

MINUTES OF THE BOARD OF CHURCHILL COUNTY COMMISSIONERS

155 N. Taylor St., Fallon, NV 89406

April 20, 2022

Call to Order:

The regular meeting of the Board of County Commissioners was called to order at 1:15 PM on April 20, 2022.

PRESENT:

Commissioner H. Peter Olsen, Jr.
Commissioner Gregory Koenig
Commissioner Justin Heath
County Manager Jim R. Barbee
Comptroller Sherry Wideman
Chief Deputy DA Benjamin Shawcroft
Clerk/Treasurer Linda Rothery
Deputy Clerk to the Board Pamela D. Moore
Deputy Clerk Renae Paholke

ABSENT:

N/A

Pledge of Allegiance:

The Pledge of Allegiance was recited by the board and public.

Public Comment:

Chairman Olsen asked if there was any public comment but there was none.

Verification of the Posting of the Agenda:

It was verified by Pamela D. Moore, Deputy Clerk to the Board, that the Agenda for this meeting was posted on the 14th day of April, 2022, between the hours of 3:00 and 5:00 PM at all of the locations listed on the Agenda, in accordance with NRS 241.

Consideration and possible action re: Approval of Agenda as submitted or revised:

Commissioner Gregory Koenig made a motion to approve the Agenda as revised with Item E having been withdrawn from the Agenda. **Commissioner Justin Heath seconded the motion, which carried by unanimous vote.**

Consideration and possible action re: Approval of Minutes of the meeting held on:

There were no Minutes provided.

Appointments:

A. - Consideration and possible action re: Adoption of a Proclamation recognizing May - October 2022 as the Nevada Wildfire Awareness Campaign with the theme of "Battle Born. Wildfire Ready"

Wildfire can threaten Nevada's communities and impact homes, property and human life. The key to minimizing wildfire impacts in Nevada is proactive communities that take steps to prepare. The Nevada Wildfire Awareness Campaign 2022 spans from May to October in efforts to increase awareness and preparedness for wildfire in the state of Nevada. The theme is: "Battle Born. Wildfire Ready".

Residents must prepare to survive wildfire by ensuring proper management of vegetation surrounding homes and appropriate home construction and maintenance to resist ignition. Residents need to work together to prepare their homes and communities to survive wildfire and commit to become fire adapted. Residents can save precious time in an evacuation by preparing a go-bag and family evacuation plan ahead of time.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Chairman Olsen said we were going to have Jennifer Diamond here but she is not going to be here and what she was asking us to do was to adopt a Proclamation recognizing May - October 2022 as the Nevada Wildfire Awareness Campaign in Churchill County.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to adopt a Proclamation recognizing May - October 2022 as Nevada Wildfire Awareness Month in and for Churchill County.

Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

B. - Consideration and possible action re: Update of current activities, plans, or actions related to the Bureau of Land Management's Carson City District

Jake Vialpando, Acting Field Manager of the Stillwater Field Office, will provide an update of current activities, plans, or actions related to the Bureau of Land Management's Carson City District.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

Jake Vialpando, Field Manager of the Stillwater Field Office of the Bureau of Land Management, introduced Mark Mazza, who will be the Assistant Field Manager in the Stillwater Field Office and had the following PowerPoint presentation:

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CHURCHILL COUNTY COMMISSIONER MEETING

Jake Vialpando
Field Manager
(775) 885-6075 jvialpando@blm.gov

BLM-STILLWATER FIELD OFFICE



Jake Vialpando said the Comstock Geothermal Exploration is moving along, which is the one 6 miles north of Dixie Meadows. We are still reviewing the Environmental Assessment (EA) on that. we are working with the contractor to identify the timeline for when the Preliminary EA will be released for the 30-day public comment. It is looking like July or August to get that out for review.

The Dixie Meadows project has been ongoing for quite some time. We received substantial comments the Dixie Valley Toad. It has been warranted to belisted as a threatened and endangered species. We started our consultation process with the Fish and Wildlife Service about 2 weeks ago. We are responsible for putting together a Biological Assessment on the toad, then we will send that to the Fish and Wildlife Service so they can make a determination on whether or not it will put the toad in jeopardy. It will probably take around 60 days. Ormat will probably be a part of that process to put the EA together along with the Fish and Wildlife Service. Construction has not been halted, at this point.

