

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 February 14, 2018, at 6:00 p.m. Transcript  
5 produced by Tiffany Elkington, C.C.R., #930.  
6

7 **PRESENT: JOHN WILLIAMS, CHAIRMAN**  
8 **LOUIS LANI, MEMBER**  
9 **MONTE PRICE, MEMBER**  
10 **COLT NELSON, MEMBER**  
11 **DEONILLA FULLER, LANDER COUNTY EXECUTIVE**  
12 **SECRETARY**  
13

14 CHAIRMAN WILLIAMS: -- planning commission to order. If  
15 everyone will rise, please, we'll do the Pledge of Allegiance.  
16

17 (Pledge of Allegiance)  
18  
19

20 **ROLL CALL**  
21

22 CHAIRMAN WILLIAMS: Can we get a roll call, please?  
23

24 DEONILLA FULLER: Sure.  
25

26 I have nothing.  
27

28 Sorry. This is kind of a last-minute --  
29

30 CHAIRMAN WILLIAMS: I know.  
31

32 LOUIS LANI: If you'd run just a little bit faster, the  
33 (indiscernible) --  
34

35 DEONILLA FULLER: Right.  
36

37 Oh, where are the previous minutes so I have every -- it's  
38 been a while since I've been here, guys.  
39

40 CHAIRMAN WILLIAMS: Yes, it has.  
41

42 DEONILLA FULLER: John, are you present?  
43

44 CHAIRMAN WILLIAMS: Yes.  
45

46 DEONILLA FULLER: Louis?  
47

48 LOUIS LANI: Here.  
49

50 DEONILLA FULLER: Monte?  
51

52 MONTE PRICE: Here.  
53

54 DEONILLA FULLER: Who am I missing?  
55

56 CHAIRMAN WILLIAMS: Tom Reichert.  
57

1 DEONILLA FULLER: Tom Reichert's here. No?  
2 CHAIRMAN WILLIAMS: No.  
3 LOUIS LANI: No.  
4 DEONILLA FULLER: I can't see down there.  
5 Colt.  
6 CHAIRMAN WILLIAMS: Colt Nelson?  
7 COLT NELSON: Yes. Colt is here.  
8 DEONILLA FULLER: Is that everybody?  
9 CHAIRMAN WILLIAMS: Yes, ma'am.  
10 DEONILLA FULLER: Okay. Sorry.  
11 CHAIRMAN WILLIAMS: Well, I haven't heard anything on our  
12 new member.  
13 MONTE PRICE: He was going to come tonight to -- to sit in,  
14 but he got vetoed for Valentine's dinner instead. So...

15  
16  
17 **APPROVAL OF AGENDA POSTING**

18  
19 CHAIRMAN WILLIAMS: Okay. Let's see.  
20 We'd entertain a motion to approve the agenda posting.  
21 MONTE PRICE: So moved.  
22 LOUIS LANI: Second.  
23 CHAIRMAN WILLIAMS: All in favor?  
24 COLT NELSON: Aye.  
25 MONTE PRICE: Aye.  
26 LOUIS LANI: Aye.  
27 CHAIRMAN WILLIAMS: Aye.  
28 Everyone has to say aye or nay -- or yeah -- or no or --  
29 COLT NELSON: Okay.  
30 CHAIRMAN WILLIAMS: It has to be legible. Are we on?  
31 LOUIS LANI: Well, the red light's on.  
32 CHAIRMAN WILLIAMS: Yeah. Okay.  
33 COLT NELSON: Yeah.  
34 DEONILLA FULLER: Yeah. You're on.  
35 CHAIRMAN WILLIAMS: I don't have my min- -- regular minutes  
36 either.  
37 LOUIS LANI: In the interest of the public, I wonder, could  
38 we just postpone this section here? Those have to be read --  
39 taken care of before the meeting starts.  
40 CHAIRMAN WILLIAMS: Well, we don't have to do them -- that

1 in any order.

2  
3  
4 **PUBLIC COMMENT**

5  
6 CHAIRMAN WILLIAMS: At this point in the meeting, I'd open  
7 it up to any public comment on anything that's not agendized  
8 here tonight.

9 Does anybody have anything they'd like to say?

10 (No comment.)

11 CHAIRMAN WILLIAMS: Nope.

12 Okay. How does the board feel? Do we want to take care of  
13 the -- all the other minutes and agenda postings? Or do we want  
14 to get -- take care of the agenda items first?

15 MONTE PRICE: I -- I don't care. I think that we're legal  
16 to approve all these agenda postings and minutes, aren't we?

17 CHAIRMAN WILLIAMS: Yes.

18 MONTE PRICE: Does anybody have any problems with the  
19 minutes?

20 CHAIRMAN WILLIAMS: Well, we'll have go through them one --

21 MONTE PRICE: Oh.

22 CHAIRMAN WILLIAMS: -- at a time.

23 MONTE PRICE: Oh. We got to do them item by item?

24 CHAIRMAN WILLIAMS: Yeah.

25 MONTE PRICE: Okay.

26 Okay. Well, that's fine with me if we want to get through  
27 this and let everybody go, if that's all right with you guys.

28 COLT NELSON: That's what we should do.

29 CHAIRMAN WILLIAMS: Take care of the agenda items?

30 COLT NELSON: Yeah. I think so. Don't you, Louis?

31 LOUIS LANI: Yep. I agree.

32 CHAIRMAN WILLIAMS: Okay.

1) Discussion for possible action for approval/disapproval of the following home occupation permit, and other matters properly related thereto:

**Applicant:** Sheryl Ann Davis/SD Creation  
**Location:** 2241 Muleshoe Road, Battle Mountain, Nevada  
**APN:** 011-090-41  
**Zoning:** A-2  
**Type:** Home occupation permit to run a printing, crafting, and woodwork business out of her home.

CHAIRMAN WILLIAMS: Agenda Item Number 1.  
Discussion, possible action -- approval/disapproval of the following home occupation permit and other matters properly related thereto.

Sheryl Ann Davis, SD Creations. Two twent- -- 2241 Muleshoe Road, APN 011-090-41, A-2 zoning.

And this is for a home occupation permit to run a printing and crafting, woodwork business out of the home.

Could you take a seat of honor up front, please. And -- and if you could -- yeah. Closest to that little globe on the --

SHERYL ANN DAVIS: I don't have my attorney present.

I'm --

CHAIRMAN WILLIAMS: Oh.

SHERYL ANN DAVIS: -- kidding.

CHAIRMAN WILLIAMS: Could you give us your name for the record, please?

SHERYL ANN DAVIS: Sheryl Ann Davis.

CHAIRMAN WILLIAMS: Okay.

Is there anything we need to know other than what I just read out there?

SHERYL ANN DAVIS: No, it's just -- it's real easy. I don't know if you guys have done Shutterfly or ever received a mug with your grandkids' picture on it. That's what I'm doing here locally.

So I'll be able to do plaques. It actually takes the material and puts it into the plaque, makes -- fancies things up. So just no overhead.

1           So I'll be able to bring some cost down and bring some  
2 personalization and fun stuff to Battle Mountain.

3           CHAIRMAN WILLIAMS: There hadn't been any -- I didn't get  
4 it, but Kyla told me there was one letter that highly  
5 recommended the business, thought it was a good deal. Other  
6 than that, there's no opposition.

7           SHERYL ANN DAVIS: That's perfect. So that's also like  
8 this kind of stuff, polyester. Puts your decal or whatever  
9 right in. So future business, all kinds of stuff.

10          CHAIRMAN WILLIAMS: Any questions from the board?

11          LOUIS LANI: What have you got in the way of woodworking?  
12 I mean, I see that on here.

13          SHERYL ANN DAVIS: The woodworking and stuff, I'm taking  
14 651 vinyl and putting stuff onto --

15          COLT NELSON: The plaques.

16          SHERYL ANN DAVIS: -- the plaques and stuff like that to  
17 make --

18          LOUIS LANI: Okay.

19          SHERYL ANN DAVIS: -- decorations.

20          I've also made Plinko -- I don't know if -- bottle openers.  
21 You know, just fun novelty items. Just things that nobody wants  
22 to pay shipping for, but it's fun to have.

23          CHAIRMAN WILLIAMS: But it'll go.

24          SHERYL ANN DAVIS: And -- and it does --

25          CHAIRMAN WILLIAMS: I'll --

26          SHERYL ANN DAVIS: -- go.

27          CHAIRMAN WILLIAMS: -- (indiscernible).

28          SHERYL ANN DAVIS: I've been doing the craft fairs and  
29 stuff and it -- town. And it -- take it to the post office.  
30 And there was like, we want one of those.

31          CHAIRMAN WILLIAMS: Well it's good.

32          SHERYL ANN DAVIS: Yeah. It has been fun.

33          CHAIRMAN WILLIAMS: And no -- no opposition from any of  
34 your neighbors anyway. You're in a good spot to do it too.

35          SHERYL ANN DAVIS: That's correct. And then the people  
36 through town when I went walking around to see if they liked  
37 them, there's -- the businesses are, when can we place our order  
38 on some mugs? They want Battle Mountain-specific mugs for the  
39 tourists and stuff coming through that not -- don't necessarily  
40 say Longhorn on them. Not that that's a bad thing. But some of

1 the tourists coming through don't want Longhorn. They just want  
2 something that says Battle Mountain, Nevada, is what I've heard.  
3 So we could tweak that and --  
4 COLT NELSON: Yeah.  
5 SHERYL ANN DAVIS: -- put that kind of stuff out also.  
6 COLT NELSON: Yeah.  
7 CHAIRMAN WILLIAMS: Any -- any questions from the audience?  
8 Any concerns? Comments?  
9 Well, --  
10 COLT NELSON: I --  
11 CHAIRMAN WILLIAMS: -- there being no further questions,  
12 concerns, comments, everybody's happy, we'd entertain a motion  
13 to approve the home occupation permit.  
14 LOUIS LANI: Well, just before we do, Mr. Chairman, I was  
15 just wondering, looking on this one here, under the required at  
16 the time of application, she should have got a -- a grant  
17 bargain or notared affidavit on there.  
18 CHAIRMAN WILLIAMS: Ownership?  
19 LOUIS LANI: Yep.  
20 SHERYL ANN DAVIS: I did everything that Kyla Bright --  
21 LOUIS LANI: Well, I was just wondering -- got here --  
22 because you've got your name on the top, but there's -- it  
23 hasn't been signed. There's no mailing address. No notary.  
24 SHERYL ANN DAVIS: They said after we did the meeting, then  
25 we'd do the rest as -- as far as the SD creation. I went  
26 upstairs and had a fictitious business name and all that. And  
27 then they said, after this meeting tonight, come back tomorrow  
28 to the next spot and pay the money, if it was approved. So I --  
29 LOUIS LANI: Okay. So you're aware of it, then?  
30 SHERYL ANN DAVIS: Yes. I have the check ready, don't  
31 deny.  
32 CHAIRMAN WILLIAMS: Well, all the other infor- -- it's on  
33 this one here on the permit.  
34 What else --  
35 COLT NELSON: I got it here too.  
36 CHAIRMAN WILLIAMS: We have the tax roll.  
37 LOUIS LANI: Pardon?  
38 COLT NELSON: I think it's here too, isn't it? All of  
39 this. Or am I looking at something different?  
40 SHERYL ANN DAVIS: That's the fictitious --

1 LOUIS LANI: I thought --  
2 SHERYL ANN DAVIS: -- business --  
3 LOUIS LANI: -- it was looking at this one --  
4 SHERYL ANN DAVIS: -- (indiscernible).  
5 LOUIS LANI: -- here for the required it.  
6 COLT NELSON: Oh.  
7 LOUIS LANI: But she said she -- that'll be taken care of.  
8 So...  
9 COLT NELSON: Okay.  
10 LOUIS LANI: Just want to make sure all of our t's are  
11 crossed and i's dotted --  
12 SHERYL ANN DAVIS: Right.  
13 LOUIS LANI: -- so they don't come back and bite us in  
14 the --  
15 SHERYL ANN DAVIS: Right. Kyla just said tonight was,  
16 like, the formality. So if me and Patty had any specific  
17 questions, that kind of thing. And then tomorrow finish up the  
18 paperwork and sign and pay the final check.  
19 I don't know. She's held my hand all the way through.  
20 CHAIRMAN WILLIAMS: Yeah. I don't know. All the other  
21 information is --  
22 LOUIS LANI: Like basically the information's all there.  
23 It just --  
24 CHAIRMAN WILLIAMS: Uh-huh. Well, then the -- the tax --  
25 tax roll, which would be the same thing.  
26 SHERYL ANN DAVIS: Right.  
27 I have the tax ID number. I have the state number and, you  
28 know, the state tax number, the EIN number. So we can do  
29 nonprofit stuff. I have my tax-exempt. And then tomorrow I'll  
30 have Lander County's (indiscernible) done.  
31 LOUIS LANI: Okay.  
32 CHAIRMAN WILLIAMS: Well, you must have given it to Kyla,  
33 though.  
34 SHERYL ANN DAVIS: I did give it to K- --  
35 CHAIRMAN WILLIAMS: Yes.  
36 SHERYL ANN DAVIS: -- give it to Kyla. Uh-huh.  
37 CHAIRMAN WILLIAMS: Where it says it has to be presented at  
38 the -- well, the time of --  
39 LOUIS LANI: The time of the application there.  
40 CHAIRMAN WILLIAMS: When you made the application. So...

