The Lander County Planning Commission met in session in the Community Meeting Room of the Lander County Courthouse and Administration Building in Battle Mountain, Nevada, 50 State Route 305, on February 14, 2018, at 6:00 p.m. Transcript produced by Tiffany Elkington, C.C.R., #930.

PRESENT:  JOHN WILLIAMS, CHAIRMAN
          LOUIS LANI, MEMBER
          MONTE PRICE, MEMBER
          COLT NELSON, MEMBER
          DEONILLA FULLER, LANDER COUNTY EXECUTIVE SECRETARY

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

(Pledge of Allegiance)

ROLL CALL

CHAIRMAN WILLIAMS:  Can we get a roll call, please?
DEONILLA FULLER:  Sure.
I have nothing.
Sorry. This is kind of a last-minute --
CHAIRMAN WILLIAMS:  I know.
LOUIS LANI:  If you'd run just a little bit faster, the (indiscernible) --
DEONILLA FULLER:  Right.
Oh, where are the previous minutes so I have every -- it's been a while since I've been here, guys.
CHAIRMAN WILLIAMS:  Yes, it has.
DEONILLA FULLER:  John, are you present?
CHAIRMAN WILLIAMS:  Yes.
DEONILLA FULLER:  Louis?
LOUIS LANI:  Here.
DEONILLA FULLER:  Monte?
MONTE PRICE:  Here.
DEONILLA FULLER:  Who am I missing?
CHAIRMAN WILLIAMS:  Tom Reichert.
DEONILLA FULLER: Tom Reichert's here. No?
CHAIRMAN WILLIAMS: No.
LOUIS LANI: No.
DEONILLA FULLER: I can't see down there.
Colt.
CHAIRMAN WILLIAMS: Colt Nelson?
COLT NELSON: Yes. Colt is here.
DEONILLA FULLER: Is that everybody?
CHAIRMAN WILLIAMS: Yes, ma'am.
DEONILLA FULLER: Okay. Sorry.
CHAIRMAN WILLIAMS: Well, I haven't heard anything on our new member.
MONTE PRICE: He was going to come tonight to -- to sit in, but he got vetoed for Valentine's dinner instead. So...

APPROVAL OF AGENDA POSTING

CHAIRMAN WILLIAMS: Okay. Let's see.
We'd entertain a motion to approve the agenda posting.
MONTE PRICE: So moved.
LOUIS LANI: Second.
CHAIRMAN WILLIAMS: All in favor?
COLT NELSON: Aye.
MONTE PRICE: Aye.
LOUIS LANI: Aye.
CHAIRMAN WILLIAMS: Aye.
Everyone has to say aye or nay -- or yeah -- or no or --
COLT NELSON: Okay.
CHAIRMAN WILLIAMS: It has to be legible. Are we on?
LOUIS LANI: Well, the red light's on.
CHAIRMAN WILLIAMS: Yeah. Okay.
COLT NELSON: Yeah.
DEONILLA FULLER: Yeah. You're on.
CHAIRMAN WILLIAMS: I don't have my min- -- regular minutes either.
LOUIS LANI: In the interest of the public, I wonder, could we just postpone this section here? Those have to be read -- taken care of before the meeting starts.
CHAIRMAN WILLIAMS: Well, we don't have to do them -- that
in any order.

**PUBLIC COMMENT**

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

Does anybody have anything they'd like to say?

(No comment.)

CHAIRMAN WILLIAMS: Nope.

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

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

CHAIRMAN WILLIAMS: Yes.

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

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

MONTE PRICE: Oh.

CHAIRMAN WILLIAMS: -- at a time.

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

CHAIRMAN WILLIAMS: Yeah.

MONTE PRICE: Okay.

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

COLT NELSON: That's what we should do.

CHAIRMAN WILLIAMS: Take care of the agenda items?

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

LOUIS LANI: Yep. I agree.

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

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

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

CHAIRMAN WILLIAMS: Any questions from the board?

LOUIS LANI: What have you got in the way of woodworking?

I mean, I see that on here.

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

COLT NELSON: The plaques.

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

LOUIS LANI: Okay.

SHERYL ANN DAVIS: -- decorations.

I've also made Plinko -- I don't know if -- bottle openers.

You know, just fun novelty items. Just things that nobody wants
to pay shipping for, but it's fun to have.

CHAIRMAN WILLIAMS: But it'll go.

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

CHAIRMAN WILLIAMS: I'll --

SHERYL ANN DAVIS: -- go.

CHAIRMAN WILLIAMS: -- (indiscernible).

SHERYL ANN DAVIS: I've been doing the craft fairs and
stuff and it -- town. And it -- take it to the post office.

And there was like, we want one of those.

CHAIRMAN WILLIAMS: Well it's good.

SHERYL ANN DAVIS: Yeah. It has been fun.

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

SHERYL ANN DAVIS: That's correct. And then the people
through town when I went walking around to see if they liked
them, there's -- the businesses are, when can we place our order
on some mugs? They want Battle Mountain-specific mugs for the
tourists and stuff coming through that not -- don't necessarily
say Longhorn on them. Not that that's a bad thing. But some of
the tourists coming through don't want Longhorn. They just want something that says Battle Mountain, Nevada, is what I've heard. So we could tweak that and --

**COLT NELSON:** Yeah.

**SHERYL ANN DAVIS:** -- put that kind of stuff out also.

**COLT NELSON:** Yeah.

**CHAIRMAN WILLIAMS:** Any -- any questions from the audience? Any concerns? Comments?

Well, --

**COLT NELSON:** I --

**CHAIRMAN WILLIAMS:** -- there being no further questions, concerns, comments, everybody's happy, we'd entertain a motion to approve the home occupation permit.

**LOUIS LANI:** Well, just before we do, Mr. Chairman, I was just wondering, looking on this one here, under the required at the time of application, she should have got a -- a grant bargain or notared affidavit on there.

**CHAIRMAN WILLIAMS:** Ownership?

**LOUIS LANI:** Yep.

**SHERYL ANN DAVIS:** I did everything that Kyla Bright --

**LOUIS LANI:** Well, I was just wondering -- got here -- because you've got your name on the top, but there's -- it hasn't been signed. There's no mailing address. No notary.

**SHERYL ANN DAVIS:** They said after we did the meeting, then we'd do the rest as -- as far as the SD creation. I went upstairs and had a fictitious business name and all that. And then they said, after this meeting tonight, come back tomorrow to the next spot and pay the money, if it was approved. So I --

**LOUIS LANI:** Okay. So you're aware of it, then?

**SHERYL ANN DAVIS:** Yes. I have the check ready, don't deny.

**CHAIRMAN WILLIAMS:** Well, all the other infor- -- it's on this one here on the permit.

What else --

**COLT NELSON:** I got it here too.

**CHAIRMAN WILLIAMS:** We have the tax roll.

**LOUIS LANI:** Pardon?

**COLT NELSON:** I think it's here too, isn't it? All of this. Or am I looking at something different?

**SHERYL ANN DAVIS:** That's the fictitious --
LOUIS LANI: I thought --
SHERYL ANN DAVIS: -- business --
LOUIS LANI: -- it was looking at this one --
SHERYL ANN DAVIS: -- (indiscernible).
LOUIS LANI: -- here for the required it.
COLT NELSON: Oh.
LOUIS LANI: But she said she -- that'll be taken care of.

So...