The Diamond Flat Geothermal Project, which is just south of the transfer station right off of 95, we are just finished the 30-day scoping comment period on that project. We are still working with the Walker River Paiute Tribe. They have significant concerns with that project. I think they have agreed to work with in independent contractor from Ormat to do an assessment. That could be beneficial tool for all future projects in our area. We don't have any timelines for that. it is a lower priority project for us behind Comstock and Dixie Meadows when it comes to geothermal.

Regarding the VERO Fiberoptic Project, they are making progress in the NEPA process. You should be receiving a cooperating agency invitation letter for that.

Regarding the Draw Fire (Camp Creek) Reseeding Project, which is close to the Cold Springs Station on the north side of Highway 50 where the Draw Fire occurred. This is a failed seeding project to they are going to go back and reseed that. it will about a 6,000-acre project and will be done in 2 phases. We are getting all the paperwork ready for that. I reviewed a final draft of the NEPA adequacy document for it. I should be able to sign that by next week and then it will go through a 30-day appeal period and then we will see where we are at from there. We need the NEPA to acquire the money for the seed for Phase One. We are hoping to start this fall.

Regarding the Geothermal Lease Sales will occur in August this year. There are a number of parcels for the Carson City District and I think for Churchill County the only one we have is up in the very northern piece of Dixie Valley. That one is around 1,200-1,800 acres, somewhere in there.

Regarding the Legacy Baja 600 Event, we just finished the scoping comment period on that project and I need to review the Draft EA this week. hopefully that can hit the streets in the next 2 weeks or by the beginning of May.

Regarding the Vegas to Reno race, Tonopah is the lead office on that this year but we definitely have a part in completing the determination of the NEPA adequacy. We are working with them. I don't have nay timelines for when the anticipate getting that on the street. That race will be held at its normal time in late August.

Chairman Olsen asked if there was any public comment but there was none. This item was presented for informational purposes only and no action was taken.

C. - Public Hearing - Consideration and possible action re: Bill 2022-A, Ordinance 27, 32 & 39, an ordinance adding a new zoning district designation to Title 16 of the Churchill County Code, which shall be known as Intensive Multi-Family Residential District (R-3) and setting forth the uses for such district, as well as establishing development standards and requirements for all types of multi-family development in all zoning districts

Proposal: Churchill County is proposing to establish a new residential zoning district. The current residential zoning districts are:

- E-1 First Estate District
- R-1 Single Family Residential District
- R-2 Multi-Family Residential District

The proposed zoning district is titled:

- R-3 Intensive Multi-Family Residential District

The new ordinance provides for multi-family development with an intensity that is customary for large apartment complexes. The ordinance:

- Establishes the new zone.
- Makes adjustments to the R-2 zone to coordinate the zone description, its allowed density, and its development standards with the new R-3 zone.
- Makes adjustments to the Planned Unit Development (PUD) standards to incorporate the new zone into those standards and coordinate it with the other residential zones.
- Establishes allowed uses for the new R-3 zone in the Use Table, along with adjustments to the R-2 zone to coordinate the two zones.
- Establishes a new section to provide development standards for all multi-family development (whether in the R-2 zone, R-3 zone, Planned Unit Developments, etc.).
- Significant changes are made to the two existing tables and their notes that provide Intensity and Dimension Standards. In addition to the above noted changes for the R-2 and R-3 zones, changes are made to:
 - o Streamline the use of the tables by combining the two tables and their notes into one table with notes.
 - o Eliminate duplication.
 - o Correct errors.
 - o Refine existing standards.
 - o Provide complete standards for cluster developments.