1           SHERYL ANN DAVIS: Uh-huh.  
2           CHAIRMAN WILLIAMS: What do you think? You'd be all right  
3 with that?  
4           LOUIS LANI: I asked a question and I think I'm good with  
5 it.  
6           CHAIRMAN WILLIAMS: Okay.  
7           MONTE PRICE: I'm good.  
8           CHAIRMAN WILLIAMS: We'd entertain a motion to approve.  
9           LOUIS LANI: I'll make the motion to approve the  
10 application from Sheryl Ann Davis, SD Creations, 2241 Muleshoe  
11 Road, Battle Mountain, Nevada; APN 011-090-41; zoning A-2; for a  
12 home occupation permit to run a printing, crafting, and  
13 woodworking business out of her home.  
14          CHAIRMAN WILLIAMS: Have a second?  
15          MONTE PRICE: Second.  
16          CHAIRMAN WILLIAMS: All those in favor?  
17          COLT NELSON: Aye.  
18          LOUIS LANI: Aye.  
19          MONTE PRICE: Aye.  
20          SHERYL ANN DAVIS: Aye.  
21          CHAIRMAN WILLIAMS: Aye.  
22          SHERYL ANN DAVIS: Thank you, --  
23          CHAIRMAN WILLIAMS: Okay.  
24          SHERYL ANN DAVIS: -- gentlemen.  
25          LOUIS LANI: Oh, you can't --  
26          CHAIRMAN WILLIAMS: Thank you.  
27          LOUIS LANI: -- say aye too.  
28          CHAIRMAN WILLIAMS: Good luck.  
29          SHERYL ANN DAVIS: Thank you.  
30          COLT NELSON: Thank you.  
31          SHERYL ANN DAVIS: Can we depart? Or do we need to stay?  
32          CHAIRMAN WILLIAMS: No, you -- you --  
33          COLT NELSON: No, you're good.  
34          SHERYL ANN DAVIS: We can go? Okay. Thank you.  
35          CHAIRMAN WILLIAMS: Thank you.  
36          Oh, boy. I lost my agenda.  
37  
38  
39  
40



1     **2)     Discussion and possible action for approval/disapproval of**  
2     **the following home occupation permit, and all other matters**  
3     **properly related thereto.**  
4

5             Applicant:       Susan Rives/Goodies 2 Go  
6             Location:       92 East 4th Street, Battle Mountain,  
7 Nevada  
8             APN:             002-113-06  
9             Zoning:         R-4  
10            Type:            Home occupation permit to run a food  
11                               trailer business out of her home.  
12

13            CHAIRMAN WILLIAMS:   Okay.   Agenda Item Number 2.  
14            Discussion, possible action for approval or disapproval of  
15 following home occupation permit, and all other matters properly  
16 related thereto.

17            Susan Rives, Goodies 2 Go, 92 East 4th Street, Battle  
18 Mountain.   APN 002-113-06.   This is an R-4.   Home occupation  
19 permit to run a food trailer business out of the home.

20            SUSAN RIVES:   Hi.

21            CHAIRMAN WILLIAMS:   Take a seat up front and give us your  
22 name, please.

23            SUSAN RIVES:   Susan Marie Rives.

24            CHAIRMAN WILLIAMS:   Okay.  
25            Anything else we need to know other than what's on there?

26            SUSAN RIVES:   No, I'm actually just parking the trailer  
27 there.   It's just being parked there.   I'm not running a  
28 business from there.

29            I'll be running the business from, like, when Fifties Fever  
30 goes to Winnemucca, I'm going to the haul the trailer to  
31 Winnemucca and be a vendor there or here in Battle Mountain or in  
32 Austin.   We've talked about going down to different events there.

33            So I'm actually not running the business out of my home.  
34 It's just parked there.   And that's how they have it listed for  
35 us to go through it.

36            So it's -- because --

37            CHAIRMAN WILLIAMS:   And --

38            SUSAN RIVES:   -- it's new.

39            CHAIRMAN WILLIAMS:   You'll be doing billings and scheduling  
40 out of your house, though?

1 SUSAN RIVES: Yes.  
2 CHAIRMAN WILLIAMS: Yeah.  
3 SUSAN RIVES: Yeah.  
4 CHAIRMAN WILLIAMS: Which is --  
5 Okay. And -- and in the packet, I noticed you -- you said  
6 you would store everything in the trailer?  
7 SUSAN RIVES: In the food trailer. It's self-sufficient.  
8 And it has all of the electrical and the refrigerators and  
9 freezers and everything we need that we're not going to be  
10 having to take it into the house at all. We're just going to  
11 buy the food we need prior to the event. And then there's  
12 sufficient storage in the trailer that has to, obviously, get  
13 inspected.  
14 CHAIRMAN WILLIAMS: So yeah. So you'll be under the  
15 federal or the -- excuse me -- the state guidelines.  
16 SUSAN RIVES: Yes.  
17 CHAIRMAN WILLIAMS: And you have to have --  
18 SUSAN RIVES: And I -- I just went through my beverage- and  
19 food-handling class, managers certification from the state on  
20 Monday.  
21 That -- yeah. I don't know how that works. I don't think it  
22 would be --  
23 I don't know. Would -- would you have the trailer plugged  
24 into the electrical on the home --  
25 SUSAN RIVES: Yeah.  
26 CHAIRMAN WILLIAMS: -- at night?  
27 MONTE PRICE: It would be have to be for your  
28 refrigeration and --  
29 SUSAN RIVES: Right. Like the night before the event, we  
30 -- we'd go out and get the -- our supplies and then get it in  
31 the freezer and get it plugged in.  
32 MONTE PRICE: Does your trailer have water? Running water?  
33 SUSAN RIVES: It does.  
34 MONTE PRICE: And is it -- so it would have to have a  
35 outlet? Or is it set up like --  
36 SUSAN RIVES: It's got a --  
37 MONTE PRICE: -- a camper?  
38 SUSAN RIVES: It's set up like a camper with the gray water  
39 and the potable water. And the state requires a 40-gallon in  
40 tank and a 46-gallon out.

1 MONTE PRICE: Okay. So you wouldn't be hooking up to your  
2 septic or --  
3 SUSAN RIVES: Uh-uh.  
4 MONTE PRICE: -- anything there? Just --  
5 SUSAN RIVES: No, no.  
6 MONTE PRICE: -- filling your tank with a garden hose- --  
7 SUSAN RIVES: Yes.  
8 MONTE PRICE: -- -type and plug --  
9 SUSAN RIVES: Exactly.  
10 MONTE PRICE: -- in for electricity for your cooler?  
11 SUSAN RIVES: Right.  
12 It has a generator too that we're going to use --  
13 MONTE PRICE: Yeah.  
14 SUSAN RIVES: -- at the different events, of course, to run  
15 the power and the things on.  
16 MONTE PRICE: But you would --  
17 SUSAN RIVES: But not at home.  
18 MONTE PRICE: You wouldn't be running a generator at home  
19 in the --  
20 SUSAN RIVES: No.  
21 MONTE PRICE: -- backyard? You wouldn't be cooking  
22 anything --  
23 SUSAN RIVES: No. Well, --  
24 MONTE PRICE: -- that would --  
25 SUSAN RIVES: -- we might practice a little bit, you know,  
26 fire up the grill, and have a -- but not anything that would bug  
27 anybody around us --  
28 MONTE PRICE: Yeah.  
29 SUSAN RIVES: -- on a continual level.  
30 CHAIRMAN WILLIAMS: Okay.  
31 Any questions?  
32 MONTE PRICE: I asked what I had.  
33 CHAIRMAN WILLIAMS: Louis?  
34 LOUIS LANI: None for me.  
35 CHAIRMAN WILLIAMS: Okay. We've got three letters from  
36 neighbors.  
37 SUSAN RIVES: Okay.  
38 CHAIRMAN WILLIAMS: One of them said, could bring unwanted  
39 traffic to the area.  
40 And this -- C-1, which is -- I'm not really certain. I can't

1 read that real clear. But number of C-1 properties for -- oh,  
2 they -- there are C-1 properties available for this use.  
3 And I think somebody might have been a little --  
4 Well, let me ask. Is there anyone in aud- -- comments from  
5 the audience?  
6 Anyone --  
7 MARIA MEDINA: I have a question on something.  
8 CHAIRMAN WILLIAMS: Could we get your name, please?  
9 MARIA MEDINA: Maria Medina.  
10 And I have a question about the garbage. If she put the  
11 garbage and the -- close to my fence because I am the neighbor.  
12 And I think she cook in the yard or --  
13 SUSAN RIVES: Oh, no.  
14 MARIA MEDINA: No?  
15 SUSAN RIVES: We're not going to cook at the house and have  
16 any waste go to the house. No.  
17 MARIA MEDINA: Okay.  
18 UNIDENTIFIED PARTICIPANT: You will cook in the house?  
19 SUSAN RIVES: No.  
20 MARIA MEDINA: No.  
21 SUSAN RIVES: No.  
22 MARIA MEDINA: No.  
23 UNIDENTIFIED PARTICIPANT: In the yard?  
24 SUSAN RIVES: We're -- we're hooking --  
25 MARIA MEDINA: No.  
26 SUSAN RIVES: -- onto the trailer and going somewhere else.  
27 It just parks there.  
28 UNIDENTIFIED PARTICIPANT: So any cook in the trailer --  
29 SUSAN RIVES: No cooking.  
30 UNIDENTIFIED PARTICIPANT: -- but yard.  
31 SUSAN RIVES: Just for her and I.  
32 MARIA MEDINA: Oh.  
33 SUSAN RIVES: That's all. Not having anybody come over for  
34 that. No.  
35 UNIDENTIFIED PARTICIPANT: This is the only thing what I  
36 want --  
37 MARIA MEDINA: Yeah.  
38 UNIDENTIFIED PARTICIPANT: -- to --  
39 MARIA MEDINA: Yeah.  
40 UNIDENTIFIED PARTICIPANT: -- know.

1           MARIA MEDINA: It's only two comments. Only about that.  
2 What happen for the garbage, if you use that same can to put  
3 in --  
4           SUSAN RIVES: Yeah.  
5           MARIA MEDINA: -- that? Or you put it in another place?  
6           SUSAN RIVES: Yeah. In another place.  
7           MARIA MEDINA: Yeah. Because that's too close to my house  
8 and all that smell and --  
9           SUSAN RIVES: Yeah. No.  
10          MARIA MEDINA: -- go to my --  
11          SUSAN RIVES: I don't --  
12          MARIA MEDINA: -- my --  
13          SUSAN RIVES: -- blame you.  
14          MARIA MEDINA: -- window is -- is --  
15          SUSAN RIVES: Yeah.  
16          MARIA MEDINA: -- it's the front of your house. And  
17 that's, like, I don't appre- --  
18          SUSAN RIVES: Yeah. No. It's just been our single family  
19 garbage. And that's all that will be.  
20          MARIA MEDINA: Oh, okay.  
21          SUSAN RIVES: Okay.  
22          MARIA MEDINA: Yeah. That's the only the --  
23          SUSAN RIVES: Yeah.  
24          MARIA MEDINA: -- two questions.  
25          SUSAN RIVES: Okay.  
26          CHAIRMAN WILLIAMS: That's all?  
27          MARIA MEDINA: Uh-huh.  
28          CHAIRMAN WILLIAMS: Okay.  
29          Anybody else?  
30          UNIDENTIFIED PARTICIPANT: No. That's the only thing we're  
31 going to say. Because our main door at my house is exactly in  
32 front where the -- they use to cook. But that's not involved.  
33 But if it's a steady problem. But if she staying inside the  
34 trailer or the house --  
35          CHAIRMAN WILLIAMS: Yeah. All -- all -- all the cooking  
36 with the trailer should be --  
37          SUSAN RIVES: Away from the house.  
38          CHAIRMAN WILLIAMS: -- away from the home.  
39          MARIA MEDINA: Oh, is that all? (Indiscernible) the  
40 trailer. (Indiscernible.)

1 UNIDENTIFIED PARTICIPANT: I have a -- I'm sorry.  
2 SUSAN RIVES: That's okay.  
3 CHAIRMAN WILLIAMS: Me too.  
4 UNIDENTIFIED PARTICIPANT: We'll (indiscernible).  
5 MONTE PRICE: (Indiscernible.)  
6 UNIDENTIFIED PARTICIPANT: Do you know what  
7 (indiscernible).  
8 So that's the only thing, you know. But if --  
9 MARIA MEDINA: Yeah.  
10 UNIDENTIFIED PARTICIPANT: -- you don't cook there, --  
11 CHAIRMAN WILLIAMS: Okay.  
12 UNIDENTIFIED PARTICIPANT: -- (indiscernible).  
13 MARIA MEDINA: It's not (indiscernible).  
14 CHAIRMAN WILLIAMS: Okay. This --  
15 SUSAN RIVES: Okay.  
16 CHAIRMAN WILLIAMS: That must be this letter here. Smell  
17 of smoke -- yeah -- from --  
18 SUSAN RIVES: I haven't even cooked in the trailer --  
19 CHAIRMAN WILLIAMS: From cooking --  
20 SUSAN RIVES: -- yet.  
21 CHAIRMAN WILLIAMS: So --  
22 Yeah, I think they're -- they're worried about that.  
23 SUSAN RIVES: Yeah.  
24 CHAIRMAN WILLIAMS: So --  
25 SUSAN RIVES: Okay.  
26 CHAIRMAN WILLIAMS: And then, like I say, this one here,  
27 somebody's concerned that this is a mis- -- misuse or it's in  
28 the wrong area. They say that it should be in -- in C-1.  
29 But this is a home occupation. So I don't know -- somebody's  
30 not up to snuff on their codes, I guess.  
31 And then we have a third one. Concerned about deliveries,  
32 traffic, sewer conditions, not up to date for the extra use.  
33 That's -- that -- that won't affect --  
34 SUSAN RIVES: Yeah.  
35 CHAIRMAN WILLIAMS: -- that.  
36 SUSAN RIVES: Uh-uh.  
37 CHAIRMAN WILLIAMS: Health conditions from the kitchen used  
38 for commercial business. That won't happen.  
39 SUSAN RIVES: No.  
40 CHAIRMAN WILLIAMS: Not zoned for the business, there