COLT NELSON: Okay.
LOUIS LANI: Just want to make sure all of our t's are
crossed and i's dotted --
SHERYL ANN DAVIS: Right.
LOUIS LANI: -- so they don't come back and bite us in
the --
SHERYL ANN DAVIS: Right. Kyla just said tonight was,
like, the formality. So if me and Patty had any specific
questions, that kind of thing. And then tomorrow finish up the
paperwork and sign and pay the final check.
I don't know. She's held my hand all the way through.
CHAIRMAN WILLIAMS: Yeah. I don't know. All the other
information is --
LOUIS LANI: Like basically the information's all there.
It just --
CHAIRMAN WILLIAMS: Uh-huh. Well, then the -- the tax --
tax roll, which would be the same thing.
SHERYL ANN DAVIS: Right.
I have the tax ID number. I have the state number and, you
know, the state tax number, the EIN number. So we can do
nonprofit stuff. I have my tax-exempt. And then tomorrow I'll
have Lander County's (indiscernible) done.
LOUIS LANI: Okay.
CHAIRMAN WILLIAMS: Well, you must have given it to Kyla,
though.
SHERYL ANN DAVIS: I did give it to K- --
CHAIRMAN WILLIAMS: Yes.
SHERYL ANN DAVIS: -- give it to Kyla. Uh-huh.
CHAIRMAN WILLIAMS: Where it says it has to be presented at
the -- well, the time of --
LOUIS LANI: The time of the application there.
CHAIRMAN WILLIAMS: When you made the application. So...
SHERYL ANN DAVIS: Uh-huh.
CHAIRMAN WILLIAMS: What do you think? You'd be all right with that?
LOUIS LANI: I asked a question and I think I'm good with it.
CHAIRMAN WILLIAMS: Okay.
MONTE PRICE: I'm good.
CHAIRMAN WILLIAMS: We'd entertain a motion to approve.
LOUIS LANI: I'll make the motion to approve the application from Sheryl Ann Davis, SD Creations, 2241 Muleshoe Road, Battle Mountain, Nevada; APN 011-090-41; zoning A-2; for a home occupation permit to run a printing, crafting, and woodworking business out of her home.
CHAIRMAN WILLIAMS: Have a second?
MONTE PRICE: Second.
CHAIRMAN WILLIAMS: All those in favor?
COLT NELSON: Aye.
LOUIS LANI: Aye.
MONTE PRICE: Aye.
SHERYL ANN DAVIS: Aye.
CHAIRMAN WILLIAMS: Aye.
SHERYL ANN DAVIS: Thank you, --
CHAIRMAN WILLIAMS: Okay.
SHERYL ANN DAVIS: -- gentlemen.
LOUIS LANI: Oh, you can't --
CHAIRMAN WILLIAMS: Thank you.
LOUIS LANI: -- say aye too.
CHAIRMAN WILLIAMS: Good luck.
SHERYL ANN DAVIS: Thank you.
COLT NELSON: Thank you.
SHERYL ANN DAVIS: Can we depart? Or do we need to stay?
CHAIRMAN WILLIAMS: No, you -- you --
COLT NELSON: No, you're good.
SHERYL ANN DAVIS: We can go? Okay. Thank you.
CHAIRMAN WILLIAMS: Thank you.
Oh, boy. I lost my agenda.
2) Discussion and possible action for approval/disapproval of
the following home occupation permit, and all other matters
properly related thereto.

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

CHAIRMAN WILLIAMS: Okay. Agenda Item Number 2.
Discussion, possible action for approval or disapproval of
following home occupation permit, and all other matters properly
related thereto.
Susan Rives, Goodies 2 Go, 92 East 4th Street, Battle
Mountain. APN 002-113-06. This is an R-4. Home occupation
permit to run a food trailer business out of the home.
SUSAN RIVES: Hi.
CHAIRMAN WILLIAMS: Take a seat up front and give us your
name, please.
SUSAN RIVES: Susan Marie Rives.
CHAIRMAN WILLIAMS: Okay.
Anything else we need to know other than what's on there?
SUSAN RIVES: No, I'm actually just parking the trailer
there. It's just being parked there. I'm not running a
business from there.
I'll be running the business from, like, when Fifties Fever
goes to Winnemucca, I'm going to the haul the trailer to
Winnemucca and be a vendor there or here in Battle Mountain or in
Austin. We've talked about going down to different events there.
So I'm actually not running the business out of my home.
It's just parked there. And that's how they have it listed for
us to go through it.
So it's -- because --
CHAIRMAN WILLIAMS: And --
SUSAN RIVES: -- it's new.
CHAIRMAN WILLIAMS: You'll be doing billings and scheduling
out of your house, though?
SUSAN RIVES: Yes.
CHAIRMAN WILLIAMS: Yeah.
SUSAN RIVES: Yeah.
CHAIRMAN WILLIAMS: Which is --
Okay. And -- and in the packet, I noticed you -- you said
you would store everything in the trailer?
SUSAN RIVES: In the food trailer. It's self-sufficient.
And it has all of the electrical and the refrigerators and
freezers and everything we need that we're not going to be
having to take it into the house at all. We're just going to
buy the food we need prior to the event. And then there's
sufficient storage in the trailer that has to, obviously, get
inspected.
CHAIRMAN WILLIAMS: So yeah. So you'll be under the
federal or the -- excuse me -- the state guidelines.
SUSAN RIVES: Yes.
CHAIRMAN WILLIAMS: And you have to have --
SUSAN RIVES: And I -- I just went through my beverage- and
food-handling class, managers certification from the state on
Monday.
That -- yeah. I don't know how that works. I don't think it
would be --
I don't know. Would -- would you have the trailer plugged
into the electrical on the home --
SUSAN RIVES: Yeah.
CHAIRMAN WILLIAMS: -- at night?
MONTE PRICE: It would be have to be for your
refrigeration and --
SUSAN RIVES: Right. Like the night before the event, we
-- we'd go out and get the -- our supplies and then get it in
the freezer and get it plugged in.
MONTE PRICE: Does your trailer have water? Running water?
SUSAN RIVES: It does.
MONTE PRICE: And is it -- so it would have to have a
outlet? Or is it set up like --
SUSAN RIVES: It's got a --
MONTE PRICE: -- a camper?
SUSAN RIVES: It's set up like a camper with the gray water
and the potable water. And the state requires a 40-gallon in
tank and a 46-gallon out.
MONTE PRICE: Okay. So you wouldn't be hooking up to your septic or --
SUSAN RIVES: Uh-uh.
MONTE PRICE: -- anything there? Just --
SUSAN RIVES: No, no.
MONTE PRICE: -- filling your tank with a garden hose --
SUSAN RIVES: Yes.
MONTE PRICE: -- -type and plug --
SUSAN RIVES: Exactly.
MONTE PRICE: -- in for electricity for your cooler?
SUSAN RIVES: Right.
MONTE PRICE: But you would --
SUSAN RIVES: But not at home.
MONTE PRICE: You wouldn't be running a generator at home in the --
SUSAN RIVES: No.
MONTE PRICE: -- backyard? You wouldn't be cooking anything --
SUSAN RIVES: No. Well, --
MONTE PRICE: -- that would --
SUSAN RIVES: -- we might practice a little bit, you know, fire up the grill, and have a -- but not anything that would bug anybody around us --
MONTE PRICE: Yeah.
SUSAN RIVES: -- on a continual level.
CHAIRMAN WILLIAMS: Okay.
Any questions?
MONTE PRICE: I asked what I had.
CHAIRMAN WILLIAMS: Louis?
LOUIS LANI: None for me.
CHAIRMAN WILLIAMS: Okay. We've got three letters from neighbors.
SUSAN RIVES: Okay.
CHAIRMAN WILLIAMS: One of them said, could bring unwanted traffic to the area.
And this -- C-1, which is -- I'm not really certain. I can't
read that real clear. But number of C-1 properties for -- oh, they -- there are C-1 properties available for this use. And I think somebody might have been a little --

Well, let me ask. Is there anyone in audience comments from the audience?

Anyone --

MARIA MEDINA: I have a question on something.

CHAIRMAN WILLIAMS: Could we get your name, please?

MARIA MEDINA: Maria Medina.

And I have a question about the garbage. If she put the garbage and the -- close to my fence because I am the neighbor.

And I think she cook in the yard or --

SUSAN RIVES: Oh, no.

MARIA MEDINA: No?

SUSAN RIVES: We're not going to cook at the house and have any waste go to the house. No.

MARIA MEDINA: Okay.

UNIDENTIFIED PARTICIPANT: You will cook in the house?

SUSAN RIVES: No.

MARIA MEDINA: No.

SUSAN RIVES: No.

MARIA MEDINA: No.

UNIDENTIFIED PARTICIPANT: In the yard?

SUSAN RIVES: We're -- we're hooking --

MARIA MEDINA: No.

SUSAN RIVES: -- onto the trailer and going somewhere else.

It just parks there.

UNIDENTIFIED PARTICIPANT: So any cook in the trailer --

SUSAN RIVES: No cooking.

UNIDENTIFIED PARTICIPANT: -- but yard.

SUSAN RIVES: Just for her and I.

MARIA MEDINA: Oh.

SUSAN RIVES: That's all. Not having anybody come over for that. No.

