI: You were gone. I sign one or you're going to
19 have to sign one.
20 CHAIRMAN WILLIAMS: Oh, yeah?
21 LOUIS LANI: I think so.
22 KYLA BRIGHT: From May 10th's. (Indiscernible, papers
23 rustling on microphone).
24 CHAIRMAN WILLIAMS: May, I wasn't here.
25 LOUIS LANI: That's what I said.
26 CHAIRMAN WILLIAMS: You've got to sign one.
27 LOUIS LANI: I've got to sign one. But then we've -- the
28 other one too. We approved two of them tonight.
29 KYLA BRIGHT: Do you -- do I make you nervous when I
30 stand --
31 CHAIRMAN WILLIAMS: No. No.
32 KYLA BRIGHT: -- here?
33 CHAIRMAN WILLIAMS: I just -- well, you kind of do because
34 I know you probably have something to say. And I -- have I been
35 ignoring you? I'm sorry. I didn't mean --
36 KYLA BRIGHT: Would you like me to call Rex?
37 CHAIRMAN WILLIAMS: Yes.
38 KYLA BRIGHT: Okay.
39 CHAIRMAN WILLIAMS: Yeah. Thank you.
40 KYLA BRIGHT: Uh-huh.

1
2 (Contacting Rex Massey via telephone.)
3

4 5) Discussion for possible action regarding update to 2010
5 Lander county master plan to conform to current Nevada
6 Revised Statutes (NRS), and other matters properly related
7 thereto.
8

9 REX MASSEY: Hello.

10 KYLA BRIGHT: Hi, Rex.

11 REX MASSEY: Yes.

12 KYLA BRIGHT: This is Kyla. I have the --

13 REX MASSEY: Hi, Kyla.

14 KYLA BRIGHT: -- planning commission here for you.

15 CHAIRMAN WILLIAMS: Rex, how are you? This is John
16 Williams.

17 REX MASSEY: Good. I'm good. Well, --

18 CHAIRMAN WILLIAMS: I -- I took --

19 REX MASSEY: -- (indiscernible, simultaneous conversation.)
20 What's that?

21 CHAIRMAN WILLIAMS: I took one off. I thought you guys
22 would have this all done by the time I got back.

23 Listen to you. How we doing?

24 REX MASSEY: I'm good. Good.

25 CHAIRMAN WILLIAMS: Okay.

26 REX MASSEY: Well, since it sounds -- looks like you guys
27 have been at it for a while, I'll try to get through this in 20
28 minutes or less.

29 Tonight is really kind of a start of updating the master
30 plan. The last Lander County master plan we had was done in 2010.
31 And typically those -- they're updated, you know, every five years
32 or so. So we're a little bit beyond that five-year time frame.

33 It's also an update. It's also not a complete rewrite of the
34 master plan. There's a lot in there that will probably stay
35 unaltered unless you direct me or the board directs me otherwise,
36 where we get some kind of public comment that requires some
37 revisions.

38 So that's kind of the -- you know, it's a five-year sort of
39 exercise. And then we're going to update. And that means we'll
40 bring it up to date on whatever we need to do to be consistent

1 with new laws that were passed, new direction that the county
2 wants to take, resolve issues that -- and -- and set forth new
3 guidance that the county thinks needs to be in place for any --
4 any future development.

5 The one thing I wanted to point out -- and I don't want to go
6 into it too deep -- is the master plan and the county code work
7 together. And it's actually statute that county code has to be
8 consistent with the master plan.

9 So I'm just bringing this up because I know we've had in the
10 past some discussion on the lines that the master plan just sort
11 of sits on the shelf and gets dusty. And that's not really the
12 case.

13 The two have to work together, county code. But the master
14 plan really dominates, and that the county code has to be
15 consistent with the master plan.

16 So I'm just pointing that out to let the members of the
17 commission know that what we're undertaking is pretty important.
18 And it's not just generating another report or document that sits
19 on the shelf. It's something that should be utilized by the
20 commission and the staff when you're reviewing any kind of
21 development proposals or land use.

22 And so I just -- I just want to encourage you tonight that --
23 that when we move in this direction, we do create a master plan by
24 statute. The plan is really the -- the -- the dominating force in
25 development of review and land use.

26 Any questions? You got any questions for me real quick
27 before I move on?

28 CHAIRMAN WILLIAMS: I don't think so.

29 REX MASSEY: Okay.

30 So the first -- the first thing I did is I read through the
31 master plan again. And I started to look at, you know, what I
32 think would stay in place and not be altered unless I have some
33 comment or direction from somebody, locally. And then I started
34 looking at things that might need some adjustment. I started to
35 look at things that maybe are new and need more to be addressed
36 in the master plan.

37 So I created a list. And this is a first-cut list, you know,
38 first cut at it. Just some of my thoughts. There's nothing in
39 there that's binding. There's nothing in there that's -- you
40 could throw out every bullet point I put in that list.

1 But I wanted to stimulate some thought, give the commission
2 some ideas, you know, think -- start thinking about things.

3 And, you know, -- and -- and I'm happy if there's -- if
4 there's some specifics tonight that we can take from any of the
5 commission members. And -- and -- and I would like that input
6 because the -- the first part of this exercise is to really to
7 begin to get input on what ought to be a sense in the scope or
8 what ought to be covered in the master plan and what changes.

9 So the first thing I'd -- you know, one of the first goals
10 tonight is get commission input, any thoughts, any
11 recommendations. And it doesn't even have to be things on that
12 list. All right. If you have some issues and things that you
13 think need to be addressed that should be in the master plan, I
14 want to start that discussion tonight and take those ideas down.

15 And then the second part of this is to -- is to open it up
16 for public comment. If there's anybody in the -- in the -- in
17 the audience tonight that wants to have input on -- on what the
18 master plan should address, what might be some revisions, we
19 need to do that tonight.

20 And then also, I wanted to remind the commission that this
21 isn't the first time or the last time we're going to do this. How
22 I envision the update on the master plan to occur is we'll take --
23 we'll take -- we -- I think we have currently eight elements. And
24 we'll go through and we'll do almost as a workshop in a future
25 planning commission meeting, we'll take on land use. And then
26 that planning commission meeting will in part be dedicated to the
27 land use element of the master plan. We'll take public input.
28 We'll have discussion. We'll have draft language and policies put
29 on the table for the planning commission to consider. And then
30 we'll work through that element, making time available for more
31 commission input and suggestions as well as public input and
32 suggestions.

33 Does that make sense?

34 CHAIRMAN WILLIAMS: Absolutely.

35 REX MASSEY: Okay. So probably if -- if there's anything
36 that -- in thinking about the master plan -- is there anything
37 the commission wants to see addressed, wants to see reviewed,
38 wants to see revised?

39 I'm happy to start taking some notes tonight. And be fully
40 aware that you'll have more than one -- one shot at this. This is

1 just a first, you know, first initial let's start this process and
2 let's start talking about -- about getting things on paper that we
3 need to address.

4 CHAIRMAN WILLIAMS: Anybody have any pet peeves or special
5 areas of interest?

6 WALT HOLLAND: Mobile homes older than 15 years.

7 CHAIRMAN WILLIAMS: We had an agenda item tonight about
8 some people wanting to move a mobile home that's older than 15
9 years into Lander County.