1 again. So that has nothing to do with zoning.  
2 We had those three. You have something else?  
3 MARIA MEDINA: No.  
4 CHAIRMAN WILLIAMS: Oh, okay.  
5 So I -- and -- and that was one of the things that we usually  
6 tell people on the home occupation thing too is we review them.  
7 Number one, we -- I don't know if Kayla told you, but we review  
8 the -- the permits annually, --  
9 SUSAN RIVES: Uh-huh.  
10 CHAIRMAN WILLIAMS: -- mainly to ma- -- if we haven't had  
11 any complaints, to make sure that you're still in business. If  
12 you're not, then we can drop them.  
13 Other than that, in between times, if we get a -- a complaint  
14 from a neighbor or anybody, actually, too much noise, smoke, or,  
15 you know, --  
16 SUSAN RIVES: Right.  
17 CHAIRMAN WILLIAMS: -- any of that sort of thing too, then  
18 we would -- if it warrants it, we would call you in and have you  
19 address that and --  
20 SUSAN RIVES: Okay.  
21 CHAIRMAN WILLIAMS: -- see if we can take care of that  
22 problem.  
23 SUSAN RIVES: Sounds good.  
24 CHAIRMAN WILLIAMS: But other than that --  
25 I don't know. Anything else, guys?  
26 LOUIS LANI: I think it's pretty well covered.  
27 MONTE PRICE: I -- I think all three of the letters were --  
28 concerns more if you were going to set up business right --  
29 SUSAN RIVES: In front of --  
30 MONTE PRICE: -- there and start --  
31 SUSAN RIVES: -- the house.  
32 MONTE PRICE: -- cooking and --  
33 SUSAN RIVES: Yeah.  
34 MONTE PRICE: -- selling food. And you're --  
35 SUSAN RIVES: I could --  
36 MONTE PRICE: -- not doing that.  
37 SUSAN RIVES: -- understand.  
38 MONTE PRICE: So...  
39 SUSAN RIVES: Yeah.  
40 CHAIRMAN WILLIAMS: Should -- should've done --

1 SUSAN RIVES: Right.  
2 CHAIRMAN WILLIAMS: -- research, maybe, first. But -- but  
3 it happens. People --  
4 MONTE PRICE: Yeah.  
5 So I have no issues whatsoever against it at all.  
6 COLT NELSON: Me either.  
7 CHAIRMAN WILLIAMS: Any further comment from the audience?  
8 Questions? Concerns?  
9 LOUIS LANI: Sounds like you did your homework. You got  
10 the -- the neighbors all knew what was happening. So --  
11 SUSAN RIVES: Yeah.  
12 LOUIS LANI: -- they had their chance to respond.  
13 CHAIRMAN WILLIAMS: Well, we're down to a motion, I guess,  
14 if we -- there's no further discussion.  
15 MONTE PRICE: I would make a motion to approve Agenda Item  
16 Number 2. Susan Rives, 92 East 4th Street, Battle Mountain,  
17 Nevada; APN 002-113-06; to operate her food trailer business at  
18 her home.  
19 CHAIRMAN WILLIAMS: Do we have a second?  
20 COLT NELSON: I'll second it.  
21 CHAIRMAN WILLIAMS: All those in favor?  
22 MONTE PRICE: Aye.  
23 LOUIS LANI: Aye.  
24 CHAIRMAN WILLIAMS: Aye.  
25 COLT NELSON: Aye.  
26 SUSAN RIVES: Thank --  
27 CHAIRMAN WILLIAMS: Okay, --  
28 SUSAN RIVES: -- you.  
29 CHAIRMAN WILLIAMS: -- guys. Thank you --  
30 SUSAN RIVES: All right.  
31 CHAIRMAN WILLIAMS: -- and good luck.  
32 MONTE PRICE: Good luck.  
33 SUSAN RIVES: Thank you.  
34 UNIDENTIFIED PARTICIPANT: Thank you, gentlemen.  
35 MARIA MEDINA: Thank you.  
36  
37  
38  
39  
40



1     **3) Discussion and workshop regarding 2017 update to land use**  
2     **plan of Lander County Master Plan, and all other matters**  
3     **properly related thereto.**  
4

5     CHAIRMAN WILLIAMS: Okay.

6     Are we -- is we supposed to call Rex?

7     DEONILLA FULLER: Yes, I have his number.

8     CHAIRMAN WILLIAMS: Oh.

9     I thought he would be here.

10    DEONILLA FULLER: I'm sorry.

11    CHAIRMAN WILLIAMS: Oh, it's not your fault.

12    DEONILLA FULLER: You're stuck with me, John.

13    CHAIRMAN WILLIAMS: No, no. That -- that's fine. That's  
14 good.

15  
16    (Contacting Rex Massey by telephone.)  
17

18    CHAIRMAN WILLIAMS: Didn't he talk like last time he was --

19    MONTE PRICE: I -- I didn't assume so.

20    CHAIRMAN WILLIAMS: Well, what we're going to be doing here  
21 is a workshop on the update of land use.

22    REX MASSEY: Hello?

23    CHAIRMAN WILLIAMS: Hello, Rex?

24    REX MASSEY: Yes.

25    CHAIRMAN WILLIAMS: Good evening. How are you?

26    REX MASSEY: Good. Can you hear me okay?

27    CHAIRMAN WILLIAMS: Yes, sir. How about from your end?

28    REX MASSEY: You're loud and clear.

29    CHAIRMAN WILLIAMS: Okay.

30    We're going to discuss the land use plan.

31    REX MASSEY: We're going to start. Yeah.

32    CHAIRMAN WILLIAMS: Okay. Go ahead, I guess. And unless  
33 anybody has anything they'd like to put out forth.

34    REX MASSEY: Okay.

35    CHAIRMAN WILLIAMS: Okay. You're up.

36    REX MASSEY: How I thought we'd approach this is I put  
37 together an outline that's in your package.

38    And I tried to organize it around areas in Lander County and  
39 tried to identify topics and issues that we might have to resolve  
40 in the land use plan.

1 And so what I thought we would do is we would take this  
2 outline and just start kind of working through it.

3 The obvious approach is to kind of take the outerlying areas  
4 and go through those first and then probably concentrate on the  
5 Battle Mountain area -- and depending on what other things come up  
6 tonight -- but concentrate on the Battle Mountain area at a  
7 separate meeting. I just don't -- I think there's a lot --  
8 there's a fair amount of things to discuss.

9 So I'd like to get through Kingston, Austin, Gilman Springs  
10 outerlying areas, kind of take care of all of that tonight. And  
11 then come back with a -- probably a longer discussion. It might  
12 take one or two planning commissions to talk about Battle  
13 Mountain and surrounding area.

14 CHAIRMAN WILLIAMS: Good.

15 REX MASSEY: Is what we're attempting to do is we're going  
16 to -- we're going to put in place a new land use plan. And  
17 it's, you know, the land use plan is -- is really the county's  
18 vision of how future development occurs and how it rolls out.

19 So it has really a lot of direct effect on property owners  
20 depending on what's changed or, you know, what's -- what's adopted  
21 into the land use plan.

22 And for that reason, I -- you know, I -- I think we're going  
23 to probably set aside -- we're probably going to end up with three  
24 planning commission meetings before we get to a point that we're  
25 done. We'll probably have one that's really well advertised and  
26 try to drum up some -- some local participation, more than what we  
27 normally get at the planning commission meetings.

28 So with that, can I answer any questions before I jump  
29 into -- probably start with the town of Kingston?

30 CHAIRMAN WILLIAMS: Anybody have any questions?

31 LOUIS LANI: You want questions before you get started? Or  
32 what? I've looked at --

33 REX MASSEY: If you've got a question about Austin, then  
34 you're going to have to wait for Austin.

35 LOUIS LANI: No, no. Mine's on Kingston.

36 REX MASSEY: Yeah. Go ahead.

37 We'll just start on it.

38 LOUIS LANI: I was just wondering on this. It says, last  
39 bullet point, improve the Kingston Canyon road from town to the  
40 Kingston -- from the town of Kingston to Groves Lake. Is that

1 an R.S. 2477 road? Which right now it's currently is being  
2 maintained by the Forest Service.

3 REX MASSEY: You know, this came about when we originally  
4 put together that King- -- that Groves Lake/Kingston Canyon  
5 plan.

6 The discussion that we w- -- we had was that -- that the  
7 agencies involved would like to see some county participation in  
8 improving or maintaining that road.

9 So if the road currently is suitable --

10 And, again, I'm -- I just put -- I put some of these bullet  
11 points down as just some of the discussion things that have  
12 occurred in the past or recent. If the road is suitable and the  
13 Kingston town folks like what they have, then I don't think it  
14 needs to be an issue.

15 We had also in the past heard some complaints, you know, the  
16 normal gossip and dirt and people, you know, get a fair amount of  
17 traffic in the summer.

18 And so maybe -- maybe there can be some improvements to that  
19 road that -- that make it less -- I don't want to say less of a  
20 nuisance -- but just improves it for -- for the greater use that  
21 it's getting.

22 MONTE PRICE: Well, you see, do you know if it is a Lander  
23 County road? Or it is a Forest Service road?

24 Because, I mean, as far --

25 REX MASSEY: I do not know the -- the exact designation.  
26 And I don't want to claim that I would be an expert on any of  
27 the roads in Lander County because I -- you know, some people  
28 will claim that all of them are county roads.

29 MONTE PRICE: Yeah. I -- I guess before we discuss whether  
30 or not that was -- I mean, and I know it's just a bullet point  
31 for discussion. But before we discuss it much, we should  
32 probably know who's -- who's actually -- whose road it is.

33 REX MASSEY: Okay.

34 LOUIS LANI: Well, I do know it packs a Forest Service  
35 number on the road. And that road goes from Kingston, clear on  
36 up over the top, and comes out Big Creek on the other side of  
37 the mountain range. So, I mean, there's got to be some  
38 clarification on the ownership.

39 Right now the Forest Service blades it periodically and so  
40 does the Lander County road department out of Austin.

1           REX MASSEY: Yeah. All right. Well, that's a -- you know,  
2 I will put that on the list to -- one -- one of the items that  
3 needs some further attention.

4           Let me say real quick, just for some background, for those of  
5 you guys on the planning commission, in 2008, the Town of Kingston  
6 had passed a -- what they called an area plan.

7           And I've got to do a little bit of research on it because I  
8 don't know to what extent it was adopted, to what extent that, you  
9 know, we have to officially rely on it.

10          I think it was a real good effort on their part about giving  
11 the planning commission some guidance about land uses and policies  
12 for the Kingston area.

13          So it's one of the things on my to-do list, is I've got to go  
14 back and really kind of figure out where this Kingston area plan  
15 fits and how it fits. And is it official? And can it be adopted?  
16 All of those things I got to look through.

17          But besides those issues, I think it was a pretty good -- I  
18 think it's pretty good input from the citizens down there.

19          And we'll move forward with it as a basis of, you know, what  
20 the desires are for those folks down there.

21          I had contacted the Kingston -- and talked to Shannon. No,  
22 not -- who's the Kingston water? That's not Shan- -- it's --

23          LOUIS LANI: Yeah, Shannon Theiss.

24          REX MASSEY: There was -- it's Shannon? Okay.

25          LOUIS LANI: Yeah.

26          REX MASSEY: I had talked to her about the update of the  
27 master plan and would she bring in front of the board -- the  
28 town board again the -- the area plan and any changes that they  
29 would like or any suggestions. So I have notified them that  
30 we're kind of going through this exercise and that we would like  
31 any input, thoughts, suggestions, that they bring those forward  
32 to us and make them aware of us -- make it -- make them aware --  
33 and I haven't heard anything to date. Doesn't mean they haven't  
34 -- don't have a list of things. I'll follow back up.

35          But what I'm assuming now is they have -- they have a nice  
36 land use map that they put in the back. We duplicated that in the  
37 last master plan.

38          And without any suggestions or changes from them, I think  
39 we're going to end up going forward with the same land use plan  
40 unless somebody comes forward with something different or the

1 planning commission has some suggestions that -- that are  
2 different than what -- what was done in the 2008 plan.  
3 There is no proposals for changes to town boundaries.  
4 I don't know of any service area expansions for any of the  
5 utilities.  
6 One of the things they had the last plan -- and it kind of  
7 makes sense -- is trying to accommodate commercial along the  
8 highway.  
9 They had some industrial areas also located along the  
10 highway.  
11 I think setting aside and making available those types of  
12 land uses to potentially capture commercial-industrial activity in  
13 the future is appropriate.  
14 I think at some point we should continue to pursue land  
15 transfers around the town of Kingston so that they are not so  
16 landlocked.  
17 And that is a -- you know -- a topic that probably needs to  
18 be brought up again once the BLM's resource management plan gets  
19 started.  
20 I don't know of any issues that would hold up. I don't think  
21 we have any environmental issues that would hold up transfers or  
22 sales around the Kingston -- right -- right in the immed- --  
23 immediate area of Kingston.  
24 But that's something that, you know, we need to continue to  
25 pursue and -- and make available some -- because most of it is --  
26 is public land surrounding the town. So they're kind of  
27 landlocked.  
28 Any other questions or thoughts on Kingston?  
29 CHAIRMAN WILLIAMS: Doesn't look like.  
30 REX MASSEY: Okay. Gilman Springs.  
31 Don't see any changes.  
32 I've sent a note to Commissioner Waits and kind of  
33 corresponded with her on -- on what's going on with the land use  
34 plan and -- and to take any input. I don't -- I don't see any  
35 changes that are going to occur there.  
36 LOUIS LANI: She should be familiar with that area. That's  
37 where she lives.  
38 REX MASSEY: Yep.  
39 There is no independent single plan for Gilman Springs.  
40 I don't know if we would consider doing any kind of area plan

1 or specific plan for that geography such has been done for -- for  
2 Kingston and Austin.

3 That could happen if someone were to step forward and say,  
4 hey, you know, we would like to take a look and -- and have a plan  
5 developed just for our area.

6 A lot of that's going to be driven by growth prospects and  
7 desires for changes in land uses.

8 I -- I don't know to what extent that exists in Gilman  
9 Springs.

10 So barring that, you know, unless I come up with other input  
11 from the -- from the locals in that area, it doesn't look like we  
12 would deviate a whole lot from what's in the master plan, what we  
13 currently have in the master plan for Kingston and Gilman Springs.

14 Are we ready to move to Austin?

15 CHAIRMAN WILLIAMS: Yes, sir.

16 REX MASSEY: We're -- we're making progress.

17 Who knows? We might get done tonight.

18 CHAIRMAN WILLIAMS: That'd be good.

19 REX MASSEY: Yeah. Yeah. I don't -- I don't -- I'm not  
20 that optimistic.

21 All right.

22 Louis, chime in at any time because I know you got some  
23 history on this. But Austin, in 2009, did the same thing as  
24 Kingston. They put together a Austin master plan.