UNIDENTIFIED PARTICIPANT: This is the only thing what I want --

MARIA MEDINA: Yeah.

UNIDENTIFIED PARTICIPANT: -- to --

MARIA MEDINA: Yeah.

UNIDENTIFIED PARTICIPANT: -- know.
MARIA MEDINA: It's only two comments. Only about that. What happen for the garbage, if you use that same can to put in --
SUSAN RIVES: Yeah.
MARIA MEDINA: -- that? Or you put it in another place?
SUSAN RIVES: Yeah. In another place.
MARIA MEDINA: Yeah. Because that's too close to my house and all that smell and --
SUSAN RIVES: Yeah. No.
MARIA MEDINA: -- go to my --
SUSAN RIVES: I don't --
MARIA MEDINA: -- my --
SUSAN RIVES: -- blame you.
MARIA MEDINA: -- window is -- is --
SUSAN RIVES: Yeah.
MARIA MEDINA: -- it's the front of your house. And that's, like, I don't appre- --
SUSAN RIVES: Yeah. No. It's just been our single family garbage. And that's all that will be.
MARIA MEDINA: Oh, okay.
SUSAN RIVES: Okay.
MARIA MEDINA: Yeah. That's the only the --
SUSAN RIVES: Yeah.
MARIA MEDINA: -- two questions.
SUSAN RIVES: Okay.
CHAIRMAN WILLIAMS: That's all?
MARIA MEDINA: Uh-huh.
CHAIRMAN WILLIAMS: Okay.
Anybody else?
UNIDENTIFIED PARTICIPANT: No. That's the only thing we're going to say. Because our main door at my house is exactly in front where the -- they use to cook. But that's not involved. But if it's a steady problem. But if she staying inside the trailer or the house --
CHAIRMAN WILLIAMS: Yeah. All -- all -- all the cooking with the trailer should be --
SUSAN RIVES: Away from the house.
CHAIRMAN WILLIAMS: -- away from the home.
MARIA MEDINA: Oh, is that all? (Indiscernible) the trailer. (Indiscernible.)
UNIDENTIFIED PARTICIPANT: I have a -- I'm sorry.
SUSAN RIVES: That's okay.
CHAIRMAN WILLIAMS: Me too.
UNIDENTIFIED PARTICIPANT: We'll (indiscernible).
MONTE PRICE: (Indiscernible.)
UNIDENTIFIED PARTICIPANT: Do you know what
(indiscernible).
So that's the only thing, you know. But if --
MARIA MEDINA: Yeah.
UNIDENTIFIED PARTICIPANT: -- you don't cook there, --
CHAIRMAN WILLIAMS: Okay.
UNIDENTIFIED PARTICIPANT: -- (indiscernible).
MARIA MEDINA: It's not (indiscernible).
CHAIRMAN WILLIAMS: Okay. This --
SUSAN RIVES: Okay.
CHAIRMAN WILLIAMS: That must be this letter here. Smell
of smoke -- yeah -- from --
SUSAN RIVES: I haven't even cooked in the trailer --
CHAIRMAN WILLIAMS: From cooking --
SUSAN RIVES: -- yet.
CHAIRMAN WILLIAMS: So --
Yeah, I think they're -- they're worried about that.
SUSAN RIVES: Yeah.
CHAIRMAN WILLIAMS: So --
SUSAN RIVES: Okay.
CHAIRMAN WILLIAMS: And then, like I say, this one here,
somebody's concerned that this is a mis- -- misuse or it's in
the wrong area. They say that it should be in -- in C-1.
But this is a home occupation. So I don't know -- somebody's
not up to snuff on their codes, I guess.
And then we have a third one. Concerned about deliveries,
traffic, sewer conditions, not up to date for the extra use.
That's -- that -- that won't affect --
SUSAN RIVES: Yeah.
CHAIRMAN WILLIAMS: -- that.
SUSAN RIVES: Uh-uh.
CHAIRMAN WILLIAMS: Health conditions from the kitchen used
for commercial business. That won't happen.
SUSAN RIVES: No.
CHAIRMAN WILLIAMS: Not zoned for the business, there
again. So that has nothing to do with zoning.

We had those three. You have something else?

MARIA MEDINA: No.

CHAIRMAN WILLIAMS: Oh, okay.

So I -- and -- and that was one of the things that we usually
tell people on the home occupation thing too is we review them.
Number one, we -- I don't know if Kayla told you, but we review
the -- the permits annually, --

SUSAN RIVES: Uh-huh.

CHAIRMAN WILLIAMS: -- mainly to ma-- -- if we haven't had
any complaints, to make sure that you're still in business. If
you're not, then we can drop them.

Other than that, in between times, if we get a -- a complaint
from a neighbor or anybody, actually, too much noise, smoke, or,
you know, --

SUSAN RIVES: Right.

CHAIRMAN WILLIAMS: -- any of that sort of thing too, then
we would -- if it warrants it, we would call you in and have you
address that and --

SUSAN RIVES: Okay.

CHAIRMAN WILLIAMS: -- see if we can take care of that
problem.

SUSAN RIVES: Sounds good.

CHAIRMAN WILLIAMS: But other than that --

I don't know. Anything else, guys?

LOUIS LANI: I think it's pretty well covered.

MONTE PRICE: I -- I think all three of the letters were --

concerns more if you were going to set up business right --

SUSAN RIVES: In front of --

MONTE PRICE: -- there and start --

SUSAN RIVES: -- the house.

MONTE PRICE: -- cooking and --

SUSAN RIVES: Yeah.

MONTE PRICE: -- selling food. And you're --

SUSAN RIVES: I could --

MONTE PRICE: -- not doing that.

SUSAN RIVES: -- understand.

MONTE PRICE: So...

SUSAN RIVES: Yeah.

CHAIRMAN WILLIAMS: Should -- should've done --
SUSAN RIVES: Right.

CHAIRMAN WILLIAMS: -- research, maybe, first. But -- but it happens. People --
MONTE PRICE: Yeah.

So I have no issues whatsoever against it at all.

COLT NELSON: Me either.

CHAIRMAN WILLIAMS: Any further comment from the audience? Questions? Concerns?

LOUIS LANI: Sounds like you did your homework. You got the -- the neighbors all knew what was happening. So --

SUSAN RIVES: Yeah.

LOUIS LANI: -- they had their chance to respond.

CHAIRMAN WILLIAMS: Well, we're down to a motion, I guess, if we -- there's no further discussion.

MONTE PRICE: I would make a motion to approve Agenda Item Number 2. Susan Rives, 92 East 4th Street, Battle Mountain, Nevada; APN 002-113-06; to operate her food trailer business at her home.

CHAIRMAN WILLIAMS: Do we have a second?

COLT NELSON: I'll second it.

CHAIRMAN WILLIAMS: All those in favor?

MONTE PRICE: Aye.

LOUIS LANI: Aye.

CHAIRMAN WILLIAMS: Aye.

COLT NELSON: Aye.

SUSAN RIVES: Thank --

CHAIRMAN WILLIAMS: Okay, --

SUSAN RIVES: -- you.

CHAIRMAN WILLIAMS: -- guys. Thank you --

SUSAN RIVES: All right.

CHAIRMAN WILLIAMS: -- and good luck.

MONTE PRICE: Good luck.

SUSAN RIVES: Thank you.

UNIDENTIFIED PARTICIPANT: Thank you, gentlemen.

MARIA MEDINA: Thank you.
3) Discussion and workshop regarding 2017 update to land use plan of Lander County Master Plan, and all other matters properly related thereto.

CHAIRMAN WILLIAMS: Okay.
Are we -- is we supposed to call Rex?
DEONILLA FULLER: Yes, I have his number.
CHAIRMAN WILLIAMS: Oh.
I thought he would be here.
DEONILLA FULLER: I'm sorry.
CHAIRMAN WILLIAMS: Oh, it's not your fault.
DEONILLA FULLER: You're stuck with me, John.
CHAIRMAN WILLIAMS: No, no. That -- that's fine. That's good.

(Contacting Rex Massey by telephone.)