10 REX MASSEY: Uh-huh.

11 LOUIS LANI: From Spring Creek.

12 CHAIRMAN WILLIAMS: From Spring Creek. And we had to turn
13 them down. And they didn't -- well, it was a comedy of errors,
14 I guess. I don't know what happened. But, anyway, we turned
15 them down. And they didn't think it was right.

16 And, of course, we -- we got into the discussion April
17 meeting? Was that -- Tom -- when you were here and you brought
18 that up?

19 Tom wanted -- was talking about in agricultural being able to
20 do that. And so that's one of the things.

21 WALT HOLLAND: In A-3.

22 REX MASSEY: Okay. I'll put that on the list.

23 TOM REICHERT: Okay.

24 CHAIRMAN WILLIAMS: And -- and we -- we tossed it around.
25 And I don't know. We came to some kind of a halfway agreement
26 on something. And I don't recall what it was. And I didn't
27 write it down.

28 We had one on a possible way to --

29 TOM REICHERT: The problem, Rex, is with A-3, a lot of the
30 landowners live too far away from an urban area for people to
31 commute to work.

32 So if you want --

33 REX MASSEY: Uh-huh.

34 TOM REICHERT: -- if you want hired help, you have to
35 supply housing.

36 REX MASSEY: Sure.

37 TOM REICHERT: And with the advent of pivots, farms are
38 getting bigger and, you know, housing is a necessity. But there
39 are no mobiles in the county for sale 15 years of age or younger
40 except brand-new ones.

1 REX MASSEY: Yeah. Yeah.

2 TOM REICHERT: And, you know, on -- on a parcel that's,
3 say, you know, even a small one, 640 acres, where your nearest
4 neighbor's 10, 15 miles away and you have the equipment to put
5 things in correctly, if it passes code, does it matter how old
6 it is?

7 REX MASSEY: Yeah.

8 And I think it's a good example of what this exercise is
9 meant to do.

10 So I would take this as a topic and review it and research
11 it, you know, kind of come up with the pros and cons, and then
12 fashion a policy that would be a -- that -- that would be --

13 TOM REICHERT: I believe you told me Church- -- Churchill
14 County was lenient in their age restrictions on mobile homes on
15 agricultural parcels.

16 REX MASSEY: Yeah. I would have to -- you know, I'll go
17 and take a look at -- and that's -- that's the process. I don't
18 want to -- I don't want to open up deba- -- or settle the debate
19 tonight.

20 TOM REICHERT: Correct.

21 CHAIRMAN WILLIAMS: Oh, no.

22 REX MASSEY: I want to give you, you know, something that's
23 researched that you can rely on and say, hey, that sounds like
24 the direction we ought to go based on the information we gather.
25 So we can formulate, you know, a policy and maybe even an --
26 maybe it even has to go into an ordinance that this is what
27 Lander County does.

28 And -- and it's a -- it's a good topic. And it's a good
29 example of, you know, the things that we address and the things
30 that need to be addressed in -- in this kind of planning effort.

31 CHAIRMAN WILLIAMS: Yeah, because there's a -- you know, I
32 mean, Tom's got a really good point there.

33 REX MASSEY: Uh-huh.

34 CHAIRMAN WILLIAMS: Hill Top. I don't see it fitting in.
35 But like he's talking, I don't know. There -- I would think
36 there'd be something we could do there.

37 REX MASSEY: Yeah. Yep.

38 So I've got that on the list. You -- you got any -- that's a
39 good place to start.

40 CHAIRMAN WILLIAMS: Anything else?

1 TOM REICHERT: Road improvements on 2 1/2-acre lots.
2 REX MASSEY: What was that, Tom?
3 TOM REICHERT: Road improvements on 2 1/2-acre lots.
4 REX MASSEY: Right.
5 TOM REICHERT: Didn't we come to a standstill on that last
6 time?
7 CHAIRMAN WILLIAMS: Mm.
8 REX MASSEY: No, I think you guys gave me some pretty --
9 CHAIRMAN WILLIAMS: Yeah.
10 REX MASSEY: -- clear direction that you wanted some
11 specific criteria that you can make --
12 CHAIRMAN WILLIAMS: If a co- --
13 REX MASSEY: -- yes-or-no decisions on. And -- and I would
14 probably -- you know. And this is where you could -- you know,
15 we might want to talk about where it's best to put this. Do we
16 want to put it in the master plan? Or do we want a very
17 specific directive -- directives in -- in -- codified into
18 ordinance.
19 TOM REICHERT: Correct. Yeah.
20 REX MASSEY: And -- but I think we -- we've resolved that
21 issue. We know -- at least the planning commission's given me
22 their recommendations. It's up to the board to, you know, adopt
23 that ultimately. But, you know, and we may want to reflect it
24 in the master plan again. Or we may want to talk about some
25 other element in that master plan that is complementary to -- or
26 make sure what we put in the master plan is in -- consistent in
27 the code.
28 So I just brought it -- I put it on that list because it's
29 kind of a new item. And it -- it probably should be reflected and
30 addressed in the master plan as well.
31 TOM REICHERT: Okay. I have one other thing. I don't know
32 if the master plan is the proper place for it.
33 Some research has to be done on seasonal RV residences. A
34 lot of the population in certain parts of the county want annual
35 RV residences. I feel that could be a health and safety issue
36 with the winters.
37 But can we talk about possibility of incorporating -- you
38 know, that in order to increase the summertime population in some
39 of the towns where the lots are so small, allowing people to live
40 for a period of time in a residence smaller than a mobile home?

1 Less than five --

2 REX MASSEY: Yeah, I -- I got it. I note it. I understand
3 where you're going with that topic. And I think we can --
4 that's something that we can certainly take a look at.

5 TOM REICHERT: I think --

6 REX MASSEY: And I think it's -- you know, some of this
7 stuff, I'm going -- I'm going to need to -- you know, there's
8 also going to be consultation with the district attorney.
9 Because there's some legal and liability elements to any and all
10 of these topics.

11 TOM REICHERT: Yep.

12 REX MASSEY: And I -- I think there is with this one as
13 well.

14 So just --

15 TOM REICHERT: It ties in with --

16 REX MASSEY: You know.

17 TOM REICHERT: -- economic development, though.

18 REX MASSEY: Yeah. Yeah. Understand.

19 And I -- and I -- and I know that's a hot button issue with
20 certain areas in the county.

21 And it's -- it's certainly something that we should look at
22 and evaluate and come to a decision that the board -- or a
23 recommendation that the board would adopt or, you know, choose not
24 to adopt, whatever -- whatever direction they go.

25 But I'm certainly, you know, it's -- this is your plan.
26 You're telling me what -- what you want me to do. And if that's
27 something that merits a review and a consideration in the master
28 plan, then it's -- then it's on the list.

29 TOM REICHERT: Okay. I think it merits a review and a
30 consideration. If I truly represent people in Lander County, it
31 is something that they want us to review and consider.

32 REX MASSEY: Okay.

33 TOM REICHERT: Next.

34 CHAIRMAN WILLIAMS: Anything else?

35 WALT HOLLAND: No. I think he's got good bullet points on
36 them. We've talked about a lot them. So I think it's a great
37 direction and a path forward.