Two primary elements of residential zones are density and allowed uses:

- The changes provide a tiered and increasing allowance of density and are coordinated between zones: The proposed Intensity and Dimension Standards table shows the changes in maximum density: R-1 = 5 units/ac; R-2 = 10 units/ac; R-3 = 16 units/ac.
- Similarly, the PUD standards use the same maximum base densities, but allow the option of requesting bonus density in exchange for providing additional beneficial facilities: R-1 = 8 units/ac; R-2 = 16 units/ac; R-3 = 24 units/ac.
- The Use Table provides differences in what uses are allowed in different zones, often in a tiered and coordinated way. The R-2 zone was adjusted to limit the number of residences to 4 or fewer per lot. Thus, a home, duplex, tri-plex, four-plex, or a pair of duplexes can be placed on a lot. Only the R-3 zone allows more units on a lot. Note that placing more than a duplex on a lot becomes more difficult with more units unless connecting to a community sewer and water system.
- Because of the intensity of population in an R-3 development, a limited number of commercial and community uses are proposed to be allowed. Community uses that are similar to apartments are allowed. Commercial uses that commonly provide neighborhood services are allowed.
- The commercial zones currently allow multi-family development but proposed changes to the Use Table will prohibit future multi-family development. There have been few or no such developments since the zoning code was established and a handful that pre-date the zoning code. These will become non-conforming uses. They may continue to operate as they have but, if the use ceases, they lose their nonconforming status and may not be re-established. New multi-family developments that are desired in the current commercial zones would need to be re-zoned to R-3, or use a PUD.

A number of other minor changes and corrections were included in the ordinance:

- Special provisions for cluster developments currently exist for a few specific standards (in specific table cells) but those don't extend to all standards (in other cells) and cluster lots cannot normally meet those standards. Changes are made to the fill gaps for missing standards and streamline their use. Notes 4 and 6 are edited to fix errors and clarify the application of standards.
- Changes are made to correct errors in standards for PUDs. Specifically, the current table has separate rows for PUDs in each zone; yet, the table entries were wrong, incomplete, or blank. These rows are proposed to be eliminated, with a general note (***) on each applicable zone directing the reader to the PUD section regarding dimensional standards. This greatly streamlined the table and eliminated the errors.
- Changes are made to correct inconsistent density terminology, to coordinate tiers of increasing density among the residential zones, and to clarify that density refers to the number of residences, not to commercial, industrial, and other uses.
- The dimensional standards table for residential zones did not have height limits, while the table for commercial zones did. When the tables were combined, this column was added to provide a standard for all zones.
- The standard establishing 1 single family residence per lot (when allowed) is Note (1) in the current table but it is located in the wrong place and does not fully describe the application of the standard. The table and note are edited to correct this.
- The current tables have errors throughout the columns for Minimum Average Lot Width and Minimum Lot Width, including consideration of lots on cul-de-sacs. Errors are corrected - for example, the Minimum Average Lot Width should be the larger number.

A copy of the Staff Report and excerpt from the Planning Commission March 9, 2022 draft Minutes are provided for reference.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Public Works Director Chris Spross said this is the second hearing for this Agenda item. On the first hearing we went through a PowerPoint presentation because there was a lot of information. Dean Patterson will go through that once again.

Dean Patterson, Associate Planner, said Churchill County is proposing to establish a new R-3 zoning district. It is called Intensive Multi-Family Residential District and there are a number of other minor changes and corrections were included in the ordinance. On page 2 you see the new description.

Changes to Zoning Descriptions **(p. 2)**

New R-3 district description

16.08.185: INTENSIVE MULTI-FAMILY
RESIDENTIAL DISTRICT (R-3)

Changes to R-2 district description

16.08.180: MULTI-FAMILY
RESIDENTIAL DISTRICT (R-2)

- **Coordinate urban resid. zones (R-1, R-2, R-3)**
- **Distinguish moderate v. high intensity**
- **Emphasize sewer and water connections**

Use Table Changes **(Exhibit A – separate)**

Added a column for R-3

R-3 uses are mostly the same as R-2

Coordinated R-2 and R-3 uses

- **R-2 changed for up to 4 units on parcel**
- **R-3 for 5+ units (apartment complexes)**
- **R-3 does not allow single family residential**
- **R-3 allows community services similar to apts.**
- **R-3 allows neighborhood commercial**

> Recommend removing multifamily from commercial zones

- **Error to correct – remove “S” in C-1 & C-2**

Density Changes **(Standards Table)**

Added R-3 to standards table (p. 8)

Checked nearby counties for comparison

Fixed open-ended density for R-2

Coordinated R-1, R-2, & R-3

- **Use increasing & tiered density**
- **R-1: 5 units/ac. (~7000 sf lots + roads)**
- **R-2: 10 units/ac. (previously not stated)**
- **R-3: 16 units/ac.**
- **>>Compare local city apts. - 17-20 units/ac.**