25 I do not know the extent to which it was formally adopted by  
26 the board as an independent plan.

27 It talks about, you know, goals and policies, background, a  
28 lot of things to do with the Town of Austin and also reached  
29 outside the town of Austin into, you know, outside the town  
30 boundaries into the county, if you want to call it that.

31 That's fine. I'm glad that people gave input about what they  
32 think are appropriate land uses.

33 But I'm not sure what authority exists to go a whole lot  
34 outside the town boundary from a planning standpoint.

35 So having -- you know, one of the topics I got to grapple  
36 with, I just got to figure out, well, you know, do we follow a  
37 plan that goes outside of the boundaries of the town that are  
38 really in the county? We want to make sure that we have the  
39 sources of policies and ordinances that are correct and that apply  
40 to the geographic areas they should apply to.

1           So that is one of the concerns I had about the Austin plan,  
2 mainly that one. Outside of that, it's -- you know -- it's public  
3 input.

4           I had a conversation with Ray Williams about the plan, about  
5 the planning commission's intent to update the land use plan and  
6 the master plan, and, again, made the same request. If there are  
7 any deviations or something new that we should consider in the  
8 land use planning efforts that -- that that be brought forward.

9           And I would ask, you know, Louis, is there, you know,  
10 anything that you want to add to this Austin master plan  
11 background?

12          LOUIS LANI: Well, being's I -- I sit on the public lands  
13 board, we just got caught at the last board meeting with a plan  
14 to come out of -- supposedly out of the master plan for Lander  
15 County. It shows the service area for the town of Austin, which  
16 was expanded a few years ago. But it highlighted in blue areas  
17 all the way around it, says that shows for disposal.

18          Some of the disposal is on Forest Service to the east, north,  
19 and south. And then the BLM is on the -- on the west end.

20          I mean, I don't know.

21          REX MASSEY: Uh-huh.

22          LOUIS LANI: It says it would come out of the Lander County  
23 Master Plan. First time I seen the map.

24          REX MASSEY: Those disposal lands have been in the public  
25 lands plan since two thousand -- I -- they were in there 2012.  
26 They may have been in there as early as 2005.

27          Is there anything that you want to add about the Austin  
28 master plan in that effort and any history or background?

29          LOUIS LANI: About the only thing I can think of, before I  
30 left down there, the -- the water system has been developed  
31 pretty heavy. And that's going to open up a lot of land.  
32 It's -- it's public land now. But you'd have water service  
33 outside of the existing town boundaries. That might be  
34 something --

35          REX MASSEY: Right.

36          LOUIS LANI: -- to be put in there. The water will be  
37 available. And I believe Lander County is trying to extend that  
38 water line that was -- we just put in over to the Austin  
39 Airport. There's quite a bit going --

40          REX MASSEY: Uh-huh.

1 LOUIS LANI: -- on down there.  
2 REX MASSEY: Yeah.  
3 Okay.  
4 LOUIS LANI: Other than that, I don't know.  
5 REX MASSEY: Okay.  
6 I was just calling on you as a resource. Just if there was  
7 something I forgot about, you know, the history of the plan, and  
8 when it was put together and, you know, what we're -- what they  
9 were trying to achieve. And, you know, I know it's guidance and  
10 it's -- it's the input from the community, and we want to follow  
11 that to the extent practical.  
12 And -- and I don't see anything right offhand that we would  
13 deviate a whole lot from it. It's just kind of addressing those  
14 authorities about, you know, particularly things going on outside  
15 the town boundaries with, you know, zoning and land use and --  
16 That, I -- I -- I think we -- we sort of need to discuss.  
17 But what they put together is kind of their suggestions and  
18 their -- their thoughts on what the area should land use. And  
19 that's fine. I mean, that's their input. And, you know, it's  
20 up to the planning commission and the board to adopt what they  
21 see as -- as appropriate.  
22 LOUIS LANI: Just look at the -- what's --  
23 REX MASSEY: Okay. I'm going to --  
24 LOUIS LANI: Look -- look at --  
25 REX MASSEY: Go --  
26 LOUIS LANI: -- what you give us --  
27 REX MASSEY: -- go ahead.  
28 LOUIS LANI: Looking at what you give us here, I'm down and  
29 looking at Reese River. About three of the things in Reese  
30 River are directly related to the Austin area. The Reese River  
31 --  
32 REX MASSEY: Yeah.  
33 LOUIS LANI: -- area, they're talking about, you know,  
34 utilizing the municipal water system from -- from Austin and the  
35 airport also.  
36 So those two --  
37 REX MASSEY: Correct.  
38 LOUIS LANI: -- kind of go hand in hand.  
39 REX MASSEY: Yeah.  
40 LOUIS LANI: That's what we got you there for, to keep all



1 this stuff straightened out.

2 REX MASSEY: All right.

3 Let me -- let me run through the Austin list unless someone  
4 tells us differently.

5 I don't see any changes in zoning, land use, based on what  
6 we got from Austin and based on the last master plan.

7 Nothing -- no one's came forward and said anything. We  
8 haven't had any discussions. I don't see us changing anything  
9 unless something comes up in the next, you know, by time the --  
10 the master plan's adopted. I -- I just don't see any changes.

11 No change in town boundaries. Nothing's been proposed. I  
12 know the water system extends out there, but the town boundary  
13 doesn't necessarily go with the water system.

14 LOUIS LANI: Yeah, it does now.

15 REX MASSEY: What's that?

16 LOUIS LANI: It does now. Because, legally, we had to do  
17 that.

18 The original town boundaries were so small that the school  
19 and Department of Transportation were outside the boundaries.  
20 And we were being served illegally by the town. So the  
21 boundaries had to be extended out to inclu- -- to include them.

22 REX MASSEY: Okay.

23 But not -- but the airport and that area down further --

24 LOUIS LANI: Not --

25 REX MASSEY: -- to the left?

26 LOUIS LANI: -- not the airport. No.

27 REX MASSEY: Okay.

28 All right. Some of the ordinance issues that we had talked  
29 about. And we had a fairly long discussion about temporary RV  
30 use for people who own lots in Austin.

31 We also, one time, had a discussion on small manufactured  
32 housing units. And I believe the size was about 500 square feet.  
33 And now I believe the minimum size is 700 square feet.

34 CHAIRMAN WILLIAMS: That's --

35 REX MASSEY: Within the -- oh, go ahead.

36 CHAIRMAN WILLIAMS: That's the manufactured housing  
37 designation? Or that's -- that's their standard? Seven  
38 hundred's the smallest?

39 REX MASSEY: You know, I think it's in the -- I think -- I  
40 think it's in the ordinance. As long as you get a unit with a

1 manufactured housing --

2 CHAIRMAN WILLIAMS: Sticker.

3 REX MASSEY: -- division sticker on it. And we were  
4 looking at the potential of maybe going down to a smaller size  
5 to accommodate those tiny lots that are in Austin.

6 I believe that was what the discussion was around.

7 CHAIRMAN WILLIAMS: Yes.

8 REX MASSEY: Okay.

9 The Austin historic district zoning indicates that there is a  
10 -- and we're going to have to change the ordinance language --  
11 that there is a manufactured home overlay. There really isn't a  
12 -- there really isn't a need for a manufactured home overlay  
13 anymore because they're allowed in every zone. Residential.  
14 They're allowed in every residential district.

15 So having an overlay -- that used to kind of go along with  
16 the old mobile home overlays, that you would -- you would  
17 designate an area that would have a mobile home overlay and you  
18 bring a mobile home in. But you really can't prohibit  
19 manufactured housing going into any residential district.

20 So it's just a wording thing we're going to have to address.

21 Along with, you know, mobile homes, they r- -- really don't  
22 exist to a large extent anymore. And we have them still in the  
23 county, but everything that comes in as a home now is a  
24 manufactured unit or what we used to think of as a trailer, as a  
25 manufactured housing unit.

26 The one thing I -- one thing I kind of noticed in just kind  
27 of looking through the -- the zoning ordinance on the designations  
28 that apply specifically to Austin -- and I -- I'm not an expert on  
29 the Austin history. But I know at one time there was a  
30 substantial amount of emphasis placed on maintaining Austin's  
31 historic character. And I really don't see a whole lot in the  
32 ordinance that reinforces that.

33 And so that may be -- and -- and I don't know what -- to what  
34 extent people, you know, want to enforce it.

35 And that's fine with me. I just kind of noted, you know,  
36 that it's -- it's interesting that we went out and we had these  
37 specific designations about AH and AHR. And there's a lot of  
38 discussion in the documents -- planning documents that historic  
39 character of Austin's important, but we really don't kind of  
40 define it and attempt to maintain it through our ordinance.

1           Anybody have any thoughts?

2           LOUIS LANI: No good ones.

3           COLT NELSON: Yeah.

4           LOUIS LANI: I think where a lot of them are trying to go  
5 on that one there, there's quite a few buildings and stuff in  
6 Austin that are on the historical national register.

7           REX MASSEY: Yeah.

8           LOUIS LANI: And they want to try to preserve some of them.  
9 But there's also a fraction of people down there that have  
10 bought up a lot of the old places like that. They won't  
11 maintain them and they won't sell them. And the buildings are  
12 just sitting there and they're -- and they're -- they're falling  
13 apart.

14          REX MASSEY: Yeah.

15          Yeah.

16          Okay.

17          My next bullet point relates to -- I understand the  
18 mapping -- remapping of Austin is kind of stalled.

19          And I always felt like that was an important exercise to go  
20 through and resolve for a number of reasons.

21          And I would really like to suggest to the county and the  
22 planning commission that that effort be reinitiated and moved  
23 forward.

24          I think it's -- I think it's important for Austin in the  
25 future. And I'm not -- I'm not completely up to speed as to why  
26 it has ground to a halt.

27          LOUIS LANI: You want some background on that?

28          REX MASSEY: I would.

29          LOUIS LANI: Chilton Engineering come in there -- or Summit  
30 Engineering. They started on the upper end of town. They come  
31 down a few -- few blocks into town.

32          And then because of Mr. Hughes, an attorney in Salt Lake  
33 City, he had a beef with the water department down there. And  
34 he claimed the ownership of property that it -- and it got into  
35 a legal thing. Hy Forgeron and the district attorney up here is  
36 well aware of it. But the engineering outfit was afraid. They  
37 didn't want to go ahead any further until this was resolved.

38          And it's kind of being an in-house thing with the county.

39          And the paperwork is in place to where Mr. Hughes has been  
40 told what they're doing is legal. And the county would have -- he

1 just throws up attorney-talk stumbling blocks. And the engineers  
2 didn't want to go against it, so they just stopped.

3 REX MASSEY: Okay.

4 LOUIS LANI: And they received some amount of payment. And  
5 was -- I agree. I'd like to see it go. Because what they were  
6 doing, surveying the property on an as-is basis. I mean, what's  
7 on the ground is what was there.

8 Not by --

9 REX MASSEY: Right.

10 LOUIS LANI: -- not by squaring everything up, but just  
11 what -- what's on the ground. That's the way they were  
12 surveying it. And they staked it that way. But then they quit.

13 REX MASSEY: Yeah.

14 Okay.

15 Well, I think that's -- I think it's another -- I think it's  
16 important enough that we need to highlight -- we need to highlight  
17 this in -- in the planning efforts and see what discussion we can  
18 have with the commissioners to -- to get this to move forward.

19 LOUIS LANI: I understand the money was budgeted for and  
20 allocated to do the whole town --

21 REX MASSEY: Yeah.

22 LOUIS LANI: -- of Austin. But then it just -- it just  
23 stopped.

24 REX MASSEY: Right. Right.

25 LOUIS LANI: And it stopped at my fence. That was the  
26 worst part of it.

27 CHAIRMAN WILLIAMS: They didn't get yours done?

28 LOUIS LANI: No. They come right up to me and put stakes  
29 all around me. And it stopped right there.

30 REX MASSEY: Yep. Okay.

31 And then, you know, I think we'll do -- I think it's  
32 important that we do it from the planning commission standpoint,  
33 do whatever you can do to, you know, create more standard-sized  
34 residential and commercial lots in the Austin area.

35 I think that's probably implied already that, you know,  
36 people coming in doing mergers or boundary line adjustments or the  
37 goal would be to continue that process to the extent it, you know,  
38 it creates more of a -- of -- of reasonably sized residential lots  
39 and -- and also takes care of some of the commercial elements as  
40 well to the extent that that can happen under our current maps and

1 divided town of Austin.

2 And then the last part, we would again -- I know we've had  
3 several discussions with the BLM and -- and some of the Forest  
4 Service about land surrounding Austin. And we would probably,  
5 again, pursue that. Only the lands surrounding right around  
6 Austin but down in the valley more and continue to pursue that  
7 through the resource management plan and get that resolved.

8 But, again, similar to Kingston, I think it is important  
9 enough that it needs to be part of our master plan and policies of  
10 the county that the county's going to put some effort into doing  
11 this, that that's --

12 You know, we put things in as policies in our planning  
13 documents. A lot of times these things are actionable. And  
14 when you put them in, you -- there's an expectation. And the  
15 Board of County Commissioners adopts and approves it, that means  
16 they're going to support it. And supporting it may mean that  
17 they put money towards it, they direct the staff to accomplish  
18 this. But, you know, when we put it in the master plan, it's --  
19 it's actionable on their part. It's not just sort of a nice,  
20 that's good to hear. But we want to -- we really want to take  
21 -- make some effort within the county to resolve these land  
22 transfers or making lands available for disposal in and around  
23 our -- our community areas, however, whatever form that takes.

24 You know, I know there's been talk about federal legislation,  
25 and, you know, we -- we've always gone through these exercises.  
26 There was some thousands of acres that were identified for  
27 disposal in -- in the last resource management plan. But for some  
28 reason, none of this stuff ever takes place. I know -- I know why  
29 it doesn't. Because land -- land disposals are in and of  
30 themselves too difficult to accomplish, so they never occur.

31 But I -- I think there's ways of getting around that so that  
32 they do occur. And it takes an effort -- an ongoing effort by  
33 Lander County, however they choose to do that, to make it happen.  
34 You -- you can make it happen, but it really takes a sustained  
35 effort. And if it's a high enough priority, it's called out in  
36 master plan and then the board adopts it and stands behind it,  
37 then it's something that ought to be accomplished or at least  
38 attempted to be accomplished and not simply just sit there as, you  
39 know, words on a page.