38 REX MASSEY: Yep. It's a -- you know, it's a -- it's a
39 first cut at it and gets people thinking about it. Put some of
40 those -- put some of those topics on the list. And, you know,

1 we'll get around to -- to a lot of them. And I'm sure by the --
2 by the time we start into each one of these elements, we're
3 going to add or subtract even more. So -- but I -- but I
4 need -- I need some initial first direction to kind of get
5 going. And then where I -- where I'm going to organize --
6 figure out the best way to organize how to do this in a
7 streamlined fashion so we're not -- you know, we're not burning
8 up a bunch of time and having all kinds of meetings that we kind
9 of get -- you know, we cut to chase. We get to the updates we
10 need to -- we need to do. And -- and we've -- we've provided
11 opportunities for -- for public comment and input on -- on some
12 -- on some of the -- on some of these topics.

13 Is there any others? And, you know, jot these down. And,
14 you know, and we'll -- we'll bring them back up. But, you know,
15 as you -- as you leave tonight and you think of some more, just
16 jot them down, shoot them to Kyla, and -- and, you know, I'm --
17 and I can -- I can take them, you know, outside the -- I can
18 certainly take recommendations and things from outside.

19 I'll be talking to other people in the county. And when I
20 get done with that, there's likely to be a f- -- you know, a few
21 more things on there.

22 So right now it's just trying to -- trying to get as much
23 input and exposure and get this kind of out in the public and
24 discussed so we -- we make sure we cover -- we -- we cover all the
25 possible issues that -- that people want to -- want to have
26 included in the master plan and -- and -- and -- and policies and
27 guidance and -- and future development of -- of the county.

28 Any others from the planning commission?

29 LOUIS LANI: Have you done any work on interbasin
30 transfers? Southern Nevada Water Authority --

31 REX MASSEY: Well --

32 LOUIS LANI: -- Southern Nevada Water Authority is still
33 trying to put it through the legislature so they've got control
34 over that, where they can transport water from the northern part
35 of the state to the southern part.

36 TOM REICHERT: What is --

37 LOUIS LANI: And I don't know if we can do anything --

38 REX MASSEY: Yeah.

39 LOUIS LANI: -- on the master plan --

40 CHAIRMAN WILLIAMS: No, that's state.

1 LOUIS LANI: -- to slow that down. That's -- we're
2 fighting big money there.

3 REX MASSEY: Well, there -- there is. There's a lot of
4 different things. Some are -- fall within the master plan; some
5 fall without it, just strictly from a strategic point.

6 And then my -- my thought was, in that topic, was to really
7 take a hard look at Red Rock Valley versus Washoe County. And
8 they're -- and I'm sure you're aware of that case. There was some
9 very interesting -- the Nevada Supreme Court pretty much sided
10 with Washoe County and their ability to regulate and govern water
11 transport facilities. Even though the state engineer had ruled
12 that in that case that water could be exported to a different
13 location, the county said, no, that violates our own water
14 resources plan. And -- and it requires -- you know, there --
15 there were several requirements the county placed forth. And the
16 applicant thought because the state engineer authorized the
17 transfer or allowed the transfer that that could occur without
18 local government oversight and compliance.

19 And so I think it's an important case, not only for southern
20 Nevada, but in general, giving the county -- it squarely gave the
21 county more authority than what people thought they had in the
22 past over water resource development use and transfer.

23 TOM REICHERT: Rex? Tom Reichert.

24 REX MASSEY: Yes.

25 TOM REICHERT: There's a proposition out, you know.
26 Nevada's so much -- so much of the land is owned by federal
27 agencies. But there's a chance in -- in Lander County, a lot of
28 it will change agencies from, say, BLM to the Navy.

29 REX MASSEY: Uh-huh.

30 TOM REICHERT: Does the Navy pay PILT?

31 REX MASSEY: I didn't know anybody paid PILT. I'm just
32 kidding.

33 You know, I don't know the answer to that question.

34 TOM REICHERT: Is -- is this something we should mention in
35 the master plan?

36 Is --

37 REX MASSEY: It might --

38 TOM REICHERT: I mean, a lot --

39 REX MASSEY: -- be a better --

40 TOM REICHERT: -- of our population make their living off

1 of the use of BLM land, either through grazing, hunting, you
2 know.

3 REX MASSEY: Right.

4 TOM REICHERT: We -- we have adapted so that our businesses
5 that can survive. Even though they don't own the land, they can
6 use the BLM land.

7 If the Navy takes over the management of this land, will it
8 affect those businesses?

9 REX MASSEY: Right.

10 I think the best place to address that is in the review and
11 update of the -- of the public lands plan that is, you know --
12 pretty -- pretty much put together by PLUAC. And then what PLUAC
13 does, the planning commission can recommend that the board adopt
14 that public lands plan, by reference, into the master plan.

15 So in a sense, it becomes an element of the master plan.

16 And you could do it both. There's nothing that prohibits
17 you. But my view is: Why duplicate it? If you have it in
18 another plan someplace. You simply adopt it as part of the master
19 plan. And then that becomes, you know -- that -- that becomes
20 incorporated solely -- simply by reference.

21 You can also attach it as an exhibit, if you want to do it
22 that way. But -- but e- -- just -- just adopting it by
23 reference and citing that plan is enough to make that the policy
24 of Lander County through the master plan.

25 CHAIRMAN WILLIAMS: Rex.

26 REX MASSEY: That --

27 CHAIRMAN WILLIAMS: Oh.

28 REX MASSEY: So it's -- I got it down on a list. It'll be
29 addressed in one fashion or the other.

30 But I -- I would think the most appropriate place is to put
31 it there. And -- and then you don't -- then you don't end up
32 duplica- -- duplicating it. We can simply, you know, reference
33 it.

34 CHAIRMAN WILLIAMS: Rex. Payment --

35 REX MASSEY: Yeah.

36 CHAIRMAN WILLIAMS: -- in lieu of taxes. Is that correct?
37 PILT?

38 LOUIS LANI: Yep. That's PILT. Yeah.

39 REX MASSEY: Yes. Yep.

40 CHAIRMAN WILLIAMS: I don't totally understand the -- the

1 -- what would you say? -- the -- the basic definition of that or
2 how it works. Could you explain that to me real quick, please?

3 REX MASSEY: You're -- you're supposed to get a payment in
4 lieu of property tax, which you otherwise would have collected
5 on property tax from -- if that land were held in public and
6 taxed, that the federal government is supposed to make that
7 payment to you.

8 That's the general concept. I'm not an expert on the field.
9 But it's supposed to be in lieu of collecting property tax. If
10 you want to substitute that word in.