CHAIRMAN WILLIAMS: Didn't he talk like last time he was --
MONTE PRICE: I -- I didn't assume so.
CHAIRMAN WILLIAMS: Well, what we're going to be doing here is a workshop on the update of land use.
REX MASSEY: Hello?
CHAIRMAN WILLIAMS: Hello, Rex?
REX MASSEY: Yes.
CHAIRMAN WILLIAMS: Good evening. How are you?
REX MASSEY: Good. Can you hear me okay?
CHAIRMAN WILLIAMS: Yes, sir. How about from your end?
REX MASSEY: You're loud and clear.
CHAIRMAN WILLIAMS: Okay.
We're going to discuss the land use plan.
REX MASSEY: We're going to start. Yeah.
CHAIRMAN WILLIAMS: Okay. Go ahead, I guess. And unless anybody has anything they'd like to put out forth.
REX MASSEY: Okay.
CHAIRMAN WILLIAMS: Okay. You're up.
REX MASSEY: How I thought we'd approach this is I put together an outline that's in your package.
And I tried to organize it around areas in Lander County and tried to identify topics and issues that we might have to resolve in the land use plan.
And so what I thought we would do is we would take this outline and just start kind of working through it.

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

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

CHAIRMAN WILLIAMS: Good.

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

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

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

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

CHAIRMAN WILLIAMS: Anybody have any questions?

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

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

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

REX MASSEY: Yeah. Go ahead.

We'll just start on it.

LOUIS LANI: I was just wondering on this. It says, last bullet point, improve the Kingston Canyon road from town to the Kingston -- from the town of Kingston to Groves Lake. Is that
an R.S. 2477 road? Which right now it's currently is being
maintained by the Forest Service.

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

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

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

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

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

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

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

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

REX MASSEY: Okay.

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

Right now the Forest Service blades it periodically and so
does the Lander County road department out of Austin.
REX MASSEY: Yeah. All right. Well, that's a -- you know, I will put that on the list to -- one -- one of the items that needs some further attention.

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

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

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

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

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

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

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

LOUIS LANI: Yeah, Shannon Theiss.

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

LOUIS LANI: Yeah.

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

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

And without any suggestions or changes from them, I think we're going to end up going forward with the same land use plan unless somebody comes forward with something different or the
planning commission has some suggestions that -- that are
different than what -- what was done in the 2008 plan.

There is no proposals for changes to town boundaries.

I don't know of any service area expansions for any of the
utilities.

One of the things they had the last plan -- and it kind of
makes sense -- is trying to accommodate commercial along the
highway.

They had some industrial areas also located along the
highway.

I think setting aside and making available those types of
land uses to potentially capture commercial-industrial activity in
the future is appropriate.

I think at some point we should continue to pursue land
transfers around the town of Kingston so that they are not so
landlocked.

And that is a -- you know -- a topic that probably needs to
be brought up again once the BLM's resource management plan gets
started.

I don't know of any issues that would hold up. I don't think
we have any environmental issues that would hold up transfers or
sales around the Kingston -- right -- right in the immed- --
immediate area of Kingston.

But that's something that, you know, we need to continue to
pursue and -- and make available some -- because most of it is --
is public land surrounding the town. So they're kind of
landlocked.

Any other questions or thoughts on Kingston?

CHAIRMAN WILLIAMS: Doesn't look like.

REX MASSEY: Okay. Gilman Springs.

Don't see any changes.

I've sent a note to Commissioner Waits and kind of
corresponded with her on -- on what's going on with the land use
plan and -- and to take any input. I don't -- I don't see any
changes that are going to occur there.

LOUIS LANI: She should be familiar with that area. That's
where she lives.

REX MASSEY: Yep.

There is no independent single plan for Gilman Springs.

I don't know if we would consider doing any kind of area plan
or specific plan for that geography such has been done for -- for Kingston and Austin.

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

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

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

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

Are we ready to move to Austin?

CHAIRMAN WILLIAMS: Yes, sir.

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

Who knows? We might get done tonight.

CHAIRMAN WILLIAMS: That'd be good.

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

All right.

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

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

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

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

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

So having -- you know, one of the topics I got to grapple with, I just got to figure out, well, you know, do we follow a plan that goes outside of the boundaries of the town that are really in the county? We want to make sure that we have the sources of policies and ordinances that are correct and that apply to the geographic areas they should apply to.
So that is one of the concerns I had about the Austin plan, mainly that one. Outside of that, it's -- you know -- it's public input.

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

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

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

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

I mean, I don't know.

REX MASSEY: Uh-huh.

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

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

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

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

REX MASSEY: Right.

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

REX MASSEY: Uh-huh.
LOUIS LANI: -- on down there.
REX MASSEY: Yeah.
Okay.
LOUIS LANI: Other than that, I don't know.
REX MASSEY: Okay.
I was just calling on you as a resource. Just if there was something I forgot about, you know, the history of the plan, and when it was put together and, you know, what we're -- what they were trying to achieve. And, you know, I know it's guidance and it's -- it's the input from the community, and we want to follow that to the extent practical.
And -- and I don't see anything right offhand that we would deviate a whole lot from it. It's just kind of addressing those authorities about, you know, particularly things going on outside the town boundaries with, you know, zoning and land use and -- That, I -- I -- I think we -- we sort of need to discuss. But what they put together is kind of their suggestions and their -- their thoughts on what the area should land use. And that's fine. I mean, that's their input. And, you know, it's up to the planning commission and the board to adopt what they see as -- as appropriate.
LOUIS LANI: Just look at the -- what's --
REX MASSEY: Okay. I'm going to --
LOUIS LANI: Look -- look at --
REX MASSEY: Go --
LOUIS LANI: -- what you give us --
REX MASSEY: -- go ahead.
LOUIS LANI: Looking at what you give us here, I'm down and looking at Reese River. About three of the things in Reese River are directly related to the Austin area. The Reese River --
REX MASSEY: Yeah.
LOUIS LANI: -- area, they're talking about, you know, utilizing the municipal water system from -- from Austin and the airport also. So those two --
REX MASSEY: Correct.
LOUIS LANI: -- kind of go hand in hand.
REX MASSEY: Yeah.
LOUIS LANI: That's what we got you there for, to keep all
this stuff straightened out.

REX MASSEY: All right.

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

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

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

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

LOUIS LANI: Yeah, it does now.

REX MASSEY: What's that?

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

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

REX MASSEY: Okay.

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

LOUIS LANI: Not --

REX MASSEY: -- to the left?

LOUIS LANI: -- not the airport. No.

REX MASSEY: Okay.

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

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

CHAIRMAN WILLIAMS: That's --

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

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

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

CHAIRMAN WILLIAMS: Sticker.

REX MASSEY: -- division sticker on it. And we were
looking at the potential of maybe going down to a smaller size
to accommodate those tiny lots that are in Austin.
I believe that was what the discussion was around.
CHAIRMAN WILLIAMS: Yes.
REX MASSEY: Okay.

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

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

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

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

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

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

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

LOUIS LANI: No good ones.

COLT NELSON: Yeah.

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

REX MASSEY: Yeah.

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

REX MASSEY: Yeah.

Yeah.

Okay.

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

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

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

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

LOUIS LANI: You want some background on that?

REX MASSEY: I would.

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

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

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

And the paperwork is in place to where Mr. Hughes has been told what they're doing is legal. And the county would have -- he
just throws up attorney-talk stumbling blocks. And the engineers
didn't want to go against it, so they just stopped.

    REX MASSEY: Okay.

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

    Not by --

    REX MASSEY: Right.

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

    REX MASSEY: Yeah.

    Okay.

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

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

    REX MASSEY: Yeah.

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

    REX MASSEY: Right. Right.

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

    CHAIRMAN WILLIAMS: They didn't get yours done?

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


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

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

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

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

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

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

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

All right.
Anything else? Anything else we want to add to this list? Or we forgot about Austin?

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

And --

REX MASSEY: Yes.

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

REX MASSEY: Yeah.

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

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

REX MASSEY: Yeah.

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

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

LOUIS LANI: I'm going to make a very negative comment on that. Then I'm going to shut up because it'll get me in trouble. Some of the people you've been talking to, you talk about the center of Austin, it is owned by several individuals. And they -- their idea of development is come to town, spend your money, and get out of here. But we don't want you to stay because we don't want any new ideas.
And that's just -- they're the ones that -- if you only talk to them, you're going to get the negative thing, we don't want to extend or expand Austin.

REX MASSEY: Yeah.