40 All right.

1           Anything else? Anything else we want to add to this list?  
2 Or we forgot about Austin?

3           LOUIS LANI: Well, if anybody's going to argue with you  
4 about -- around Austin -- Austin in a lot of ways is a lot like  
5 Kingston. It's kind of landlocked just the way the property is  
6 in town. But there's a lot of room for expansion out onto -- to  
7 the west.

8           And --

9           REX MASSEY: Yes.

10          LOUIS LANI: -- before I left there, I --

11          REX MASSEY: Yeah.

12          LOUIS LANI: -- extended the -- relocated the sewer ponds  
13 and moved them out 11,000 feet, extended the water district. So  
14 municipal water and sewer are available for a good portion of  
15 that ground. So that takes away of an argument that -- for that  
16 development out there. There's -- there's a lot of room.

17          And BLM told me they released two sections of ground out  
18 there. But that ball was dropped too.

19          REX MASSEY: Yeah.

20          I -- I think in our -- in the land use plan, it -- when we  
21 actually put together a map, I see it being very similar to what  
22 was in the Austin plan. But I think we're going to take a --  
23 we'll end up taking a hard look at the utilities. And when we  
24 pull the maps together that, you know -- if we have utilities  
25 nearby, we ought to be thinking about more intensive land uses.

26          And there's a whole bunch of reasons that people in the local  
27 area may be opposed to that. Because, you know, when you start  
28 doing that, it shifts. It shifts development, shifts growth,  
29 shifts where people live, shifts where the investment's made. So  
30 those are factors you got to think about when you start putting  
31 together a land use plan and designating. You know, are you  
32 really, you know -- are you really forcing or -- not forcing, but  
33 moving development into a new area away from the center of Austin?

34          LOUIS LANI: I'm going to make a very negative comment on  
35 that. Then I'm going to shut up because it'll get me in  
36 trouble. Some of the people you've been talking to, you talk  
37 about the center of Austin, it is owned by several individuals.  
38 And they -- their idea of development is come to town, spend  
39 your money, and get out of here. But we don't want you to stay  
40 because we don't want any new ideas.

1           And that's just -- they're the ones that -- if you only talk  
2 to them, you're going to get the negative thing, we don't want to  
3 extend or expand Austin.

4           REX MASSEY: Yeah.

5           LOUIS LANI: And the one name that's al- --

6           REX MASSEY: No, I understand. I'm just throwing that --  
7 I'm just saying -- I'm telling you, that's -- that's -- when you  
8 get into this land-planning exercise, people have vested  
9 interest in things. And there's pluses and minuses to  
10 everything we suggest and do.

11           And I have, you know, I have heard that more than once.

12           LOUIS LANI: You've already mentioned --

13           REX MASSEY: So --

14           LOUIS LANI: -- the one name that he's -- this individual  
15 is very adamantly against any kind of growth.

16           REX MASSEY: Uh-huh.

17           LOUIS LANI: So --

18           REX MASSEY: Uh-huh.

19           LOUIS LANI: And when you come into these public  
20 meetings -- and get people involved. Get more than just one or  
21 two opinions.

22           REX MASSEY: Yeah.

23           LOUIS LANI: Because Austin is dying. I mean, I've -- I've  
24 been there 40-some years, and it's a dying community. And if  
25 something isn't done down there pretty quick, Austin will be no  
26 more.

27           That's a terrible thing to say, but that's --  
28 Okay. I'm done.

29           REX MASSEY: Yeah. No.

30           LOUIS LANI: I'll get off my soap- --

31           REX MASSEY: No, I --

32           LOUIS LANI: -- -box.

33           REX MASSEY: I -- I appreciate your thoughts. And, you  
34 know, I think that my opinion, personally, is that Austin's a  
35 really beautiful community. It offers a lot. And I'm somewhat  
36 perplexed that we continue to lose population.

37           And I think that that is an issue that -- because it has  
38 ramifications for all kinds of things: the services, schools.  
39 And -- and so I -- you know, I -- I think it has to -- has to be  
40 addressed. And we have to do the best that we can do to give, you

1 know, an -- an opportunity for survival for that area.  
2 And to the extent that we can address some of those things in  
3 the master plan, I think we -- we need to -- to take a serious  
4 look at those. And -- and, you know, move in that direction.  
5 That -- that's kind of my opinion. I may be overridden by  
6 people. And that's fine. I'm just here to suggest things.  
7 But, you know, we -- I think tackling a couple of key things  
8 for the community of Austin could be really, really helpful.  
9 Because it has -- you know, there is a land base that can be had.  
10 There are utilities there that can be had. You've got an  
11 interesting, beautiful area. There isn't any reason that there  
12 shouldn't be more development, just even, you know, second-home  
13 owners.  
14 I mean, I can -- I can remember the days in going up, you  
15 know, south of Tom's place in -- what's the name of the canyon  
16 down there? -- that, you know, there never used to be any homes  
17 down. And now there's five or six homes in that canyon.  
18 LOUIS LANI: Down in Washington Canyon. Washington Creek.  
19 REX MASSEY: Yeah. Washington Canyon at the mouth. Well,  
20 you know, how can we end up getting five or six homes down there  
21 out in the middle of nowhere but, you know, we have trouble  
22 attracting them to the Austin area?  
23 Anyway, enough soapbox for me.  
24 I appreciate your comments, Louis. And I've -- I've got them  
25 written down here.  
26 Okay. Reese River. And just sort of that general area.  
27 Probably maintain status quo with the exception of areas around  
28 the airport.  
29 Reese River's largely an agricultural -- still kind of an  
30 agricultural area.  
31 I get a little concerned about a lot of growth occurring in  
32 the Reese River area to the extent it, you know, services and  
33 things are up in Austin.  
34 It's -- you know, I -- I would -- I would think that that  
35 area would continue to be sort of low-density development,  
36 agriculture, recreation kinds of uses without any new major  
37 changes to land use up and down the valley north and south of 50.  
38 Any --  
39 We're good on that?  
40 Tom isn't there tonight, is he?



1 CHAIRMAN WILLIAMS: No, sir.

2 REX MASSEY: Okay. Okay.

3 I will contact him and sort of reiterate what's on this  
4 list to him again and see if he's got anything that he wants to  
5 add.

6 But we would continue largely with the zoning and land use  
7 that's in place without -- with the exception of -- call it from  
8 the airport up to Austin, sort of that -- that area and -- and  
9 along Highway 50.

10 Okay.

11 Why don't we -- you know, I'd like to do -- and not jump into  
12 Battle Mountain too far, because I really think I kind of need to  
13 be present and have some maps and some other things out for the,  
14 you know, to start talking about.

15 I'll go through this list real quick and make sure that we  
16 have everything on here, you know, most of the things on here.  
17 And then, you know, next -- in -- in March, come out and I'll be  
18 present at the March meeting where we'll go through Battle  
19 Mountain area with, you know, more -- more time and thought and  
20 -- and probably advertisement and notification to the public so  
21 we can get -- we can get -- make sure we can get as much input  
22 as we possibly can.

23 But with that, I'm going to go through some of the  
24 things -- these are just some of the things that come up that I  
25 noted. You add to them, question them, change them.

26 But let me -- let me start with the first bullet. You know,  
27 there's -- there's been a fair amount of discussion about  
28 extending the utility service area.

29 We've got, you know, water lines that are going to be  
30 extending, you know, south of the freeway, probably east and west,  
31 if you want to call it east and west of the courthouse or, you  
32 know, wherever. But -- but major water lines and investments  
33 going in those directions.

34 And we want to be able to -- you know, my thought is, is  
35 you'd be able to capitalize as much as you can on that  
36 infrastructure investment in that -- in -- in terms of more users,  
37 in terms of the type of use that is supported by a municipal water  
38 system, i.e., commercial fire flow, that kind of thing that's  
39 needed, that's provided by a -- a municipal system. So we kind of  
40 want to take advantage of that investment from a land-planning

1 standpoint. We don't really want to run expensive infrastructure  
2 out to areas that are limited development or low density.

3 It really sort of sets kind of in motion having much more  
4 intensive development and more -- and even more commercial,  
5 industrial-type uses.

6 So that is one topic that we need to -- we need to tackle  
7 next time.

8 We've talked a lot about going from -- we talked a lot about  
9 adding a 2.5-acre zoning. So we're going to have to, on our land  
10 use plan, designate -- kind of talk about where that would happen  
11 and under what conditions that would happen. Probably designate  
12 some areas on a map that that makes sense for that to occur.

13 I've already talked about the third bullet, about higher  
14 densities and -- and rezoning and land use designations that are  
15 consistent with the availability of municipal utilities.

16 Back a couple of meetings, we've -- I know that this MR- --  
17 MRC zoning has always been a discussion point within the county.

18 And my thought there is we need to be -- we should look at  
19 accommodating people that are within that zone, that don't  
20 necessarily need or should have a -- you know, this is a -- this  
21 MRC is really what we call a mixed-use zoning. And there's a lot  
22 of communities that have a mixed-use zoning. But for some of the  
23 folks, particularly residential users, it has caused some  
24 problems. And I want to be able to put something in place that  
25 accommodates those folks without upsetting the apple cart. And we  
26 should have that discussion in the -- in the master plan.

27 We don't need to change the zoning. But we need to  
28 allow -- I think, allow people to address their specific  
29 situation that makes their lands more, you know, more suitable  
30 for what -- what they're doing and -- and having a designation  
31 that really works for them.

32 And all of us know kind of what we -- you guys went through a  
33 year or two ago about -- with the residential issue in -- in that  
34 MRC zoning.

35 So I'm thinking along the ter- -- along the lines of that,  
36 going in that direction with it, leaving the MRC in place.

37 There's a lot of people, from my experience, that really  
38 liked the mixed-use zoning. But on occasion it causes problems  
39 particularly when you cross over into that residential aspect.

40 One of the things we talked about, planning commission on

1 several occasions, is adjusting our development standards,  
2 particularly for subdivisions, and looking at minimizing,  
3 eliminating some of the curb, gutter, sidewalk requirements,  
4 because it's my understanding that we'll never get a subdivision  
5 in. It'll be a unique circumstance where somebody comes in and  
6 puts in subdivision standards where you have curb, gutter,  
7 sidewalk.

8 It's very expensive to do that. And you have to have a --  
9 you have to have a fairly high housing price to support that kind  
10 of investment. You know, as an example, we run into -- in the  
11 Reno/Sparks area it's pretty common now that a subdivision --  
12 small subdivision lot with curb, gutter, sidewalk, ready for  
13 building will cost upwards of a hundred thousand dollars just for  
14 the building lot itself when you put all those costs in.

15 And so we're trying to come up with a way -- my thought is to  
16 come up with a way of having some standards in place, allowing the  
17 higher density development but don't put on such requirements that  
18 it really makes it impractical to do any kind of development along  
19 the higher density, where we can actually capture some of those  
20 folks on county's, you know, municipal sewer and water.

21 And that was the intent of -- of -- of bringing -- of  
22 bringing that, you know, ordinance adjustment or standard  
23 adjustment and dealing with that through this -- through this  
24 planning effort.

25 Been a whole lot of discussion -- next bullet -- there's been  
26 a whole lot of discussion about prohibition or prohibiting the  
27 creation of new one-acre well, septic subdivisions and parceling.  
28 And these would be new, existing, you know, are existing. And  
29 perhaps going to a 2.5-acre zoning as being the minimum lot size  
30 for individual well and septic.

31 We've also talked about -- and you guys exercised to some  
32 extent -- the second and subsequent parceling and the idea it's  
33 both in the code and state statutes that can you treat second  
34 subsequent parceling as a subdivision for, you know, review  
35 purposes.

36 And we -- we talked about having a -- a submission of a  
37 conceptual and a map site plan for the entire area to be parceled  
38 out so we understand where roads go and utilities, and we can  
39 address those things but still allow the second subsequent  
40 parceling to occur.

1           We've also had some recent -- you know, we've -- we've got  
2 some issues that revolve around the agricultural zone, the  
3 designations. We've got A-1. We effectively got A-1, A-2, and  
4 A-3 zoning, which are designated for commercial agriculture.

5           And I think -- Kyla and I talked about putting together a map  
6 and looking at how many -- how much land and where is it that's  
7 currently zoned A-1 that is, you know, large -- large parcels,  
8 something more than 20 acres in size.

9           And, you know, if we don't have that, I think that we might  
10 want to look at, you know, if -- if everything in the A-1 --  
11 within A-1 zone has been broken down into fairly small lots or  
12 parcels, then, you know, I think we've -- we probably want to  
13 adjust that ordinance description of the A-1 zone and adjust it to  
14 something that's more rural residential. You know, it's -- you're  
15 on a one-acre. You can have a horse and, you know, stuff like  
16 that that you would find out in a low-density residential area.

17           But, you know, we would probably -- probably pull back on the  
18 commercial agricultural descriptions and uses. And we would --  
19 you know, we would have -- we would go through that same  
20 examination on the A-2. And, you know, there might be some  
21 adjustments there too on the definitions, depending on how much  
22 A-2 is left and how big of pieces that are A-2, you know, where  
23 they are.

24           And then, you know, probably end up with A-3 really being our  
25 agricultural zone. A-3 and the open space really being the  
26 commercial agricultural, where you would anticipate, you know,  
27 different commercial-scale agricultural operations, whatever that  
28 might be, particularly with respect to livestock.

29           I don't necessarily see a big problem with, you know, even on  
30 an A-1 somebody wants to put in an orchard or vineyard or, you  
31 know, there's -- there's -- there's a lot of that popping up  
32 around. It's -- it's, you know, kind of the hobby farming. But,  
33 you know, trees and plants aren't quite as intrusive as animals.

34           And, you know, I think that might be -- you know, that might  
35 be something some of the discussion we have is kind of what -- how  
36 we redefine those agricultural zones. And then ultimately move to  
37 what we're calling Rural Residential 1, which is, you know, would  
38 be your A-1 zoning and having a Rural Residential 2, which  
39 would -- which would take place of the A-2 zoning.