11 You're supposed to get a payment from federal -- from the
12 federal government.

13 CHAIRMAN WILLIAMS: The -- the state government?

14 LOUIS LANI: No, federal.

15 JAY WINTLE: Federal.

16 LOUIS LANI: Forest --

17 CHAIRMAN WILLIAMS: No.

18 LOUIS LANI: -- Service, --

19 TOM REICHERT: No.

20 LOUIS LANI: -- BLM.

21 CHAIRMAN WILLIAMS: No, no, no. I'm --

22 TOM REICHERT: The --

23 CHAIRMAN WILLIAMS: -- saying, --

24 TOM REICHERT: -- county.

25 CHAIRMAN WILLIAMS: -- who gets the payment?

26 TOM REICHERT: Who do --

27 LOUIS LANI: Oh.

28 TOM REICHERT: -- you pay your property taxes --

29 LOUIS LANI: The --

30 TOM REICHERT: -- to?

31 LOUIS LANI: -- county. The county does it.

32 REX MASSEY: The county. The PILT comes to town -- to the
33 county.

34 CHAIRMAN WILLIAMS: From the federal government?

35 REX MASSEY: Yeah. And it's --

36 CHAIRMAN WILLIAMS: For --

37 REX MASSEY: -- whether or not, --

38 CHAIRMAN WILLIAMS: -- the lands.

39 REX MASSEY: -- how much -- yeah.

40 CHAIRMAN WILLIAMS: Correct?

1 REX MASSEY: How much it's funded each year and whether or
2 not it's funded.

3 TOM REICHERT: John, if you owned that land, you would pay
4 taxes to the county on it.

5 CHAIRMAN WILLIAMS: Right.

6 TOM REICHERT: If the government --

7 REX MASSEY: Yeah.

8 TOM REICHERT: -- owns it, the county doesn't get any taxes
9 because --

10 CHAIRMAN WILLIAMS: Because big daddy says, I don't have to
11 pay them.

12 LOUIS LANI: So --

13 REX MASSEY: Right. So this --

14 CHAIRMAN WILLIAMS: Yeah.

15 REX MASSEY: The concept was -- is trying to reimburse and
16 compensate the county for that lost property --

17 JAY WINTLE: (Indiscernible, too far from the microphone.)

18 REX MASSEY: -- tax revenue.

19 CHAIRMAN WILLIAMS: And it never has worked.

20 JAY WINTLE: Well, to get it (indiscernible, too far from
21 the microphone, simultaneous conversation).

22 REX MASSEY: Well, sometimes it works; sometimes
23 it doesn't.

24 CHAIRMAN WILLIAMS: Sometimes it --

25 WALT HOLLAND: We get --

26 CHAIRMAN WILLIAMS: -- doesn't.

27 WALT HOLLAND: -- it. You know.

28 REX MASSEY: You know.

29 CHAIRMAN WILLIAMS: Okay.

30 REX MASSEY: And I -- but I don't know on withdrawn land,
31 federally withdrawn land, where it goes to -- where it's not
32 public land. I don't know. I -- I'm just not that familiar
33 with PILT to -- to know what -- what goes on when it goes
34 directly to the Department of Defense or the U.S. Forest
35 Service, you know, as -- as withdrawn land versus it being
36 public. It's withdrawn from the public domain --

37 CHAIRMAN WILLIAMS: Okay.

38 REX MASSEY: -- versus, you know, ver- -- versus public
39 land.

40 CHAIRMAN WILLIAMS: Well, thank you. We waste- -- I wasted

1 enough time on that. I -- I'm a hundred percent more
2 knowledgeable now than I was. Thank you.

3 REX MASSEY: You know, I'll -- I'll try to find some stuff
4 that I can -- I can send to you. I mean, there -- it's --
5 you -- you can go look it up on the web. There's -- you know,
6 if you just Google it, there's plenty of references. And you
7 can -- you can find out.

8 In fact, maybe even BLM has something on their website that
9 you can --

10 CHAIRMAN WILLIAMS: Okay.

11 REX MASSEY: -- you can pull up and read -- read about it.
12 But I'm sure there's experts in PILT. I'm not one of them. But
13 I understand the general concept.

14 CHAIRMAN WILLIAMS: Well, and that's a lot more than I
15 understood. So I appreciate you.

16 That's another -- I'm going to shut up. Thank you.

17 REX MASSEY: Okay.

18 CHAIRMAN WILLIAMS: Anything else, guys? Tom?

19 TOM REICHERT: I've been doing all the talking.

20 REX MASSEY: Is there anybody --

21 CHAIRMAN WILLIAMS: No, (indiscernible, simultaneous
22 conversation) in the audience or public or anybody else there
23 that would --

24 TOM REICHERT: Nobody important.

25 REX MASSEY: Okay.

26 CHAIRMAN WILLIAMS: They're all important. But they're all
27 kind of just shaking their heads or just looking. So I'll --
28 I don't know whether -- I think we bored them to death in
29 the regular meeting. I don't know.

30 REX MASSEY: Okay.

31 LOUIS LANI: But we -- we have to watch what we say because
32 a representative of the fourth estate -- or the press is here.

33 CHAIRMAN WILLIAMS: That's true.

34 TRAVIS MASTERSON: (Indiscernible, too far from the
35 microphone.)

36 LOUIS LANI: And Rex --

37 REX MASSEY: Well, that's all --

38 LOUIS LANI: On our --

39 REX MASSEY: -- that's all I have.

40 LOUIS LANI: On our master plan -- let me step in here --

1 do we have anything to say about, like, the sage grass, weed
2 control, and peejay removal? Those are all items that the
3 federal government generally takes care of. And the BLM's in
4 charge of this --

5 REX MASSEY: Well, --

6 LOUIS LANI: -- the sage grouse.

7 REX MASSEY: -- yeah. But we had -- let me give --

8 CHAIRMAN WILLIAMS: We have --

9 REX MASSEY: -- you an example --

10 CHAIRMAN WILLIAMS: -- local ones --

11 REX MASSEY: -- of how that --

12 CHAIRMAN WILLIAMS: -- in season.

13 REX MASSEY: -- would work.

14 TOM REICHERT: Actually, Rex, wait a minute.

15 REX MASSEY: What?

16 TOM REICHERT: You know. You for- -- I forget that there's
17 so many commissions in this county.

18 When I mentioned the Navy and that, you said, well, there's
19 a PLUAC -- Public Land Use Advisory Committee.

20 LOUIS LANI: Uh-huh.

21 REX MASSEY: Yes.

22 TOM REICHERT: Lander County Conservation District is
23 already working on all these issues.

24 WALT HOLLAND: Yep.

25 CHAIRMAN WILLIAMS: Yeah.

26 REX MASSEY: Uh-huh.

27 WALT HOLLAND: PLUAC as well.

28 TOM REICHERT: So in the master plan, we could -- you know,
29 you said with PLUAC we could, you know, put a note in that we
30 adopt their -- what they've decided rather than cover things
31 twice. The same thing could be said about the Conservation
32 District, whether or not it's something we have to cover.

33 CHAIRMAN WILLIAMS: Right.

34 REX MASSEY: Right. And -- and you could do the -- you
35 could do a similar thing there.

36 I -- you know, I would almost be inclined or lean toward, you
37 know, PLUAC taking that information and including it in their
38 plan. Because they're the -- they are the -- they are the
39 designated group by the county commission to handle public lands
40 issues.

1 Doesn't mean that other people don't look into them or aren't
2 involved in them. But I believe the PLUAC was set up for that
3 purpose and has that limited authority.

4 And so however we do it -- I mean, I probably need to talk to
5 those people. And I wrote that down. I need to go over there
6 and -- and have a conversation with them just to make sure we're
7 covered. Because I'm sure whatever they're putting forward and
8 advocating, we've even -- we've got some of that in our plan
9 already or we should.

10 So I will put that on the list of to-dos, to contact them,
11 and to make sure that -- that what they're putting together is
12 included and reviewed by you guys and moved up to -- to the PLUAC
13 so it's all consistent all the way through. Because unless it's,
14 you know -- I mean, when it's adopted by the county, it becomes
15 the official position of Lander County. And that means not only
16 does the county enforce what they have adopted in terms of
17 regulations, there may be things in there that the county decides
18 to fund because they adopted a plan.