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

REX MASSEY: No, I understand. I'm just throwing that --

I'm just saying -- I'm telling you, that's -- that's -- when you get into this land-planning exercise, people have vested interest in things. And there's pluses and minuses to everything we suggest and do.

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

LOUIS LANI: You've already mentioned --

REX MASSEY: So --

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

REX MASSEY: Uh-huh.

LOUIS LANI: So --

REX MASSEY: Uh-huh.

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

REX MASSEY: Yeah.

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

That's a terrible thing to say, but that's --

Okay. I'm done.

REX MASSEY: Yeah. No.

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

REX MASSEY: No, I --

LOUIS LANI: -- -box.

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

And I think that that is an issue that -- because it has ramifications for all kinds of things: the services, schools. And -- and so I -- you know, I -- I think it has to -- has to be addressed. And we have to do the best that we can do to give, you
know, an -- an opportunity for survival for that area.
And to the extent that we can address some of those things in
the master plan, I think we -- we need to -- to take a serious
look at those. And -- and, you know, move in that direction.
That -- that's kind of my opinion. I may be overridden by
people. And that's fine. I'm just here to suggest things.
But, you know, we -- I think tackling a couple of key things
for the community of Austin could be really, really helpful.
Because it has -- you know, there is a land base that can be had.
There are utilities there that can be had. You've got an
interesting, beautiful area. There isn't any reason that there
shouldn't be more development, just even, you know, second-home
owners.
I mean, I can -- I can remember the days in going up, you
know, south of Tom's place in -- what's the name of the canyon
down there? -- that, you know, there never used to be any homes
down. And now there's five or six homes in that canyon.
LOUIS LANI: Down in Washington Canyon. Washington Creek.
REX MASSEY: Yeah. Washington Canyon at the mouth. Well,
you know, how can we end up getting five or six homes down there
out in the middle of nowhere but, you know, we have trouble
attracting them to the Austin area?
Anyway, enough soapbox for me.
I appreciate your comments, Louis. And I've -- I've got them
written down here.
Okay. Reese River. And just sort of that general area.
Probably maintain status quo with the exception of areas around
the airport.
Reese River's largely an agricultural -- still kind of an
agricultural area.
I get a little concerned about a lot of growth occurring in
the Reese River area to the extent it, you know, services and
things are up in Austin.
It's -- you know, I -- I would -- I would think that that
area would continue to be sort of low-density development,
agriculture, recreation kinds of uses without any new major
changes to land use up and down the valley north and south of 50.
Any --
We're good on that?
Tom isn't there tonight, is he?
CHAIRMAN WILLIAMS: No, sir.

REX MASSEY: Okay. Okay.

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

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

Okay.

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

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

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

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

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

And we want to be able to -- you know, my thought is, is you'd be able to capitalize as much as you can on that infrastructure investment in that -- in -- in terms of more users, in terms of the type of use that is supported by a municipal water system, i.e., commercial fire flow, that kind of thing that's needed, that's provided by a -- a municipal system. So we kind of want to take advantage of that investment from a land-planning
standpoint. We don't really want to run expensive infrastructure out to areas that are limited development or low density.

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

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

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

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

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

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

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

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

So I'm thinking along the line of that, going in that direction with it, leaving the MRC in place.

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

One of the things we talked about, planning commission on
several occasions, is adjusting our development standards, particularly for subdivisions, and looking at minimizing, eliminating some of the curb, gutter, sidewalk requirements, because it's my understanding that we'll never get a subdivision in. It'll be a unique circumstance where somebody comes in and puts in subdivision standards where you have curb, gutter, sidewalk.

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

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

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

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

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

And we -- we talked about having a -- a submission of a conceptual and a map site plan for the entire area to be parcelled out so we understand where roads go and utilities, and we can address those things but still allow the second subsequent parceling to occur.
We've also had some recent -- you know, we've -- we've got some issues that revolve around the agricultural zone, the designations. We've got A-1. We effectively got A-1, A-2, and A-3 zoning, which are designated for commercial agriculture.

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

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

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

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

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

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

Any thoughts or comments?
CHAIRMAN WILLIAMS: Oh, I think that --
MONTE PRICE: Yeah.
CHAIRMAN WILLIAMS: -- pretty well -- go ahead, Monte.
MONTE PRICE: No, we're just listening for when we have a
big map and get some discussion stuff going.
REX MASSEY: Okay.
Then down -- let's see --
We are likely to have -- we are likely going to take a look
at -- and I would at least recommend to the planning commission
that you take a look at -- a serious look at land uses towards
the east interchange, Battle Mountain interchange. You're --
you're going to probably see a proposal come in that -- that is
going to move land use in a little bit different direction down
there. And it's going to be a combination of residential,
commercial, and industrial uses. And so when that -- you know,
I'm just highlighting that for tonight, let you guys know that
that is probably something that you may elect to deal with and
you may even want to go as far as creating a specific -- you
want to call it a specific plan or an area plan just for that
location. Because the amount of acreage that's involved could
be fairly substantial. It's not going to be five or ten acres
or 20 acres. It's, you know, hundreds of -- of -- potentially
hundreds of acres that -- that could be involved in this
proposal.

We already mentioned new public services, the extension of
those water lines and sewer lines. And any -- any new public
facilities we'll -- we'll address.

New road. There's some -- I've heard there's a new
discussion about -- and nothing on the drawing board. Don't
anybody take me wrong here. But there's -- there's been a look at
connecting, you know, 8A to 361 and putting in a new link
somewhere. I don't know where.

But that discussion's occurring. And so we would want to put
something on a -- on a map and react to it if that's really a
proposal that's going to be considered sometime in the future.
And it's probably out in the future a ways. But we want to be
able to look at it and address it and think about it in our land
use planning efforts.

CHAIRMAN WILLIAMS: 8A, 361.
REX MASSEY: Yeah.
CHAIRMAN WILLIAMS: Was that -- where -- where -- which ones are you talking about there? Where is that?

REX MASSEY: That's -- 8A's the -- you know, the road going out to the Tomera Ranch --

CHAIRMAN WILLIAMS: Right.

REX MASSEY: -- and then Austin highway.

LOUIS LANI: Oh, 305, not 8A, then.

REX MASSEY: 305.

CHAIRMAN WILLIAMS: And 361 is the Tomera Ranch Road or Martin Ranch Road?

REX MASSEY: 8A.

CHAIRMAN WILLIAMS: 8A. That's the old 8A.

REX MASSEY: Yeah. I'm sorry. It should have been 305. I was -- too many numbers to remember.

CHAIRMAN WILLIAMS: So a tie-in there?

REX MASSEY: Yeah. There's been some talk about it.

So I'm going to -- that's something I'm going to look into and -- and see if there's, you know, see -- see what the -- what the inclination is and how serious it is. And -- and do we need at this point -- is it far -- is it close enough in the future that we should be including it in our -- our land-planning efforts?

CHAIRMAN WILLIAMS: Because I had heard of -- of tying in Old 8A with the -- oh, my God -- Hill Top Road.

REX MASSEY: Okay.

CHAIRMAN WILLIAMS: Yeah. Haven't heard anything?

REX MASSEY: No.

But I'll -- I'll get to the bottom of it. And -- That'll be on the next discussion.

CHAIRMAN WILLIAMS: Okay.

REX MASSEY: And then I -- I've already talked about -- I don't -- I shouldn't be using this term "new Nevada lands proposal." but it's -- it's an offshoot of that group. And they're separate from it. But it's some of their lands that -- out by -- out by the east interchange that, you know, potentially would be dealing with -- in a -- in a land use adjustment or designation.

All right.

Just real quick on the ordinance issues. I've touched on a
lot of those. The development standards at three units -- three
dwelling units per acre. We would want to take a look at maybe
reducing those.

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

Those things can work.

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

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

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

CHAIRMAN WILLIAMS: Shall.

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

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

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

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

Okay.

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

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

COLT NELSON: Not right now.

MONTE PRICE: No, not --

CHAIRMAN WILLIAMS: Was it --

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

Thanks.

REX MASSEY: Okay.

CHAIRMAN WILLIAMS: I think --

REX MASSEY: And then --

CHAIRMAN WILLIAMS: -- that'll --

REX MASSEY: -- just on the out- -- outerlying areas, I tried to put a few bullets down. I'll go over them real quick.

And then get you out at -- I'll be done with -- with my part.