40           Any thoughts or comments?

1 CHAIRMAN WILLIAMS: Oh, I think that --  
2 MONTE PRICE: Yeah.  
3 CHAIRMAN WILLIAMS: -- pretty well -- go ahead, Monte.  
4 MONTE PRICE: No, we're just listening for when we have a  
5 big map and get some discussion stuff going.  
6 REX MASSEY: Okay.  
7 Then down -- let's see --  
8 We are likely to have -- we are likely going to take a look  
9 at -- and I would at least recommend to the planning commission  
10 that you take a look at -- a serious look at land uses towards  
11 the east interchange, Battle Mountain interchange. You're --  
12 you're going to probably see a proposal come in that -- that is  
13 going to move land use in a little bit different direction down  
14 there. And it's going to be a combination of residential,  
15 commercial, and industrial uses. And so when that -- you know,  
16 I'm just highlighting that for tonight, let you guys know that  
17 that is probably something that you may elect to deal with and  
18 you may even want to go as far as creating a specific -- you  
19 want to call it a specific plan or an area plan just for that  
20 location. Because the amount of acreage that's involved could  
21 be fairly substantial. It's not going to be five or ten acres  
22 or 20 acres. It's, you know, hundreds of -- of -- potentially  
23 hundreds of acres that -- that could be involved in this  
24 proposal.  
25 We already mentioned new public services, the extension of  
26 those water lines and sewer lines. And any -- any new public  
27 facilities we'll -- we'll address.  
28 New road. There's some -- I've heard there's a new  
29 discussion about -- and nothing on the drawing board. Don't  
30 anybody take me wrong here. But there's -- there's been a look at  
31 connecting, you know, 8A to 361 and putting in a new link  
32 somewhere. I don't know where.  
33 But that discussion's occurring. And so we would want to put  
34 something on a -- on a map and react to it if that's really a  
35 proposal that's going to be considered sometime in the future.  
36 And it's probably out in the future a ways. But we want to be  
37 able to look at it and address it and think about it in our land  
38 use planning efforts.  
39 CHAIRMAN WILLIAMS: 8A, 361.  
40 REX MASSEY: Yeah.

1 CHAIRMAN WILLIAMS: Was that -- where -- where -- which  
2 ones are you talking about there? Where is that?  
3 REX MASSEY: That's -- 8A's the -- you know, the road  
4 going out to the Tomera Ranch --  
5 CHAIRMAN WILLIAMS: Right.  
6 REX MASSEY: -- and then Austin highway.  
7 LOUIS LANI: Oh, 305, not 8A, then.  
8 REX MASSEY: 305.  
9 CHAIRMAN WILLIAMS: And 361 is the Tomera Ranch Road or  
10 Martin Ranch Road?  
11 REX MASSEY: 8A.  
12 CHAIRMAN WILLIAMS: 8A. That's the old 8A.  
13 REX MASSEY: Yeah.  
14 Yeah. I'm sorry. It should have been 305.  
15 I was -- too many numbers to remember.  
16 CHAIRMAN WILLIAMS: So a tie-in there?  
17 REX MASSEY: Yeah. There's been some talk about it.  
18 So I'm going to -- that's something I'm going to look into  
19 and -- and see if there's, you know, see -- see what the -- what  
20 the inclination is and how serious it is. And -- and do we need  
21 at this point -- is it far -- is it close enough in the future  
22 that we should be including it in our -- our land-planning  
23 efforts?  
24 CHAIRMAN WILLIAMS: Because I had heard of -- of tying in  
25 Old 8A with the -- oh, my God -- Hill Top Road.  
26 REX MASSEY: Okay.  
27 CHAIRMAN WILLIAMS: Yeah. Haven't heard anything?  
28 REX MASSEY: No.  
29 But I'll -- I'll get to the bottom of it. And --  
30 That'll be on the next discussion.  
31 CHAIRMAN WILLIAMS: Okay.  
32 REX MASSEY: And then I -- I've already talked about -- I  
33 don't -- I shouldn't be using this term "new Nevada lands  
34 proposal." but it's -- it's an offshoot of that group. And  
35 they're separate from it. But it's some of their lands that --  
36 out by -- out by the east interchange that, you know,  
37 potentially would be dealing with -- in a -- in a land use  
38 adjustment or designation.  
39 All right.  
40 Just real quick on the ordinance issues. I've touched on a

1 lot of those. The development standards at three units -- three  
2 dwelling units per acre. We would want to take a look at maybe  
3 reducing those.

4 There's some communities that actually do that. They don't  
5 -- they allow for a fairly high density, three units an acre  
6 residential development but without all the standards that you  
7 guys have on the books in terms of subdivision standards.

8 Those things can work.

9 And, you know, that would have to be adjusted in the  
10 ordinance as well as reflect in the master plan.

11 We've also talked about the ordinance -- rural residential  
12 and the agricultural zoning definitions, the second and  
13 subsequent parceling.

14 I'll leave it up to you guys if you want to -- within the  
15 ordinance there's "may" language. And I'll leave it up to you  
16 guys, you want to decide if it's "shall" -- if it's "shall" -- it  
17 would be "shall" language instead of "may." So if you're going to  
18 do second and subsequent parceling, here's the procedure you got  
19 to go through to -- to do it and to do it on a -- on a second  
20 round.

21 CHAIRMAN WILLIAMS: Shall.

22 REX MASSEY: And -- and make it -- you know, that's up to  
23 you guys if you think you want to make it mandatory versus maybe  
24 we'll do this.

25 We may have to adjust some of the special-use permit criteria  
26 a little bit. And my thought was they're having to do more with  
27 water resources. And some of the things that we've talked about  
28 in terms of protecting water resources, I want to make sure that  
29 the special-use criteria is -- can stand up to scrutiny, that  
30 it -- it covers everything you need, and that those -- those  
31 decisions made under special-use permit are something you can  
32 legally -- you can stand -- stand on.

33 So I -- I just kind of want to take a look at that. I  
34 don't know if I'll bring it back up or there will be a change in  
35 there. But it's something, particularly with respect to this  
36 water resource protection language that we're sticking in the  
37 public lands plan and the master plan, that we want to make sure  
38 our special-use criteria is consistent with -- with that effort  
39 to -- to address the development and use of water resources in  
40 -- in Lander County, particularly as they relate to the movement

1 of water from one location to someplace else, i.e., exportation  
2 projects.

3 And then there's a whole bunch of other miscellaneous kind of  
4 topics that -- that we will potentially address in the -- in the  
5 ordinance. And we've touched on quite a few of those over the  
6 last year.

7 Okay.

8 Anything -- anything else for Battle Mountain? Battle  
9 Mountain area?

10 You guys, anything else on the list that I need to look into  
11 before I come out there next time around? Things that we need to  
12 discuss? Anything you can think of?

13 COLT NELSON: Not right now.

14 MONTE PRICE: No, not --

15 CHAIRMAN WILLIAMS: Was it --

16 MONTE PRICE: I -- I don't have anything at this time, Rex.  
17 Thanks.

18 REX MASSEY: Okay.

19 CHAIRMAN WILLIAMS: I think --

20 REX MASSEY: And then --

21 CHAIRMAN WILLIAMS: -- that'll --

22 REX MASSEY: -- just on the out- -- outerlying areas, I  
23 tried to put a few bullets down. I'll go over them real quick.  
24 And then get you out at -- I'll be done with -- with my part.

25 You know, new land division maps in certain hydrographic  
26 areas that are under the management of the state engineer -- and  
27 there's only one currently in Lander County -- requires water  
28 right dedication.

29 So we want to be able -- we -- we need to be able to identify  
30 and deal with those if we get proposals for land divisions.

31 It's important to -- to recognize the -- in this instance,  
32 the state engineer's authority to require dedication on land  
33 divisions which occur in designated basins.

34 Parceling and land development in outerlying areas affecting  
35 sage grouse. I think it's a topic worth talking about and seeing  
36 which direction the planning commission wants to go.

37 My own view of the sage grouse is if you create a -- you  
38 know, you end up -- if you create a problem somewhere for sage  
39 grouse, you end up paying for it somewhere else.

40 And as long as we're kind of stuck with this issue, I think



1 it's -- in my view, it's better to be proactive and try to address  
2 this issue and -- and keep the county as protected as we possibly  
3 can without introducing extra problems that then manifest  
4 themselves as somebody else's problem.

5 Couple of other things in the outerlying. We want to support  
6 no net gain in federal lands or public land designations. That's  
7 been something that's been clear and reinforced over and over  
8 again in Lander County, planning documents. And they will be  
9 again this time to the extent that that's the direction the  
10 planning commission and the board wants to go.

11 And then the land uses in -- you know, the land uses are  
12 primarily agricultural, open space with some related exceptions,  
13 you know, in the outerlying areas. You know, low density, very  
14 low-density residential, agriculture and kind of open space.  
15 Don't really see a whole lot of changes in the outerlying area.

16 Okay.

17 That is -- I'm -- I'm done. Any -- any other questions?

18 CHAIRMAN WILLIAMS: Anybody have any questions?

19 I think we'll probably just look forward to seeing you next  
20 month. We can, --

21 REX MASSEY: Okay.

22 CHAIRMAN WILLIAMS: -- like you say, brin- -- with some  
23 maps. And we can really get into it.

24 REX MASSEY: Yeah.

25 And we'll spend most of the time -- you know, I'll -- I'll  
26 probably bring something with Kingston no change. I'll bring  
27 something -- you know, we'll look at something for Austin real  
28 quick. And then we will spend the majority of time with Battle  
29 Mountain.

30 CHAIRMAN WILLIAMS: When you contact Tom, tell him make  
31 sure --

32 REX MASSEY: Yes.

33 CHAIRMAN WILLIAMS: -- tell him ma- -- he needs to be here  
34 next month.

35 REX MASSEY: Okay.

36 I will convey the message, Mr. Chairman.

37 CHAIRMAN WILLIAMS: Appreciate it.

38 REX MASSEY: All right. Thank you.

39 CHAIRMAN WILLIAMS: Well, thank you very much.

40 Have a --

1 REX MASSEY: Yeah.  
2 CHAIRMAN WILLIAMS: -- good one.  
3 REX MASSEY: We'll be in touch. Bye.  
4 CHAIRMAN WILLIAMS: Bye.  
5 LOUIS LANI: Got any public comment about this time? Or --  
6 CHAIRMAN WILLIAMS: Nothing?  
7 KEN ROCHESTER: Oh, I got a bunch but --  
8 LOUIS LANI: Uh-oh.  
9 KEN ROCHESTER: -- not now.  
10 LOUIS LANI: I shouldn't have give you that agenda.  
11 KEN ROCHESTER: Oh, no. It's -- it's pretty interesting.  
12 CHAIRMAN WILLIAMS: I'm glad --  
13 KEN ROCHESTER: Can I keep it?  
14 CHAIRMAN WILLIAMS: -- I never thought about it. Thank  
15 you.  
16 KEN ROCHESTER: Can I keep it?  
17 LOUIS LANI: Sure.  
18 KEN ROCHESTER: Okay.  
19 CHAIRMAN WILLIAMS: Nothing tonight, then?  
20 KEN ROCHESTER: Well, I have a problem. And you know my  
21 problem. You know where I live.  
22 MONTE PRICE: Do we --  
23 KEN ROCHESTER: And you know --  
24 MONTE PRICE: -- need his name --  
25 KEN ROCHESTER: -- my problem.  
26 MONTE PRICE: -- for the --  
27 LOUIS LANI: Come up here and state your name and tell us  
28 what your problem is in public comment, huh?  
29 CHAIRMAN WILLIAMS: Well --  
30 LOUIS LANI: Or what- -- whatever you want.  
31 MONTE PRICE: We're not --  
32 CHAIRMAN WILLIAMS: We can't --  
33 MONTE PRICE: -- (indiscernible).  
34 CHAIRMAN WILLIAMS: -- really -- we can't really address  
35 that right now.  
36 KEN ROCHESTER: No.  
37 LOUIS LANI: Okay.  
38 KEN ROCHESTER: That's --  
39 CHAIRMAN WILLIAMS: Maybe here in a -- we get into the  
40 public comment period.

1 KEN ROCHESTER: Yeah. Yeah. That's why --  
2 CHAIRMAN WILLIAMS: In a few minutes, if you want.  
3 KEN ROCHESTER: Well, that's -- that's at the beginning.  
4 CHAIRMAN WILLIAMS: No. We got one at the end too.  
5 KEN ROCHESTER: Oh, do you?  
6 CHAIRMAN WILLIAMS: Yeah. You got one last chance.  
7 Okay. Where we at?  
8 MONTE PRICE: Back to --  
9 LOUIS LANI: Back to page one, I think.  
10 MONTE PRICE: Back to --  
11 CHAIRMAN WILLIAMS: Yeah. Let's -- let's --  
12 COLT NELSON: Approving the minutes?  
13 CHAIRMAN WILLIAMS: -- address -- see if we can get --  
14  
15

16 **APPROVAL OF AGENDA NOTICE**  
17

18 CHAIRMAN WILLIAMS: Discussion, possible action to  
19 regarding the approval of agenda posting for the November 8th  
20 meeting, 2017.

21 MONTE PRICE: I can do that one because I was here.

22 CHAIRMAN WILLIAMS: You don't necessarily have to be here.

23 MONTE PRICE: Yeah.

24 CHAIRMAN WILLIAMS: If -- if you saw it, now.

25 And before we go any further, let me reiterate here again.  
26 And you don't -- if -- if we get down to that -- the agenda  
27 posting or when we get into the minutes from one of the meetings,  
28 you don't necessarily have to be -- wouldn't have to have been  
29 present at the meeting to -- for the final vote on it.