19 And I'll -- and I'll give you just one quick example about
20 sage grouse that we put in -- we came up with a simple plan a
21 couple years ago. We adopted it, made it part of the PLUAC. And
22 then the county had funded some pinion juniper removal. They'd
23 actually put up money for it as part of that effort.

24 It was also some predator control, I think, that the county
25 went out and got grants for and money for that was, you know,
26 related as well.

27 So that's kind of how the mechanism works, how you put all
28 this stuff together, and how it, you know, flows through to the
29 Board of County Commissioners, and how it all becomes -- and
30 it's -- it's -- if you can put it in everywhere, it's great and
31 especially when Lander County's talking about things or
32 advocating for things and says, you know, as part of our master
33 plan, this policy is included. We endorse this. We embrace
34 this. We are opposed to this.

35 And I -- and just in the same sense, the PLUAC has certain
36 authority or -- the county has through FLPMA certain
37 responsibilities and obligations and rights under FLPMA that has
38 to do with input on -- on BLM plans and policies.

39 CHAIRMAN WILLIAMS: Hm.

40 FLPMA. Sounds like a (indiscernible, simultaneous

1 conversation).

2 REX MASSEY: Yeah, another acronym.

3 CHAIRMAN WILLIAMS: Sounds like we're getting down and
4 dirty now. I don't know that one. I'm sure you guys do, huh?

5 REX MASSEY: I've got PILT. We've got FLPMA. You know,
6 we're going to -- we're going to cover it all. So those --

7 CHAIRMAN WILLIAMS: Okay.

8 REX MASSEY: But those are good things. And -- and we
9 definitely -- I definitely will -- will be in contact and see
10 what they're doing and -- and -- and make sure that I'm -- we're
11 not missing anything.

12 CHAIRMAN WILLIAMS: Well, I think, Rex, you know, a good
13 update for my part anyway, it does --

14 REX MASSEY: Okay.

15 CHAIRMAN WILLIAMS: -- me -- it does me a lot of the best
16 to -- once we get into it. Stim- --

17 REX MASSEY: Yep.

18 CHAIRMAN WILLIAMS: -- stimulates a lot of --

19 REX MASSEY: And --

20 CHAIRMAN WILLIAMS: -- a lot of different conversations and
21 thought and --

22 REX MASSEY: And then there's a whole other part of the
23 master plan I'll just mention that's sort of less official, less
24 regulatory. But the master plan also serves to -- well, it
25 serves notice to the public.

26 CHAIRMAN WILLIAMS: Uh-huh.

27 REX MASSEY: A good example of that is sometimes we'll put
28 a roadway on a map.

29 CHAIRMAN WILLIAMS: Right.

30 REX MASSEY: And you might want to make a major road
31 improvement that connects one road to another and goes across a
32 certain area of town. And that's been adopted by the -- you
33 know, recommended by the planning commission, adopted by the
34 board. And it serves notice to the public that at some point in
35 the future the county intends to build a new connector road, you
36 know, or -- or what -- if it's a lift station or it's a new
37 recreational facility.

38 CHAIRMAN WILLIAMS: A water line.

39 REX MASSEY: So it all -- yeah, a water line, water line to
40 airport. Whatever it is. But it serves notice so that people

1 know that, oh, here's the county's future plans. Whether or not
2 it gets implemented is one thing. But at least you serve notice
3 and people know.

4 The other part of that is, on many occasions we run into,
5 particularly on grants, in, you know, different areas, they always
6 want to know that we -- it was included in your master plan. It's
7 a common question.

8 And so it's kind of a catchall. We throw a lot of things
9 in -- into this process and identify them and include them in a
10 plan because just because we know in the future we might have to
11 say, yes, the county endorsed using nonpotable water.

12 And that's been a long-time plan of the county's. And it's
13 an important priority. And we include it in our master plan.
14 Thank you very much, grant application.

15 So there's that element of the master plan, not only code
16 and regulation, but you've got notice. And then you also have
17 including things in there that -- that are important, are -- or
18 should be recognized as priorities for funding considerations as
19 well.

20 So --

21 TOM REICHERT: We don't -- it --

22 REX MASSEY: -- those kinds of things will pop up. And if
23 you have any of those suggestions, you know, we want to make
24 sure that we include as much as we possibly can. Because --

25 TOM REICHERT: It also --

26 REX MASSEY: -- I -- I have in the past, on grant
27 applications, not been able -- you know, that question comes up.
28 And I look through the different plans and say, nope, nowhere
29 was -- was it mentioned.

30 And then the funding agencies go, wow, it doesn't sound like
31 it was much of a priority. So why are we putting money into this?

32 TOM REICHERT: Rex, it also adds support to economic
33 development.

34 REX MASSEY: Yeah.

35 Yep.

36 And I will, you know, I'll -- I'll go to the -- over to that
37 committee. And -- and we'll -- we'll look at the CEDS document
38 and what strategic planning initiatives that they're looking at as
39 well.

40 So that'll be -- you know, we have an economic, you know,

1 a -- a population economic and I think it's housing element in
2 there.

3 So we'll make sure that -- or we'll take that CEDS and
4 we'll incorporate it by reference or sections, you know,
5 whatever it is, we'll -- when the county endorses it, you know,
6 we'll want to make sure it's included in the master plan as
7 well.

8 CHAIRMAN WILLIAMS: Good.

9 REX MASSEY: Any other questions or comments?

10 CHAIRMAN WILLIAMS: I don't think so.

11 REX MASSEY: Okay. Well, next meeting, I'll -- you know,
12 I'll start working on -- you know, like I said, I think the best
13 thing to do is to take topic by topic and move through the
14 master plan.

15 And I think one of the areas where we'll spend a little bit
16 of time on is on the land use element and getting our land use
17 plan. We have a zoning -- you know, we have a zoning map and then
18 we have a land use plan. And we need to get a land use plan in
19 shape and done so that we can, you know, for -- for purposes of
20 future development and growth, we need to have that la- -- that
21 land use plan done and -- and approved by -- by you guys and
22 adopted by the board.

23 So that -- that -- I think that's the biggest -- when I look
24 at what's in the master plan, I think our -- our largest amount of
25 effort is probably going to be in that land use section. So we
26 may spend one or maybe two meetings on it, depending on what kind
27 of topics and how in depth we need to go and -- and the things
28 that we need to address.

29 CHAIRMAN WILLIAMS: Whatever it takes to get 'er done.

30 TOM REICHERT: And these -- these meetings do not have to
31 be our second Wednesday of the month when we have other items on
32 the agenda.

33 REX MASSEY: True. And if -- you know, I -- if it's -- if
34 it gets really busy and it's not a good idea to do that and
35 extend you guys way too late to where you don't want to do that,
36 then I would suggest we -- we notice it and do it at another
37 time.