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

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

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

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

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

And as long as we're kind of stuck with this issue, I think
it's -- in my view, it's better to be proactive and try to address
this issue and -- and keep the county as protected as we possibly
can without introducing extra problems that then manifest
themselves as somebody else's problem.

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

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

Okay.

That is -- I'm -- I'm done. Any -- any other questions?
CHAIRMAN WILLIAMS: Anybody have any questions?
I think we'll probably just look forward to seeing you next
month. We can, --

REX MASSEY: Okay.
CHAIRMAN WILLIAMS: -- like you say, brin- -- with some
maps. And we can really get into it.
REX MASSEY: Yeah.
And we'll spend most of the time -- you know, I'll -- I'll
probably bring something with Kingston no change. I'll bring
something -- you know, we'll look at something for Austin real
quick. And then we will spend the majority of time with Battle
Mountain.

CHAIRMAN WILLIAMS: When you contact Tom, tell him make
sure --
REX MASSEY: Yes.
CHAIRMAN WILLIAMS: -- tell him ma- -- he needs to be here
next month.
REX MASSEY: Okay.
I will convey the message, Mr. Chairman.
CHAIRMAN WILLIAMS: Appreciate it.
REX MASSEY: All right. Thank you.
CHAIRMAN WILLIAMS: Well, thank you very much.
Have a --
REX MASSEY: Yeah.

CHAIRMAN WILLIAMS: -- good one.

REX MASSEY: We'll be in touch. Bye.

CHAIRMAN WILLIAMS: Bye.

LOUIS LANI: Got any public comment about this time? Or --

CHAIRMAN WILLIAMS: Nothing?

KEN ROCHESTER: Oh, I got a bunch but --

LOUIS LANI: Uh-oh.

KEN ROCHESTER: -- not now.

LOUIS LANI: I shouldn't have give you that agenda.

KEN ROCHESTER: Oh, no. It's -- it's pretty interesting.

CHAIRMAN WILLIAMS: I'm glad --

KEN ROCHESTER: Can I keep it?

CHAIRMAN WILLIAMS: -- I never thought about it. Thank you.

KEN ROCHESTER: Can I keep it?

LOUIS LANI: Sure.

KEN ROCHESTER: Okay.

CHAIRMAN WILLIAMS: Nothing tonight, then?

KEN ROCHESTER: Well, I have a problem. And you know my problem. You know where I live.

MONTE PRICE: Do we --

KEN ROCHESTER: And you know --

MONTE PRICE: -- need his name --

KEN ROCHESTER: -- my problem.

MONTE PRICE: -- for the --

LOUIS LANI: Come up here and state your name and tell us what your problem is in public comment, huh?

CHAIRMAN WILLIAMS: Well --

LOUIS LANI: Or what-- -- whatever you want.

MONTE PRICE: We're not --

CHAIRMAN WILLIAMS: We can't --

MONTE PRICE: -- (indiscernible).

CHAIRMAN WILLIAMS: -- really -- we can't really address that right now.

KEN ROCHESTER: No.

LOUIS LANI: Okay.

KEN ROCHESTER: That's --

CHAIRMAN WILLIAMS: Maybe here in a -- we get into the public comment period.
KEN ROCHESTER: Yeah. Yeah. That's why --
CHAIRMAN WILLIAMS: In a few minutes, if you want.
KEN ROCHESTER: Well, that's -- that's at the beginning.
CHAIRMAN WILLIAMS: No. We got one at the end too.
KEN ROCHESTER: Oh, do you?
CHAIRMAN WILLIAMS: Yeah. You got one last chance.
Okay. Where we at?
MONTE PRICE: Back to --
LOUIS LANI: Back to page one, I think.
MONTE PRICE: Back to --
CHAIRMAN WILLIAMS: Yeah. Let's -- let's --
COLT NELSON: Approving the minutes?
CHAIRMAN WILLIAMS: -- address -- see if we can get --

APPROVAL OF AGENDA NOTICE

CHAIRMAN WILLIAMS: Discussion, possible action to
regarding the approval of agenda posting for the November 8th
meeting, 2017.
MONTE PRICE: I can do that one because I was here.
CHAIRMAN WILLIAMS: You don't necessarily have to be here.
MONTE PRICE: Yeah.
CHAIRMAN WILLIAMS: If -- if you saw it, now.
And before we go any further, let me reiterate here again.
And you don't -- if -- if we get down to that -- the agenda
posting or when we get into the minutes from one of the meetings,
you don't necessarily have to be -- wouldn't have to have been
present at the meeting to -- for the final vote on it.
COLT NELSON: As long as you read it; right?
CHAIRMAN WILLIAMS: But you can't make the motion to
approve it.
COLT NELSON: Okay.
CHAIRMAN WILLIAMS: You could -- you could second it and/or
vote on it, but you can't make the --
As long as the person that makes the motion was at the
meeting. Okay? Any questions?
Because we -- we went through this before.
And from now on, we got to say aye so everybody can hear it
on the machine there -- or nay or whatever.
Okay.
So Monte made a motion to approve?
MONTE PRICE: Yes. November --
CHAIRMAN WILLIAMS: November 8th --
MONTE PRICE: -- agenda posting.
CHAIRMAN WILLIAMS: -- agenda posting.
Do we have a second?
LOUIS LANI: I'll second it.
CHAIRMAN WILLIAMS: All those in favor?
COLT NELSON: Aye.
LOUIS LANI: Aye.
CHAIRMAN WILLIAMS: Aye.
MONTE PRICE: Aye.
CHAIRMAN WILLIAMS: Okay.
Discussion and possible action for the agenda posting for the
February 1st meeting minutes -- or, yeah, the agenda posting for
the meeting for tonight. February 1st, 2018, regular session.
LOUIS LANI: I'll make the motion to approve it,
February 1st.
CHAIRMAN WILLIAMS: Do I have a second?
COLT NELSON: I'll second it.
CHAIRMAN WILLIAMS: All those in favor?
COLT NELSON: Aye.
LOUIS LANI: Aye.
MONTE PRICE: Aye.
CHAIRMAN WILLIAMS: Aye.
Okay.

APPROVAL OF MEETING MINUTES

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
sheep hunting about that time.

CHAIRMAN WILLIAMS: Was that when the sheep hunt was? The 7th September?
LOUIS LANI: I don't know. Don't remember.
MONTE PRICE: Even though as chairman, you can still make the motion, can't you? No?
COLT NELSON: Yeah.
CHAIRMAN WILLIAMS: I -- I guess I could, huh?
MONTE PRICE: Uh-huh.
CHAIRMAN WILLIAMS: Well, I was here.
MONTE PRICE: I'll second it if you make the motion.
CHAIRMAN WILLIAMS: Okay. I make a motion to accept the minute -- meeting minutes from the September 13th, 2017, regular session meeting.
Do we have a second?
MONTE PRICE: Second.
CHAIRMAN WILLIAMS: All in favor?
COLT NELSON: Aye.
LOUIS LANI: Aye.
CHAIRMAN WILLIAMS: Aye.
MONTE PRICE: Aye.
CHAIRMAN WILLIAMS: Okay.
How about acceptance for the minutes from the November --
MONTE PRICE: Wrong.
CHAIRMAN WILLIAMS: It's a typo.
MONTE PRICE: Yeah. That was a long away until that meeting.
CHAIRMAN WILLIAMS: November 8th, 2018.
We can't do anything about that one. We'll have to --
MONTE PRICE: Can we approve it with a change with amended date on there or not? Because it was agendized and posted, maybe we can't.
CHAIRMAN WILLIAMS: That's -- that's the way it's agendized.
MONTE PRICE: Okay.
CHAIRMAN WILLIAMS: Yeah.
MONTE PRICE: All right.
CHAIRMAN WILLIAMS: So we'll have to bypass the November meeting minutes.
How about acceptance of the minutes for the December 13th,
MONTE PRICE: I'd make a motion to approve December 13th, 2017, regular session minutes.

LOUIS LANI: Second.

CHAIRMAN WILLIAMS: All those in favor?

COLT NELSON: Aye.

LOUIS LANI: Aye.

CHAIRMAN WILLIAMS: Aye.

MONTE PRICE: Aye.

CHAIRMAN WILLIAMS: All right.

And the acceptance of the minutes from the January 10th, 2018, meeting?