30 COLT NELSON: As long as you read it; right?

31 CHAIRMAN WILLIAMS: But you can't make the motion to  
32 approve it.

33 COLT NELSON: Okay.

34 CHAIRMAN WILLIAMS: You could -- you could second it and/or  
35 vote on it, but you can't make the --

36 As long as the person that makes the motion was at the  
37 meeting. Okay? Any questions?

38 Because we -- we went through this before.

39 And from now on, we got to say aye so everybody can hear it  
40 on the machine there -- or nay or whatever.

1 Okay.  
2 So Monte made a motion to approve?  
3 MONTE PRICE: Yes. November --  
4 CHAIRMAN WILLIAMS: November 8th --  
5 MONTE PRICE: -- agenda posting.  
6 CHAIRMAN WILLIAMS: -- agenda posting.  
7 Do we have a second?  
8 LOUIS LANI: I'll second it.  
9 CHAIRMAN WILLIAMS: All those in favor?  
10 COLT NELSON: Aye.  
11 LOUIS LANI: Aye.  
12 CHAIRMAN WILLIAMS: Aye.  
13 MONTE PRICE: Aye.  
14 CHAIRMAN WILLIAMS: Okay.  
15 Discussion and possible action for the agenda posting for the  
16 February 1st meeting minutes -- or, yeah, the agenda posting for  
17 the meeting for tonight. February 1st, 2018, regular session.  
18 LOUIS LANI: I'll make the motion to approve it,  
19 February 1st.  
20 CHAIRMAN WILLIAMS: Do I have a second?  
21 COLT NELSON: I'll second it.  
22 CHAIRMAN WILLIAMS: All those in favor?  
23 COLT NELSON: Aye.  
24 LOUIS LANI: Aye.  
25 MONTE PRICE: Aye.  
26 CHAIRMAN WILLIAMS: Aye.  
27 Okay.

28  
29

### **APPROVAL OF MEETING MINUTES**

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CHAIRMAN WILLIAMS: And a motion to accept the minutes for  
the September 13th, 2017, regular session meeting minutes.  
MONTE PRICE: I was not at that one. I cannot make the  
motion; correct?  
CHAIRMAN WILLIAMS: Right.  
COLT NELSON: I can't remember.  
CHAIRMAN WILLIAMS: September. Were you sheep hunting?  
No.  
LOUIS LANI: I was just trying to think. I think I was

1 sheep hunting about that time.  
2 CHAIRMAN WILLIAMS: Was that when the sheep hunt was? The  
3 7th September?  
4 LOUIS LANI: I don't know. Don't remember.  
5 MONTE PRICE: Even though as chairman, you can still make  
6 the motion, can't you? No?  
7 COLT NELSON: Yeah.  
8 CHAIRMAN WILLIAMS: I -- I guess I could, huh?  
9 MONTE PRICE: Uh-huh.  
10 CHAIRMAN WILLIAMS: Well, I was here.  
11 MONTE PRICE: I'll second it if you make the motion.  
12 CHAIRMAN WILLIAMS: Okay. I make a motion to accept the  
13 minute -- meeting minutes from the September 13th, 2017, regular  
14 session meeting.  
15 Do we have a second?  
16 MONTE PRICE: Second.  
17 CHAIRMAN WILLIAMS: All in favor?  
18 COLT NELSON: Aye.  
19 LOUIS LANI: Aye.  
20 CHAIRMAN WILLIAMS: Aye.  
21 MONTE PRICE: Aye.  
22 CHAIRMAN WILLIAMS: Okay.  
23 How about acceptance for the minutes from the November --  
24 MONTE PRICE: Wrong.  
25 CHAIRMAN WILLIAMS: It's a typo.  
26 MONTE PRICE: Yeah. That was a long away until that  
27 meeting.  
28 CHAIRMAN WILLIAMS: November 8th, 2018.  
29 We can't do anything about that one. We'll have to --  
30 MONTE PRICE: Can we approve it with a change with amended  
31 date on there or not? Because it was agendized and posted,  
32 maybe we can't.  
33 CHAIRMAN WILLIAMS: That's -- that's the way it's  
34 agendized.  
35 MONTE PRICE: Okay.  
36 CHAIRMAN WILLIAMS: Yeah.  
37 MONTE PRICE: All right.  
38 CHAIRMAN WILLIAMS: So we'll have to bypass the November  
39 meeting minutes.  
40 How about acceptance of the minutes for the December 13th,

1 2017, regular session meeting minutes?  
2 MONTE PRICE: I'd make a motion to approve December 13th,  
3 2017, regular session minutes.  
4 LOUIS LANI: Second.  
5 CHAIRMAN WILLIAMS: All those in favor?  
6 COLT NELSON: Aye.  
7 LOUIS LANI: Aye.  
8 CHAIRMAN WILLIAMS: Aye.  
9 MONTE PRICE: Aye.  
10 CHAIRMAN WILLIAMS: All right.  
11 And the acceptance of the minutes from the January 10th,  
12 2018, meeting?  
13 LOUIS LANI: I'll make the motion. Do you want to make  
14 that one?  
15 COLT NELSON: I can make the motion to accept the minutes  
16 for the January 10th, 2018, regular session.  
17 LOUIS LANI: I'll second it.  
18 CHAIRMAN WILLIAMS: All those in favor?  
19 MONTE PRICE: Aye.  
20 LOUIS LANI: Aye.  
21 COLT NELSON: Aye.  
22 CHAIRMAN WILLIAMS: Aye.  
23 Okay. So we did everything except November the 8th;  
24 correct?  
25 COLT NELSON: Yep.  
26 LOUIS LANI: There's only 194 pages.  
27 CHAIRMAN WILLIAMS: It seemed like 500 to me.

28  
29  
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### **BOARD AND STAFF REPORTS**

32 CHAIRMAN WILLIAMS: Anyway, that being handled, any of the  
33 board have anything? Any seminars they attended? Any juicy  
34 stuff from conferences or anything they'd like to fill us in on?  
35 MONTE PRICE: Nope.  
36 CHAIRMAN WILLIAMS: Nope.  
37 COLT NELSON: Nope.  
38 CHAIRMAN WILLIAMS: Nilla, do you have anything?  
39 DEONILLA FULLER: Nope.  
40 CHAIRMAN WILLIAMS: Nope.

1     **PUBLIC COMMENT**

2  
3           CHAIRMAN WILLIAMS: Okay. At this point in the meeting,  
4 we'd open it up one last time for public comment on anything  
5 that's not agendized here this evening.

6           Does anybody have anything they'd like to talk about?  
7 Complain about? Questions about?

8           UNIDENTIFIED PARTICIPANT: I just came to hide and watch.

9           KEN ROCHESTER: I would -- I have a -- oh.

10          CHAIRMAN WILLIAMS: Please come up front and talk to that  
11 little --

12          KEN ROCHESTER: Okay.

13          CHAIRMAN WILLIAMS: -- lighted puck there. Give us your  
14 name, please.

15          KEN ROCHESTER: Ken Rochester. I go by KC, as a few of you  
16 guys know.

17          I have a problem with a special-use permit for my neighbor.

18          CHAIRMAN WILLIAMS: Who is...

19          KEN ROCHESTER: Ayers.

20          CHAIRMAN WILLIAMS: And what's the situation?

21          KEN ROCHESTER: Situation is that -- I do not know what his  
22 initial -- I'm -- I've done studying on it and I don't know what  
23 his initial plan was.

24          When I moved and built my house there, I had nothing south  
25 of me except a blue shop and his fenced-in wrecking yard.

26          And you guys obviously have known what it's grown to.

27          And he has a special-use permit for crushing metal or  
28 distrib- -- or recycling metal.

29          Well, from what I --

30          CHAIRMAN WILLIAMS: Is that --

31          KEN ROCHESTER: -- understand --

32          CHAIRMAN WILLIAMS: -- a question? Or --

33          KEN ROCHESTER: No, no. That's -- that's what I  
34 understand.

35          CHAIRMAN WILLIAMS: Oh, okay.

36          KEN ROCHESTER: And he's acquired -- I think he's  
37 industrial now. He has industrial equipment out there. He has  
38 semis out there. He has buses out there.

39          He has probably 5,000 tires out there that he's been stacking  
40 up. And if they ever caught on fire, he would melt my house.

1           And there's --  
2           One of their initial requirements of his special-use permit  
3 was to build a fence around -- which he -- he did on the initial  
4 wrecking yard over by the blue building.  
5           But according to your ordinances, number one, the special-use  
6 permit requires him to be living there. He hasn't lived there for  
7 15 years that I know of.  
8           Special-use permit does not allow him to build any other  
9 structures on the property. They have built another shop on the  
10 property.  
11          CHAIRMAN WILLIAMS: Boy, I haven't paid any attention for a  
12 while.  
13          KEN ROCHESTER: Special u- -- and if it is industrial,  
14 which I believe it is.  
15          I don't know where your -- do not know what your  
16 qualifications for industrial are.  
17          But no one is allowed to live on the property except the  
18 owner. And they have rentals on the property.  
19          He has also expanded -- I do know not know how much land his  
20 initial permit enhances.  
21          And he has no fence around anything.  
22          He's breaking state wrecking yard laws.  
23          You're -- did you -- you're not allowed to stack cars up more  
24 than two high. That's -- that's beside the point. I don't care  
25 about that.  
26          I just want some type of containment.  
27          There was nothing there when I built my house. And it just  
28 gets worse and worse and stacks and stacks, worse and worse. And  
29 nothing has ever been done.  
30          I have never -- I've -- can never find anything in a planning  
31 meeting where they have come in here to renew their permit every  
32 year.  
33          CHAIRMAN WILLIAMS: They -- they don't renew it --  
34 LOUIS LANI: They don't --  
35          CHAIRMAN WILLIAMS: -- with us.  
36          LOUIS LANI: -- renew it.  
37          KEN ROCHESTER: They don't renew it with --  
38          CHAIRMAN WILLIAMS: No.  
39          KEN ROCHESTER: -- you?  
40          CHAIRMAN WILLIAMS: They -- it -- it would be through Kyla.



1 KEN ROCHESTER: They just have go to Kyla and renew it?  
2 Okay. I did --  
3 CHAIRMAN WILLIAMS: And -- and --  
4 KEN ROCHESTER: -- not know that.  
5 CHAIRMAN WILLIAMS: -- as -- and if they wanted to expand.  
6 KC, --  
7 KEN ROCHESTER: They haven't ex- -- there -- there's been  
8 nothing on expansion either.  
9 CHAIRMAN WILLIAMS: That's why I say. If -- if -- I don't  
10 know what his permit -- what -- what would --  
11 KEN ROCHESTER: The initial map of his permit -- I have a  
12 picture of it. But I -- I -- I might still have it -- was just  
13 the blue shop and the wrecking yard with the fence around it.  
14 That was it. That was what he was permitted for on the initial  
15 map.  
16 I know that I'm coming in 20 years too late.  
17 LOUIS LANI: Not necessarily.  
18 CHAIRMAN WILLIAMS: Not -- never --  
19 KEN ROCHESTER: But --  
20 CHAIRMAN WILLIAMS: -- too late.  
21 KEN ROCHESTER: But --  
22 CHAIRMAN WILLIAMS: What -- what you need to do is go see  
23 -- yeez, I'm brain-dead -- our --  
24 LOUIS LANI: Our planning department. And then --  
25 CHAIRMAN WILLIAMS: Oh -- the -- oh, Jesus.  
26 KEN ROCHESTER: I've talked to the building inspector --  
27 CHAIRMAN WILLIAMS: Yes.  
28 KEN ROCHESTER: -- and the gal that's in the building  
29 inspector's office about -- she issues the temporary permits.  
30 She -- she is the one that handles that.  
31 I've talked to her. And they were going to bring it up in a  
32 -- some type of meeting. I don't know if they ever did.  
33 CHAIRMAN WILLIAMS: That would probably be with the --  
34 MONTE PRICE: Is --  
35 CHAIRMAN WILLIAMS: -- commissioners.  
36 MONTE PRICE: -- he talking about the wrecking yard out --  
37 KEN ROCHESTER: Yes.  
38 MONTE PRICE: -- on Horseshoe -- or Muleshoe Road?  
39 KEN ROCHESTER: Yes.  
40 MONTE PRICE: Something like that? Okay. And was that

1 done under a special-use permit?  
2 KEN ROCHESTER: It is still a special-use permit. It's  
3 zoned A-2.  
4 MONTE PRICE: Okay. So I think our protocol, if we have a  
5 complaint, then don't -- aren't we supposed to revisit --  
6 COLT NELSON: Uh-huh.  
7 MONTE PRICE: -- that special-use permit?  
8 LOUIS LANI: We re- -- revisit them once --  
9 CHAIRMAN WILLIAMS: Yep.  
10 LOUIS LANI: -- a year. Every year. All of them.  
11 MONTE PRICE: I think that's protocol, probably.  
12 CHAIRMAN WILLIAMS: Yeah. Good point. Uh-huh.  
13 LOUIS LANI: I guess our suggestion to you would be, if  
14 you've got a copy of it, put your -- your complaint in the form  
15 of writing and get it to this board. And then the board can  
16 review --  
17 KEN ROCHESTER: Well, I'm going to have to do a little bit  
18 more studying because I still don't know what his -- how much  
19 property his special-use permit -- what's permitted for.  
20 I can tell you right now he is illegal on one -- on this  
21 parcel right here.  
22 I -- it's kind of hard to describe, but I own this 20 acres  
23 right here.  
24 CHAIRMAN WILLIAMS: Uh-huh.  
25 KEN ROCHESTER: He owns this over to the railroad tracks,  
26 virtually, just south of me.  
27 This Clydesdale Road goes right in here and right down.  
28 He also owns these four right there.  
29 I do know for sure that he is not permitted for this lot  
30 right here, this five acres. And he has large tanks and a lot  
31 of metal stacked out on it now too.  
32 And there's another thing about -- I do not know if he's --  
33 or EPA standards.  
34 He brings in this -- this metal from the mines that it's full  
35 of God knows what. I worked at the mines for 43 years. I have a  
36 good feeling of what -- what was in them.  
37 Do they leak? Is he polluting the ground? Is he the one  
38 that's killing my trees?  
39 There's all kinds of questions I -- I have a -- have.  
40 But I think -- you guys -- somebody's going to have to

1 decide what to do with this.

2 I'm not saying we need to take care of it, you know, move  
3 them out right away or anything. But I'm -- I'm just saying that  
4 it needs to be addressed.

5 CHAIRMAN WILLIAMS: Well, I -- I think what you need to do  
6 is like Louis said. When you get ready, when you think you've  
7 done enough research or if you think you have enough, get on  
8 the -- get with Kyla and get on the agenda.