38 TOM REICHERT: As long as it's not -- as long as it's not
39 farming season for me, hunting season for Louis and John, or --

40 REX MASSEY: I know.

1 TOM REICHERT: -- holiday season when the rest of the
2 commission wants to spend time with their family. So --
3 CHAIRMAN WILLIAMS: So work that in; will you?
4 REX MASSEY: I don't know. That's why I like to do it at
5 your one meeting. So, you know, we're not -- we're not creating
6 a bunch of new meetings. I mean, a lot of times in master
7 planning, you'll -- they'll set up all kinds of separate
8 meetings. And it's just a meeting fest.
9 And I think if -- if -- if it's manageable to do it within
10 the planning commission's normal meeting times and it fits into
11 agenda where we can squeeze it in and we have e- -- enough time
12 to do it and it works, it -- it just minimizes everybody's, you
13 know, effort and time that -- that they have to put into this.
14 And it's during your normal, you know, your normal meeting
15 periods.
16 But if we have to go outside of that, we have to go outside
17 of that.
18 CHAIRMAN WILLIAMS: I agree.
19 TOM REICHERT: Caffeine and donuts.
20 KYLA BRIGHT: Okay. I'm on it.
21 REX MASSEY: Well, that's my -- that's my presentation for
22 tonight. If there's no other questions, I'm --
23 CHAIRMAN WILLIAMS: You're done?
24 REX MASSEY: That's all I've got. Yep.
25 TOM REICHERT: Thank you, sir.
26 CHAIRMAN WILLIAMS: So am I. Oh. Okay.
27 REX MASSEY: Okay. Sounds good. I've got -- I've noted
28 everything that you guys put down. And -- and we'll revise
29 and -- the list and add to it and keep moving forward.
30 CHAIRMAN WILLIAMS: Very good. Thank you, sir.
31 REX MASSEY: All righty. Thank you.
32 CHAIRMAN WILLIAMS: Until next month?
33 REX MASSEY: Probably.
34 CHAIRMAN WILLIAMS: Okay.
35 Take care.
36 REX MASSEY: Very good. Thank you. Good night.
37 CHAIRMAN WILLIAMS: Good night.
38 WALT HOLLAND: Good night.
39 TOM REICHERT: I think you're --
40 CHAIRMAN WILLIAMS: That's cool, huh?

1 TOM REICHERT: -- (indiscernible, simultaneous
2 conversation).

3 LOUIS LANI: And when he hangs it up, --

4 CHAIRMAN WILLIAMS: Technology.

5 LOUIS LANI: -- that hangs it up.

6 CHAIRMAN WILLIAMS: That's technology, man.

7 Okay. Do we have any questions on that? Or we need to --

8 WALT HOLLAND: I don't.

9 CHAIRMAN WILLIAMS: Okay. We're going to move on to Agenda
10 Item Number 6.

11
12 **6) Discussion for possible action regarding change to amount of**
13 **members on the Lander County Planning Commission from five to**
14 **seven, and to remove two alternate positions to conform to**
15 **current Nevada Revised Statutes (NRS), and other matters**
16 **properly related thereto.**
17

18 CHAIRMAN WILLIAMS: Discussion, possible action regarding a
19 change of -- to the amount of members in the Lander County
20 Planning Commission from five to seven, which means --

21 WALT HOLLAND: I was going to ask the district attorney,
22 but he's not here.

23 CHAIRMAN WILLIAMS: Well, he's not going to be here. No,
24 we don't --

25 LOUIS LANI: Careful.

26 CHAIRMAN WILLIAMS: To remove two alternates to conform to
27 the new Nevada Revised Statutes, which --

28 KYLA BRIGHT: Okay.

29 CHAIRMAN WILLIAMS: -- is NRS acronym.

30 KYLA BRIGHT: Right. So first, it's the new -- as far as
31 code or any sort of thing, it has not been changed yet.

32 So that's probably more of a discussion point, because I was
33 getting questions from Colt and -- about it.

34 So -- but it has been approved --

35 CHAIRMAN WILLIAMS: The -- the state --

36 KYLA BRIGHT: -- through the commission --

37 CHAIRMAN WILLIAMS: -- has --

38 KYLA BRIGHT: -- and the state. Yes.

39 CHAIRMAN WILLIAMS: Okay.

40 KYLA BRIGHT: So it will change. The two alternates will

1 be removed. And they put it out into the public to have two
2 full-time members.

3 CHAIRMAN WILLIAMS: Pull --

4 KYLA BRIGHT: We'll have seven full-time members of this
5 board.

6 CHAIRMAN WILLIAMS: And --

7 KYLA BRIGHT: -- and there'll be --

8 CHAIRMAN WILLIAMS: And when --

9 KYLA BRIGHT: -- alternates.

10 CHAIRMAN WILLIAMS: Is this new statute -- it's already in
11 effect? Is that correct?

12 KYLA BRIGHT: As far as this statute, yes. And I need to
13 find it. That's the part -- as DA's been MIA lately.

14 And so to get ahold of what they were talking about in this
15 meeting, it's been a little trying for me. Sorry.

16 But --

17 CHAIRMAN WILLIAMS: Well, yeah. I --

18 KYLA BRIGHT: So -- and --

19 CHAIRMAN WILLIAMS: That's a tough one.

20 KYLA BRIGHT: -- last I heard was they're just waiting for
21 the ordinance to come through. And then they're going to open
22 it in the paper.

23 I have let the Recorder's Office know, please, the moment it
24 comes through your door, bring it to me. Bring me a copy. I need
25 it so I can --

26 TOM REICHERT: Will --

27 KYLA BRIGHT: -- (indiscernible, simultaneous
28 conversation).

29 TOM REICHERT: -- all seven positions be open?

30 CHAIRMAN WILLIAMS: No.

31 KYLA BRIGHT: No.

32 TOM REICHERT: Just the two --

33 WALT HOLLAND: No.

34 TOM REICHERT: -- alternates.

35 KYLA BRIGHT: No, just the two alternates.

36 CHAIRMAN WILLIAMS: We will have --

37 KYLA BRIGHT: Yes.

38 CHAIRMAN WILLIAMS: -- two permanent positions opening up?

39 KYLA BRIGHT: Uh-huh.

40 TOM REICHERT: At that time, would a quorum be four people?

1 KYLA BRIGHT: Yes. So you will have to --
2 WALT HOLLAND: So who's the --
3 KYLA BRIGHT: -- have four from them.
4 WALT HOLLAND: Colt's an alternate. Who's the other
5 alternate?
6 CHAIRMAN WILLIAMS: Colt.
7 TOM REICHERT: You.
8 CHAIRMAN WILLIAMS: Well, we don't -- we -- we only --
9 WALT HOLLAND: I was --
10 CHAIRMAN WILLIAMS: -- had one alternate. That's --
11 KYLA BRIGHT: No.
12 CHAIRMAN WILLIAMS: -- all we could ever get.
13 KYLA BRIGHT: Technically, what --
14 CHAIRMAN WILLIAMS: Well, actually --
15 KYLA BRIGHT: -- they're saying is because Art --
16 CHAIRMAN WILLIAMS: Yeah, Art was.
17 KYLA BRIGHT: But --
18 WALT HOLLAND: Art.
19 KYLA BRIGHT: -- he's not -- he --
20 WALT HOLLAND: Yeah.
21 KYLA BRIGHT: -- can't. Yeah.
22 CHAIRMAN WILLIAMS: And -- and --
23 KYLA BRIGHT: And that's why they're changing it, I
24 believe. They're trying to --
25 CHAIRMAN WILLIAMS: Yeah. They --
26 KYLA BRIGHT: -- (indiscernible, simultaneous conversation)
27 --
28 CHAIRMAN WILLIAMS: -- said there was a conflict of --
29 KYLA BRIGHT: -- double double, basically.
30 CHAIRMAN WILLIAMS: -- interest was what was -- what was
31 explained to me, having a commissioner. And for all the years,
32 that was the big advantage to have a commissioner, ex officio
33 member.
34 TOM REICHERT: Ex officio, but --
35 CHAIRMAN WILLIAMS: Right.
36 TOM REICHERT: -- not an --
37 CHAIRMAN WILLIAMS: Not an alternate.
38 TOM REICHERT: Yeah.
39 CHAIRMAN WILLIAMS: You know. And that's the way it was
40 always explained --