LOUIS LANI: I'll make the motion. Do you want to make that one?

COLT NELSON: I can make the motion to accept the minutes for the January 10th, 2018, regular session.

LOUIS LANI: I'll second it.

CHAIRMAN WILLIAMS: All those in favor?

MONTE PRICE: Aye.

LOUIS LANI: Aye.

COLT NELSON: Aye.

CHAIRMAN WILLIAMS: Aye.

Okay. So we did everything except November the 8th; correct?

COLT NELSON: Yep.

LOUIS LANI: There's only 194 pages.

CHAIRMAN WILLIAMS: It seemed like 500 to me.

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BOARD AND STAFF REPORTS

CHAIRMAN WILLIAMS: Anyway, that being handled, any of the board have anything? Any seminars they attended? Any juicy stuff from conferences or anything they'd like to fill us in on?

MONTE PRICE: Nope.

CHAIRMAN WILLIAMS: Nope.

COLT NELSON: Nope.

CHAIRMAN WILLIAMS: Nilla, do you have anything?

DEONILLA FULLER: Nope.

CHAIRMAN WILLIAMS: Nope.
PUBLIC COMMENT

CHAIRMAN WILLIAMS: Okay. At this point in the meeting, we'd open it up one last time for public comment on anything that's not agendized here this evening. Does anybody have anything they'd like to talk about? Complain about? Questions about?

UNIDENTIFIED PARTICIPANT: I just came to hide and watch.

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

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

KEN ROCHESTER: Okay.

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

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

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

CHAIRMAN WILLIAMS: Who is...

KEN ROCHESTER: Ayers.

CHAIRMAN WILLIAMS: And what's the situation?

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

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

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

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

Well, from what I --

CHAIRMAN WILLIAMS: Is that --

KEN ROCHESTER: -- understand --

CHAIRMAN WILLIAMS: -- a question? Or --

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

CHAIRMAN WILLIAMS: Oh, okay.

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

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

One of their initial requirements of his special-use permit was to build a fence around -- which he -- he did on the initial wrecking yard over by the blue building.

But according to your ordinances, number one, the special-use permit requires him to be living there. He hasn't lived there for 15 years that I know of.

Special-use permit does not allow him to build any other structures on the property. They have built another shop on the property.

CHAIRMAN WILLIAMS: Boy, I haven't paid any attention for a while.

KEN ROCHESTER: Special u- -- and if it is industrial, which I believe it is.

I don't know where your -- do not know what your qualifications for industrial are.

But no one is allowed to live on the property except the owner. And they have rentals on the property.

He has also expanded -- I do know not know how much land his initial permit enhances.

And he has no fence around anything.

He's breaking state wrecking yard laws.

You're -- did you -- you're not allowed to stack cars up more than two high. That's -- that's beside the point. I don't care about that.

I just want some type of containment.

There was nothing there when I built my house. And it just gets worse and worse and stacks and stacks, worse and worse. And nothing has ever been done.

I have never -- I've -- can never find anything in a planning meeting where they have come in here to renew their permit every year.

CHAIRMAN WILLIAMS: They -- they don't renew it --

LOUIS LANI: They don't --

CHAIRMAN WILLIAMS: -- with us.

LOUIS LANI: -- renew it.

KEN ROCHESTER: They don't renew it with --

CHAIRMAN WILLIAMS: No.

KEN ROCHESTER: -- you?

CHAIRMAN WILLIAMS: They -- it -- it would be through Kyla.
KEN ROCHESTER: They just have go to Kyla and renew it?
Okay. I did --

CHAIRMAN WILLIAMS: And -- and --
KEN ROCHESTER: -- not know that.
CHAIRMAN WILLIAMS: -- as -- and if they wanted to expand.

KC, --

KEN ROCHESTER: They haven't ex- -- there -- there's been
nothing on expansion either.
CHAIRMAN WILLIAMS: That's why I say. If -- if -- I don't
know what his permit -- what -- what would --
KEN ROCHESTER: The initial map of his permit -- I have a
picture of it. But I -- I -- I might still have it -- was just
the blue shop and the wrecking yard with the fence around it.
That was it. That was what he was permitted for on the initial
map.

I know that I'm coming in 20 years too late.
LOUIS LANI: Not necessarily.
CHAIRMAN WILLIAMS: Not -- never --
KEN ROCHESTER: But --
CHAIRMAN WILLIAMS: -- too late.
KEN ROCHESTER: But --
CHAIRMAN WILLIAMS: What -- what you need to do is go see
-- yeez, I'm brain-dead -- our --
LOUIS LANI: Our planning department. And then --
CHAIRMAN WILLIAMS: Oh -- the -- oh, Jesus.
KEN ROCHESTER: I've talked to the building inspector --
CHAIRMAN WILLIAMS: Yes.
KEN ROCHESTER: -- and the gal that's in the building
inspector's office about -- she issues the temporary permits.
She -- she is the one that handles that.

I've talked to her. And they were going to bring it up in a
-- some type of meeting. I don't know if they ever did.

CHAIRMAN WILLIAMS: That would probably be with the --
MONTE PRICE: Is --
CHAIRMAN WILLIAMS: -- commissioners.
MONTE PRICE: -- he talking about the wrecking yard out --
KEN ROCHESTER: Yes.
MONTE PRICE: -- on Horseshoe -- or Muleshoe Road?
KEN ROCHESTER: Yes.
MONTE PRICE: Something like that? Okay. And was that
done under a special-use permit?

KEN ROCHESTER: It is still a special-use permit. It's zoned A-2.

MONTE PRICE: Okay. So I think our protocol, if we have a complaint, then don't -- aren't we supposed to revisit --

COLT NELSON: Uh-huh.

MONTE PRICE: -- that special-use permit?

LOUIS LANI: We re- -- revisit them once --

CHAIRMAN WILLIAMS: Yep.

LOUIS LANI: -- a year. Every year. All of them.

MONTE PRICE: I think that's protocol, probably.


LOUIS LANI: I guess our suggestion to you would be, if you've got a copy of it, put your -- your complaint in the form of writing and get it to this board. And then the board can review --

KEN ROCHESTER: Well, I'm going to have to do a little bit more studying because I still don't know what his -- how much property his special-use permit -- what's permitted for.

I can tell you right now he is illegal on one -- on this parcel right here.

I -- it's kind of hard to describe, but I own this 20 acres right here.

CHAIRMAN WILLIAMS: Uh-huh.

KEN ROCHESTER: He owns this over to the railroad tracks, virtually, just south of me.

This Clydesdale Road goes right in here and right down. He also owns these four right there.

I do know for sure that he is not permitted for this lot right here, this five acres. And he has large tanks and a lot of metal stacked out on it now too.

And there's another thing about -- I do not know if he's -- or EPA standards.

He brings in this -- this metal from the mines that it's full of God knows what. I worked at the mines for 43 years. I have a good feeling of what -- what was in them.

Do they leak? Is he polluting the ground? Is he the one that's killing my trees?

There's all kinds of questions I -- I have a -- have.

But I think -- you guys -- somebody's going to have to
decide what to do with this.

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

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

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

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

KEN ROCHESTER: Is she right behind --

CHAIRMAN WILLIAMS: Dimitroff. Yeah.

KEN ROCHESTER: -- Dimitroff?

CHAIRMAN WILLIAMS: Uh-huh.

KEN ROCHESTER: Yeah.

COLT NELSON: Uh-huh.

CHAIRMAN WILLIAMS: She's in that --

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

CHAIRMAN WILLIAMS: Yeah, she -- so --

KEN ROCHESTER: -- special-use --

CHAIRMAN WILLIAMS: -- get with --

KEN ROCHESTER: -- permits.

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

KEN ROCHESTER: Yeah, I've already --

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

KEN ROCHESTER: Okay.

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

KEN ROCHESTER: Well, he actually --

LOUIS LANI: -- requirements are.

KEN ROCHESTER: -- got a -- actually probably 35 or 38
years ago.

LOUIS LANI: Oh, my.
CHAIRMAN WILLIAMS: His dad got it first.
COLT NELSON: Lloyd --
KEN ROCHESTER: His --
COLT NELSON: -- got it.
KEN ROCHESTER: -- his --
LOUIS LANI: Oh, okay.
CHAIRMAN WILLIAMS: Lloyd got it years ago.
KEN ROCHESTER: No, Lloyd didn't get it originally.
Lloyd's dad got it originally.
CHAIRMAN WILLIAMS: Okay.
KEN ROCHESTER: Then it became -- and Lloyd got on it le-
-- he -- he got on the special-use permit. But nobody else has
been on the special-use permit.