9 KEN ROCHESTER: Uh-huh.  
10 Where's Kyla at?

11 CHAIRMAN WILLIAMS: She's right around the corner out there  
12 with --

13 KEN ROCHESTER: Is she right behind --

14 CHAIRMAN WILLIAMS: Dimitroff. Yeah.

15 KEN ROCHESTER: -- Dimitroff?

16 CHAIRMAN WILLIAMS: Uh-huh.

17 KEN ROCHESTER: Yeah.

18 COLT NELSON: Uh-huh.

19 CHAIRMAN WILLIAMS: She's in that --

20 KEN ROCHESTER: Yeah. She's the one that I talked to about  
21 -- she iss- -- she issues the --

22 CHAIRMAN WILLIAMS: Yeah, she -- so --

23 KEN ROCHESTER: -- special-use --

24 CHAIRMAN WILLIAMS: -- get with --

25 KEN ROCHESTER: -- permits.

26 CHAIRMAN WILLIAMS: -- her and tell her you want to get on  
27 there and you have these questions and you want to get on the  
28 agenda. And -- and we'll -- we'll get -- she'll get ahold of  
29 his permit. And --

30 KEN ROCHESTER: Yeah, I've already --

31 CHAIRMAN WILLIAMS: -- we'll have it in for that meeting.  
32 And she'll do the background searches. And we'll get it out in  
33 the open here and air it out. We'll have him come in.

34 KEN ROCHESTER: Okay.

35 LOUIS LANI: Yeah. If he had a special-use permit 15, 20  
36 years ago, that's before my time. I don't know what's on it or  
37 what's -- what the --

38 KEN ROCHESTER: Well, he actually --

39 LOUIS LANI: -- requirements are.

40 KEN ROCHESTER: -- got a -- actually probably 35 or 38

1 years ago.

2 LOUIS LANI: Oh, my.

3 CHAIRMAN WILLIAMS: His dad got it first.

4 COLT NELSON: Lloyd --

5 KEN ROCHESTER: His --

6 COLT NELSON: -- got it.

7 KEN ROCHESTER: -- his --

8 LOUIS LANI: Oh, okay.

9 CHAIRMAN WILLIAMS: Lloyd got it years ago.

10 KEN ROCHESTER: No, Lloyd didn't get it originally.

11 Lloyd's dad got it originally.

12 CHAIRMAN WILLIAMS: Okay.

13 KEN ROCHESTER: Then it became -- and Lloyd got on it le-

14 -- he -- he got on the special-use permit. But nobody else has

15 been on the special-use permit.

16 And -- and -- but what I'm talking about 20 years ago is when

17 they got out of just the car-crushing business and the wrecking

18 yard business and they went into collecting -- tearing down old

19 buildings at mine sites and bringing in tanks and --

20 COLT NELSON: Scrapyard business.

21 KEN ROCHESTER: -- they have a huge scrapyard out there

22 now.

23 That's -- that's what I'm talking about, what happened --

24 CHAIRMAN WILLIAMS: Yeah, he's in --

25 KEN ROCHESTER: -- actually more than 20 years ago. It

26 might be 20, 25, 28 years ago.

27 CHAIRMAN WILLIAMS: Yeah, we'd have to get a look at his

28 permit and see what -- what the descript- -- legal description

29 is. If it's salvage, then --

30 KEN ROCHESTER: Well, the legal description --

31 CHAIRMAN WILLIAMS: -- that probably --

32 KEN ROCHESTER: -- that -- what --

33 CHAIRMAN WILLIAMS: -- well --

34 KEN ROCHESTER: -- only I can --

35 CHAIRMAN WILLIAMS: -- covers everything.

36 KEN ROCHESTER: -- get is -- well, yeah. We'll have to

37 look into that.

38 CHAIRMAN WILLIAMS: But I don't know that. Don't hold me

39 to that place. I -- I spoke out of turn.

40 KEN ROCHESTER: Well --

1 CHAIRMAN WILLIAMS: But we need to find out.  
2 LOUIS LANI: Give us some ammunition to work with. I mean,  
3 if you feel you got a legitimate complaint, find out --  
4 KEN ROCHESTER: Well, I --  
5 LOUIS LANI: -- what it is.  
6 KEN ROCHESTER: -- I can give --  
7 LOUIS LANI: And let us know.  
8 KEN ROCHESTER: -- you pictures of my property, my house  
9 sitting there with nothing next to it.  
10 CHAIRMAN WILLIAMS: Well, and that --  
11 KEN ROCHESTER: And over the years I've had to -- I've had  
12 to -- I've gone over and complained to Nick about -- Nick is the  
13 grandson of the guy. But -- of his stuff being on my property  
14 and -- and I ended up just taking my service truck over there  
15 and taking the stuff off myself after addressing that fact to  
16 him. But he -- he nev- -- so it's -- it's not like --  
17 CHAIRMAN WILLIAMS: Yeah. See, there again, you probably  
18 should have got the law people involved there.  
19 KEN ROCHESTER: Well, I'm a neighbor. You know, I don't  
20 want to --  
21 CHAIRMAN WILLIAMS: Oh no. I --  
22 KEN ROCHESTER: But it just gets worse and worse and worse.  
23 And I -- I -- I need --  
24 They --  
25 CHAIRMAN WILLIAMS: Clarification.  
26 KEN ROCHESTER: -- they need a new business plan. They  
27 should have put that on a -- on a industrial or a commercial  
28 spot after they made their first million and bought some  
29 property out next to John Davis and -- and developed --  
30 developed something out there and did it right. And that way  
31 they could sell the business if they needed to.  
32 Right now they cannot sell it without my permission because  
33 I would have to sign off. Well, I shouldn't be that arrogant, I  
34 guess. But I'm the neighbor. And I'm one of the ones that  
35 would say, no way, José, on a -- on a special-use permit  
36 continuance.  
37 CHAIRMAN WILLIAMS: Uh-huh.  
38 Yeah. Just get --  
39 When you get ready, you feel you're ready and you got the  
40 ammunition or whatever you feel --

1 KEN ROCHESTER: When's your --  
2 CHAIRMAN WILLIAMS: -- you need --  
3 KEN ROCHESTER: -- meeting next month?  
4 CHAIRMAN WILLIAMS: You'd have to get with Kyla. It's the  
5 second -- traditionally second Wednesday of every month.  
6 KEN ROCHESTER: Okay.  
7 CHAIRMAN WILLIAMS: And she will tell you when you have to  
8 have this -- when you have to let her know so she can get it out  
9 there po- -- posted. I think it's minimum of three weeks before  
10 the meeting time.  
11 DEONILLA FULLER: Three --  
12 KEN ROCHESTER: Okay.  
13 DEONILLA FULLER: -- days.  
14 LOUIS LANI: Uh-huh.  
15 CHAIRMAN WILLIAMS: Pardon me?  
16 DEONILLA FULLER: Three days.  
17 CHAIRMAN WILLIAMS: Three days?  
18 DEONILLA FULLER: Uh-huh.  
19 CHAIRMAN WILLIAMS: Before the meeting?  
20 DEONILLA FULLER: Uh-huh.  
21 CHAIRMAN WILLIAMS: Ooh. You can get on the agenda that  
22 close?  
23 DEONILLA FULLER: Uh-huh.  
24 CHAIRMAN WILLIAMS: Okay.  
25 MONTE PRICE: I thought our agenda had to be posted for a  
26 week or something.  
27 DEONILLA FULLER: No. Three business days.  
28 MONTE PRICE: Really?  
29 DEONILLA FULLER: So like --  
30 COLT NELSON: For --  
31 DEONILLA FULLER: -- for commission meetings on Thursdays,  
32 they have to be posted by Monday at 9:00. We usually try to  
33 post it on Friday so people have more time. But three days.  
34 CHAIRMAN WILLIAMS: So there you --  
35 MONTE PRICE: I learned --  
36 CHAIRMAN WILLIAMS: -- go.  
37 MONTE PRICE: -- something today.  
38 CHAIRMAN WILLIAMS: But she can --  
39 DEONILLA FULLER: That's what I'm here for.  
40 CHAIRMAN WILLIAMS: So let's see what -- what is next

1 Wednesday?  
2 KEN ROCHESTER: Oh, it don't make a diff- --  
3 CHAIRMAN WILLIAMS: So you can look it up and get with her.  
4 And if you want to get on next month's --  
5 KEN ROCHESTER: Yeah. I'll have to look into that. I have  
6 pretty much everything. That's the 14th of next month.  
7 CHAIRMAN WILLIAMS: Fourteenth again, huh?  
8 COLT NELSON: Uh-huh.  
9 KEN ROCHESTER: Yeah.  
10 CHAIRMAN WILLIAMS: All right.  
11 KEN ROCHESTER: It's February.  
12 Everything's the same in March.  
13 LOUIS LANI: Oh, and Ky- -- Kyla's a sharp little gal.  
14 She's been a lot of help to this board. She -- you talk to her  
15 and she can -- she can give you the dos and the don'ts and make  
16 sure that --  
17 KEN ROCHESTER: Sure.  
18 LOUIS LANI: -- you're done right.  
19 KEN ROCHESTER: Sure. But it --  
20 LOUIS LANI: The good, bad, or otherwise.  
21 KEN ROCHESTER: Yeah. I don't know if it'll -- I hope it  
22 comes to something. I -- you know. But I don't know.  
23 CHAIRMAN WILLIAMS: Oh, well, we'll -- we'll get an  
24 answer -- there's no doubt about it -- in -- in the meeting,  
25 we'll get an answer.  
26 KEN ROCHESTER: Okay.  
27 CHAIRMAN WILLIAMS: Whether it's acceptable or not, I don't  
28 know. But we'll get an answer.  
29 KEN ROCHESTER: Yeah.  
30 CHAIRMAN WILLIAMS: Thank you.  
31 KEN ROCHESTER: You bet, John.  
32 COLT NELSON: Thanks, KC.  
33 CHAIRMAN WILLIAMS: Anything else?  
34 Nothing?  
35 LOUIS LANI: You're too quiet sitting out there. You've  
36 got to have something.  
37 UNIDENTIFIED PARTICIPANT: I told you I was just here to  
38 hide and watch.  
39 LOUIS LANI: Oh, okay.  
40

1 **ADJOURNMENT**

2  
3 CHAIRMAN WILLIAMS: Well, we'd entertain a motion to  
4 adjourn.

5 MONTE PRICE: So moved.

6 LOUIS LANI: Second.

7 CHAIRMAN WILLIAMS: All those in favor signify by saying,  
8 aye.

9 LOUIS LANI: Aye.

10 COLT NELSON: Aye.

11 CHAIRMAN WILLIAMS: Aye.

12 MONTE PRICE: Aye.

13 CHAIRMAN WILLIAMS: We'd stand adjourned. Thank you to  
14 everyone.

15  
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17  
18  
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25  
26 \_\_\_\_\_  
27 **CHAIRMAN OR VICE CHAIRMAN OF THE**  
28 **LANDER COUNTY PLANNING COMMISSION**

29  
30 **ATTEST:**

31 \_\_\_\_\_  
32 **LANDER COUNTY PLANNING COORDINATOR OR**  
33 **OR LANDER COUNTY EXECUTIVE SECRETARY**



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 A "FOR THE  
10  
11 RECORD" DIGITAL AUDIO RECORDING OF A MEETING WHICH TOOK PLACE  
12  
13 THE 14TH DAY OF FEBRUARY, 2018, AND SAID RECORDING AND INFORMATION  
14  
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE PLANNING  
16  
17 COORDINATOR, KYLA BRIGHT; THAT THE SAME IS FULL, TRUE, AND AS  
18  
19 CORRECT AS THE AUDIO RECORDING ALLOWED.  
20

21  
22 DATED AT \_\_\_\_\_  
23 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
24

25  
26 \_\_\_\_\_  
27 TIFFANY ELKINGTON, CCR #930  
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CHAIRMAN WILLIAMS: [273] COLT NELSON: [45] 2/6 2/23 2/28 2/32 3/27 3/29 5/14 6/3 6/5 6/9 6/34 6/37 7/5 7/8 8/16 8/29 8/32 16/5 16/19 16/24 27/2 40/12 43/11 43/29 43/32 44/9 44/20 44/22 44/36 45/6 45/17 46/5 46/14 46/20 46/24 46/36 50/5 51/17 52/3 52/5 52/19 54/29 55/7 55/31 56/9 DEONILLA FULLER: [25] 1/22 1/28 1/32 1/34 1/36 1/38 1/40 2/3 2/7 2/9 2/33 17/6 17/9 17/11 46/38 54/10 54/12 54/15 54/17 54/19 54/22 54/26 54/28 54/30 54/38 KEN ROCHESTER: [81] LOUIS LANI: [126] MARIA MEDINA: [26] 12/6 12/8 12/13 12/16 12/19 12/21 12/24 12/31 12/36 12/38 12/40 13/4 13/6 13/9 13/11 13/13 13/15 13/19 13/21 13/23 13/26 13/38 14/8 14/12 15/2 16/34 MONTE PRICE: [87] REX MASSEY: [86] SHERYL ANN DAVIS: [32] 4/23 4/26 4/29 4/33 5/6 5/12 5/15 5/18 5/23 5/25 5/27 5/31 5/34 6/4 6/19 6/23 6/29 6/39 7/1 7/3 7/11 7/14 7/25 7/33 7/35 7/40 8/19 8/21 8/23 8/28 8/30 8/33 SUSAN RIVES: [71] UNIDENTIFIED PARTICIPANT: [16] 12/17 12/22 12/27 12/29 12/34 12/37 12/39 13/29 13/40 14/3 14/5 14/9 14/11 16/33 47/7 55/36	40-gallon [1] 10/39 40-some [1] 31/24 41 [3] 4/8 4/19 8/11 43 [1] 50/35 46-gallon [1] 10/40 4th [3] 9/6 9/17 16/16
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1	7
10th [2] 46/11 46/16 11,000 [1] 30/13 13th [4] 44/33 45/13 45/40 46/2 14 [1] 1/4 14th [2] 55/6 57/13 15 [2] 48/7 51/35 194 [1] 46/26 1st [3] 44/16 44/17 44/19	700 [1] 25/33 7th [1] 45/3
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