1 WALT HOLLAND: I see.
2 CHAIRMAN WILLIAMS: to me. Ex officio member.
3 But, anyway, the -- supposedly the state has viewed it as
4 an alternate. And that there in itself creates one heck of a
5 conflict of interest when our business goes to the
6 commissioners, if we have a commission sitting in our meeting.
7 So we will no longer have that.
8 KYLA BRIGHT: They had mentioned, though -- I mean, the
9 commissioner, they will still probably -- how did they call it?
10 -- appoint a liaison, I guess. Or a -- a person that --
11 CHAIRMAN WILLIAMS: But --
12 KYLA BRIGHT: -- is from the commission, but sits on that
13 side just to observe.
14 TOM REICHERT: Which is what I thought we had all along.
15 KYLA BRIGHT: Exactly.
16 CHAIRMAN WILLIAMS: Well, that's exactly what we had.
17 KYLA BRIGHT: Uh-huh.
18 CHAIRMAN WILLIAMS: Yeah.
19 KYLA BRIGHT: So --
20 CHAIRMAN WILLIAMS: But, you know -- well -- well, that's
21 up to the legal team. And so I'm not going to say nothing.
22 KYLA BRIGHT: Yep.
23 WALT HOLLAND: Because we don't have to approve --
24 CHAIRMAN WILLIAMS: When he or she --
25 WALT HOLLAND: -- or disapprove it.
26 KYLA BRIGHT: No.
27 CHAIRMAN WILLIAMS: -- is here, we'll just --
28 KYLA BRIGHT: No, it was --
29 CHAIRMAN WILLIAMS: -- welcome them with --
30 KYLA BRIGHT: -- just --
31 CHAIRMAN WILLIAMS: -- open arms.
32 KYLA BRIGHT: It was just put on --
33 WALT HOLLAND: Information?
34 KYLA BRIGHT: -- the --
35 CHAIRMAN WILLIAMS: Go forthwith as --
36 KYLA BRIGHT: -- for --
37 CHAIRMAN WILLIAMS: -- we --
38 KYLA BRIGHT: -- information, --
39 CHAIRMAN WILLIAMS: -- always do; right?
40 KYLA BRIGHT: -- mostly for --

1 JAY WINTLE: Get Colt to --
2 KYLA BRIGHT: -- because I was getting asked.
3 JAY WINTLE: -- (indiscernible, simultaneous conversation).
4 KYLA BRIGHT: So --
5 CHAIRMAN WILLIAMS: Yeah.
6 So even though we have only been able to fill one of our
7 alternate vacancies over the years -- I think one time I remember
8 we actually filled both of them for a short time -- we're going to
9 be back and to trying to fill -- yeah. But permanent post now.
10 WALT HOLLAND: Cool.
11 CHAIRMAN WILLIAMS: So --
12 WALT HOLLAND: So we --
13 CHAIRMAN WILLIAMS: -- there we are.
14 WALT HOLLAND: -- don't have -- that was just a discussion
15 point. We --
16 KYLA BRIGHT: Yeah.
17 WALT HOLLAND: -- don't have to approve or anything of
18 that?
19 CHAIRMAN WILLIAMS: No.
20 No. And if, you know -- if anybody's got some light they
21 could shed on it --
22 Kyla has got the most information. Now --
23 KYLA BRIGHT: So --
24 CHAIRMAN WILLIAMS: -- we all --
25 KYLA BRIGHT: -- as soon as --
26 CHAIRMAN WILLIAMS: -- know, huh?
27 KYLA BRIGHT: -- I can find out anymore, I'll bring it to
28 you guys.
29 TOM REICHERT: Thank you, ma'am.
30 KYLA BRIGHT: Uh-huh.
31 CHAIRMAN WILLIAMS: Okay. There being nothing else on
32 that, we would move on to Agenda Item Number 7.
33
34 7) **Correspondence, board and/or staff issues for potential**
35 **upcoming agenda items.**
36
37 CHAIRMAN WILLIAMS: Correspondence, board and/or staff
38 issues for potential upcoming agenda items.
39 You have some?
40 KYLA BRIGHT: May I ask a question?

1 CHAIRMAN WILLIAMS: Oh.
2 KYLA BRIGHT: Yes, I wanted to bring it to your guys'
3 attention that Jan and I took it upon ourselves to kind of talk
4 to Bob Morely on -- what was it? -- Chapter 17. I wish -- I
5 should have brought it with me -- about the water rights. You
6 and I had discussed this.
7 And Bob had strongly suggested that the wording be changed
8 on the water rights part not to being required to set aside.
9 Do you know what -- do you kind of know where I'm at with
10 that without it --
11 TOM REICHERT: If that's the --
12 KYLA BRIGHT: -- being in front of you?
13 TOM REICHERT: It's the state's department or --
14 KYLA BRIGHT: Right.
15 TOM REICHERT: -- response on it.
16 KYLA BRIGHT: Exactly. And that's what he's saying. And
17 not only that, but there's nowhere in our county, is what he
18 said to me, that -- that that would even --
19 CHAIRMAN WILLIAMS: Be legal.
20 KYLA BRIGHT: -- be --
21 CHAIRMAN WILLIAMS: It wouldn't fly.
22 KYLA BRIGHT: Right. It wouldn't fly.
23 TOM REICHERT: I thought we covered --
24 CHAIRMAN WILLIAMS: I -- I --
25 TOM REICHERT: -- that at the --
26 CHAIRMAN WILLIAMS: -- think we --
27 TOM REICHERT: -- last meeting.
28 CHAIRMAN WILLIAMS: I think we took care of that with Rex.
29 KYLA BRIGHT: You guys did as far as the last one. You
30 told him to take that part out? Okay. I'm just --
31 CHAIRMAN WILLIAMS: Yeah.
32 KYLA BRIGHT: -- letting you know it's --
33 CHAIRMAN WILLIAMS: And that's --
34 KYLA BRIGHT: -- (indiscernible, simultaneous
35 conversation.)
36 CHAIRMAN WILLIAMS: -- going to be one of the changes in --
37 in our --
38 WALT HOLLAND: Yeah.
39 KYLA BRIGHT: Had talked to me about. So --
40 CHAIRMAN WILLIAMS: -- Chapter 17.