And -- and -- but what I'm talking about 20 years ago is when
they got out of just the car-crushing business and the wrecking
yard business and they went into collecting -- tearing down old
buildings at mine sites and bringing in tanks and --

COLT NELSON: Scrapyard business.
KEN ROCHESTER: -- they have a huge scrapyard out there
now.

That's -- that's what I'm talking about, what happened --
CHAIRMAN WILLIAMS: Yeah, he's in --
KEN ROCHESTER: -- actually more than 20 years ago. It
might be 20, 25, 28 years ago.

CHAIRMAN WILLIAMS: Yeah, we'd have to get a look at his
permit and see what -- what the descript- -- legal description
is. If it's salvage, then --

KEN ROCHESTER: Well, the legal description --
CHAIRMAN WILLIAMS: -- that probably --
KEN ROCHESTER: -- that -- what --
CHAIRMAN WILLIAMS: -- well --
KEN ROCHESTER: -- only I can --
CHAIRMAN WILLIAMS: -- covers everything.
KEN ROCHESTER: -- get is -- well, yeah. We'll have to
look into that.

CHAIRMAN WILLIAMS: But I don't know that. Don't hold me
to that place. I -- I spoke out of turn.

KEN ROCHESTER: Well --
CHAIRMAN WILLIAMS: But we need to find out.

LOUIS LANI: Give us some ammunition to work with. I mean, if you feel you got a legitimate complaint, find out --

KEN ROCHESTER: Well, I --

LOUIS LANI: -- what it is.

KEN ROCHESTER: -- I can give --

LOUIS LANI: And let us know.

KEN ROCHESTER: -- you pictures of my property, my house sitting there with nothing next to it.

CHAIRMAN WILLIAMS: Well, and that --

KEN ROCHESTER: And over the years I've had to -- I've had to -- I've gone over and complained to Nick about -- Nick is the grandson of the guy. But -- of his stuff being on my property and -- and I ended up just taking my service truck over there and taking the stuff off myself after addressing that fact to him. But he -- he nev-- -- so it's -- it's not like --

CHAIRMAN WILLIAMS: Yeah. See, there again, you probably should have got the law people involved there.

KEN ROCHESTER: Well, I'm a neighbor. You know, I don't want to --

CHAIRMAN WILLIAMS: Oh no. I --

KEN ROCHESTER: But it just gets worse and worse and worse. And I -- I -- I need --

They --

CHAIRMAN WILLIAMS: Clarification.

KEN ROCHESTER: -- they need a new business plan. They should have put that on a -- on a industrial or a commercial spot after they made their first million and bought some property out next to John Davis and -- and developed -- developed something out there and did it right. And that way they could sell the business if they needed to.

Right now they cannot sell it without my permission because I would have to sign off. Well, I shouldn't be that arrogant, I guess. But I'm the neighbor. And I'm one of the ones that would say, no way, José, on a -- on a special-use permit continuance.

CHAIRMAN WILLIAMS: Uh-huh.

Yeah. Just get --

When you get ready, you feel you're ready and you got the ammunition or whatever you feel --
KEN ROCHESTER: When's your --
CHAIRMAN WILLIAMS: -- you need --
KEN ROCHESTER: -- meeting next month?
CHAIRMAN WILLIAMS: You'd have to get with Kyla. It's the second -- traditionally second Wednesday of every month.
KEN ROCHESTER: Okay.
CHAIRMAN WILLIAMS: And she will tell you when you have to have this -- when you have to let her know so she can get it out there po- -- posted. I think it's minimum of three weeks before the meeting time.
DEONILLA FULLER: Three --
KEN ROCHESTER: Okay.
DEONILLA FULLER: -- days.
LOUIS LANI: Uh-huh.
CHAIRMAN WILLIAMS: Pardon me?
DEONILLA FULLER: Three days.
CHAIRMAN WILLIAMS: Three days?
DEONILLA FULLER: Uh-huh.
CHAIRMAN WILLIAMS: Before the meeting?
DEONILLA FULLER: Uh-huh.
CHAIRMAN WILLIAMS: Ooh. You can get on the agenda that close?
DEONILLA FULLER: Uh-huh.
CHAIRMAN WILLIAMS: Okay.
MONTE PRICE: I thought our agenda had to be posted for a week or something.
DEONILLA FULLER: No. Three business days.
MONTE PRICE: Really?
DEONILLA FULLER: So like --
COLT NELSON: For --
DEONILLA FULLER: -- for commission meetings on Thursdays, they have to be posted by Monday at 9:00. We usually try to post it on Friday so people have more time. But three days.
CHAIRMAN WILLIAMS: So there you --
MONTE PRICE: I learned --
CHAIRMAN WILLIAMS: -- go.
MONTE PRICE: -- something today.
CHAIRMAN WILLIAMS: But she can --
DEONILLA FULLER: That's what I'm here for.
CHAIRMAN WILLIAMS: So let's see what -- what is next
Wednesday?

KEN ROCHESTER: Oh, it don't make a diff-- --
CHAIRMAN WILLIAMS: So you can look it up and get with her. And if you want to get on next month's --
KEN ROCHESTER: Yeah. I'll have to look into that. I have pretty much everything. That's the 14th of next month.
CHAIRMAN WILLIAMS: Fourteenth again, huh?
COLT NELSON: Uh-huh.
KEN ROCHESTER: Yeah.
CHAIRMAN WILLIAMS: All right.
KEN ROCHESTER: It's February.
Everything's the same in March.
LOUIS LANI: Oh, and Ky-- Kyla's a sharp little gal. She's been a lot of help to this board. She -- you talk to her and she can -- she can give you the dos and the don'ts and make sure that --
KEN ROCHESTER: Sure.
LOUIS LANI: -- you're done right.
KEN ROCHESTER: Sure. But it --
LOUIS LANI: The good, bad, or otherwise.
KEN ROCHESTER: Yeah. I don't know if it'll -- I hope it comes to something. I -- you know. But I don't know.
CHAIRMAN WILLIAMS: Oh, well, we'll -- we'll get an answer -- there's no doubt about it -- in -- in the meeting, we'll get an answer.
KEN ROCHESTER: Okay.
CHAIRMAN WILLIAMS: Whether it's acceptable or not, I don't know. But we'll get an answer.
KEN ROCHESTER: Yeah.
CHAIRMAN WILLIAMS: Thank you.
KEN ROCHESTER: You bet, John.
COLT NELSON: Thanks, KC.
CHAIRMAN WILLIAMS: Anything else?
Nothing?
LOUIS LANI: You're too quiet sitting out there. You've got to have something.
UNIDENTIFIED PARTICIPANT: I told you I was just here to hide and watch.
LOUIS LANI: Oh, okay.
ADJOURNMENT

CHAIRMAN WILLIAMS: Well, we'd entertain a motion to adjourn.
MONTE PRICE: So moved.
LOUIS LANI: Second.
CHAIRMAN WILLIAMS: All those in favor signify by saying, aye.
LOUIS LANI: Aye.
COLT NELSON: Aye.
CHAIRMAN WILLIAMS: Aye.
MONTE PRICE: Aye.
CHAIRMAN WILLIAMS: We'd stand adjourned. Thank you to everyone.

_____________________________
CHAIRMAN OR VICE CHAIRMAN OF THE
LANDER COUNTY PLANNING COMMISSION

_____________________________
ATTEST: LANDER COUNTY PLANNING COORDINATOR
OR LANDER COUNTY EXECUTIVE SECRETARY
STATE OF UTAH

) ss.

COUNTY OF DAVIS

I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "FOR THE RECORD" DIGITAL AUDIO RECORDING OF A MEETING WHICH TOOK PLACE THE 14TH DAY OF FEBRUARY, 2018, AND SAID RECORDING AND INFORMATION PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE PLANNING COORDINATOR, KYLA BRIGHT; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS THE AUDIO RECORDING ALLOWED.

DATED AT _________________________
THIS _______ DAY OF ________________

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TIFFANY ELKINGTON, CCR #930
CHAIRMAN WILLIAMS: [273]

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