1 TOM REICHERT: Yeah.
2 CHAIRMAN WILLIAMS: And then again, we'll make sure it ties
3 in with the master plan.
4 TOM REICHERT: Rex wanted --
5 CHAIRMAN WILLIAMS: Was the way I --
6 TOM REICHERT: -- it --
7 CHAIRMAN WILLIAMS: -- remember it.
8 LOUIS LANI: Uh-huh.
9 TOM REICHERT: -- specific that the county said it was
10 required.
11 KYLA BRIGHT: Right.
12 TOM REICHERT: But it is not our jurisdiction. It is
13 the --
14 KYLA BRIGHT: Right.
15 TOM REICHERT: -- NVWR.
16 KYLA BRIGHT: Okay.
17 CHAIRMAN WILLIAMS: We got about as much stroke on that one
18 as I do overriding my wife, huh? Okay.
19 JAY WINTLE: Yeah. That one there, the state will -- if
20 you put a subdivision -- will require them water rights.
21 If you do a parcel map, you can only do it in an open basin.
22 CHAIRMAN WILLIAMS: Uh-huh.
23 JAY WINTLE: So I think you -- I think we're great where
24 we're at because creating water rights. If we snarl it -- snarl
25 it up, it's going to stop development.
26 CHAIRMAN WILLIAMS: I don't think we want to get into that
27 bailiwick.
28 JAY WINTLE: No, I don't think you'd want to either. I
29 think your snarled development's all you're going to do is
30 create some- -- somebody you can point a finger at.
31 CHAIRMAN WILLIAMS: Uh-huh.
32 Anything else?
33 KYLA BRIGHT: Nope, I just wanted to bring that to your
34 attention.
35 TOM REICHERT: Need a motion?
36
37
38 **PUBLIC COMMENT**
39
40 CHAIRMAN WILLIAMS: One last time we're going to open this

1 meeting up for public comment on anything that's not been
2 agendized here today.

3 And the two-minute time frame just went down to 30 seconds.
4 So if anybody has anything.

5 KYLA BRIGHT: Uh-huh.

6 TOM REICHERT: Ma'am, you've been sitting quietly all
7 meeting.

8 UNIDENTIFIED PARTICIPANT: Just listening.

9 CHAIRMAN WILLIAMS: Speak quickly or -- okay.

10 Now, there being no business, we'd entertain a motion to
11 adjourn.

12
13
14 **ADJOURNMENT**

15
16 LOUIS LANI: I'll make that motion.

17 TOM REICHERT: I'll second it.

18 CHAIRMAN WILLIAMS: All those in favor signifying by saying
19 Aye.

20 WALT HOLLAND: Aye.

21 LOUIS LANI: Aye.

22 CHAIRMAN WILLIAMS: We are adjourned.
23
24
25
26
27
28

29 _____
30 **CHAIRMAN OR VICE CHAIRMAN OF THE**
31 **LANDER COUNTY PLANNING COMMISSION**

32
33
34
35 **ATTEST:**

36 _____
37 **LANDER COUNTY COMMUNITY SERVICES**
38 **OFFICER**
39
40

1 STATE OF UTAH)
2) ss.
3 COUNTY OF DAVIS)
4
5
6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM AN ELECTRONIC
10
11 RECORDING OF A MEETING WHICH TOOK PLACE THE 14TH DAY OF JUNE, 2017,
12
13 AND SAID RECORDING AND INFORMATION PERTAINING TO PARTICIPANT NAMES
14
15 WAS PROVIDED TO ME BY THE LANDER COUNTY COMMUNITY SERVICES OFFICER,
16
17 KYLA BRIGHT; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE RECORDING ALLOWED.
20

21
22 DATED AT _____
23 THIS _____ DAY OF _____
24

25
26 _____
27 TIFFANY ELKINGTON, CCR #930
28
29
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40

BRANDON FRIDAY: [10] 40/35 40/38 40/40 43/13 43/15 46/1 46/3 46/9 46/29 49/38 CANDY AND BRANDON FRIDAY: [1] 33/37 CANDY FRIDAY: [71] 32/37 33/9 33/12 33/14 33/29 33/31 33/33 34/26 34/29 34/37 35/9 35/14 35/18 35/27 35/35 36/3 36/5 36/7 36/9 36/14 36/16 36/18 36/29 36/31 36/33 36/36 36/40 37/2 37/4 37/8 37/23 37/25 37/31 37/35 37/39 38/14 38/21 38/23 38/25 38/34 40/20 40/23 40/25 40/31 41/6 41/10 41/12 41/30 41/39 42/2 42/6 42/9 42/13 42/27 42/29 42/35 42/37 42/40 43/7 43/16 44/18 44/29 45/14 45/16 48/36 48/38 48/40 49/15 49/18 49/20 49/40 CHAIRMAN WILLIAMS AND LOUIS LANI: [1] 50/30 CHAIRMAN WILLIAMS: [515] CODY FRIDAY: [44] 35/37 35/40 36/4 36/13 36/15 36/17 36/19 36/26 37/7 37/9 37/11 37/13 37/16 37/24 37/28 37/33 37/36 38/33 38/36 38/38 38/40 39/2 39/7 39/17 39/22 39/24 39/26 39/28 40/11 40/14 40/16 40/37 40/39 41/1 41/7 41/9 41/11 41/21 41/23 41/25 41/29 41/32 45/29 46/37 DEONILLA FULLER: [25] 3/4 3/10 3/12 3/15 3/18 3/31 3/33 3/35 3/37 3/39 4/12 4/14 4/16 5/7 15/1 49/7 49/9 49/11 49/16 49/19 49/26 49/35 50/5 54/14 58/22 GARY SWEENEY: [81] 24/32 24/37 24/40 25/2 25/4 25/8 25/16 25/22 25/27 25/30 25/34 26/1 26/4 26/6 26/17 26/19 26/24 26/29 26/35 26/39 27/1 27/7 27/17 28/9 28/13 28/21 28/24 28/26 28/28 28/30 28/34 28/36 29/6 50/28 50/32 50/40 51/6 51/8 51/14 51/25 51/28 51/31 51/34 51/38 52/1 52/5 52/18 52/22 52/31 52/35 53/5 53/8 53/12 53/24 53/28 53/34 53/39 54/7 54/12 54/16 54/18 54/21 55/13 55/34 55/37 55/39 56/1 56/3 56/8 56/12 56/14 56/22 56/26 56/29 57/30 57/32 57/39 58/1 58/15 58/17 58/19 JAY WINTLE: [181] JEFF: [23] 9/9 9/12 9/14 9/16 9/20 10/24 10/38 11/8 11/12 11/18 11/32 12/9 12/17 12/20 12/23 12/30 13/2 13/17 13/31 14/10 14/31 14/36 14/38 KYLA BRIGHT: [113] LOUIS LANI: [162] REX MASSEY: [101] TOM REICHERT: [324] TRAVIS MASTERTON: [13] 47/2 47/5 47/12 47/14 47/18 47/20 47/22 47/31 47/35 47/40 48/2 48/4 72/33 UNIDENTIFIED PARTICIPANT: [3] 57/28 58/8 86/7 WALT HOLLAND: [138]	010-280-08 [4] 15/15 15/21 15/33 16/1 010-280-09 [3] 15/15 15/19 15/38 010-280-12 [3] 15/15 15/22 16/2 010-280-13 [2] 15/16 15/20 011-360-10 [2] 32/28 32/35 07 [4] 15/15 15/17 15/32 15/34 08 [4] 15/15 15/21 15/33 16/1 09 [4] 15/15 15/19 15/33 15/38
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