Density Changes **(Planned Unit Development Section)**

Added R-3 to PUD code section (p. 3-5)

Coordinated densities among R-1, R-2 & R-3

- **Start with base zoning density in table**
- **PUD allows bonus density for providing additional beneficial facilities.**
- **R-1: base 5/ac. // bonus 8/ac**
- **R-2: base 10/ac. // bonus 16/ac**
- **R-3: base 16/ac. // bonus 24/ac**

New standards for ALL Multi-family Development **(CCC 16.16.020.8 – page 9-10)**

- **New section (I)**
- **Describes how density is calculated (A)**
- **Requires balcony, laundry, trash site (E)**
- **3 paragraphs (B, C, D) that establishes a tiered requirement for open space.**
 - **2-4 units: Landscaping yards**
 - **5+ units: 20% of project site in open space**
 - **20+ units: tenant amenities**

Intensity and Dimensional Standards Tables **(CCC 16.16.020.1)**

- **Currently found in 2 tables with notes**
- **Deletes them and combines into one table with notes**
- **Eliminates redundancy and streamlines the table**
- **Fixes errors and fills in missing standards**
- **Adds R-3 zone and coordinates it with other residential zones**

Zoning District	Site Development Standards								
	Area And Density		Site Dimension Standards				Minimum Setbacks (Ft.)		
	Minimum Parcel Area *	Maximum Residential Density †	Minimum Lot Width (Ft.)	Minimum Average Lot Width (Ft.)	Minimum Distance Between Dwellings (Ft.)	Maximum Height (Ft.)	Front 7, 8, 10	Side **, 8	Rear **, 8
A-5 ^{1, 4}	5 acres	1 per 5 acres	150	200	60	35	30	25	40
A-10 ^{1, 4}	10 acres	1 per 10 acres	200	300	60	35	30 ⁵	30 ⁵	40 ⁵
E-1 ***	1 acre ⁹	2 per acre ⁹	60/30 ³	100/80 ²	20	35	30	10	20
R-1 ***	7,000 sq. ft.	5 per acre	60/30 ³	100/80 ²	10	35	20	6	20
	Corner lots 7,500 sq. ft.	5 per acre	75	n/a	10	35	20	6	20
R-2 ***	5,000 sq. ft.	10 per acre	50/30 ³	60/80 ²	10	35	20	5	20
R-3 ***	8,000 sq. ft.	16 per acre	50	60	20	35	20	20	20
RR-20	20 acres	1 per 20 acres	500	600	60	35	30	30	40
C-1 ***	1 acre ¹⁴	n/a – except for PUDs	80/30 ³	100	n/a	35	30 ¹²	n/a	10/20 ¹¹
C-2 ***	1 acre ¹⁴	n/a – except for PUDs	80/30 ³	100	n/a	45	30 ¹²	n/a	20
I ***	1 acre ¹⁴	n/a – except for PUDs	80	100	n/a	65	40	20 ¹²	30

NOTES:

* For non-PUD land divisions, the area of road easement or right-of-way may contribute to meeting the minimum parcel area requirement for parcels of 1 acre or more, and shall be excluded for parcels of less than 1 acre.

** A detached accessory building may occupy not more than $\frac{1}{2}$ of the total area of a rear yard. No such accessory building shall be nearer than 5 feet to the rear and side of the property line nor closer to main buildings on the same or adjacent lots.

*** Lot size, density, and dimensional standards for planned unit developments will be established during approval of the project; and where not established shall be determined by the building official and Director at the time of issuance of a building permit.

■ To determine whether various residential structures are allowed in a zone, refer to the use table in CCC 16.08.250. The maximum residential density for single family dwellings on existing parcels is 1 per parcel except as allowed elsewhere in this title, such as for accessory dwellings and 2nd permanent dwellings. The maximum residential density for multifamily dwellings and the creation of new parcels for single family residential development is as stated in the table.

2. Minimum average width for those lands with frontages abutting a cul-de-sac.

3. Minimum frontage width for those lands with frontages abutting a cul-de-sac.

4. Except when the lots are created as part of a cluster development, then the minimum parcel area and maximum residential density shall be in conformance with CCC 16.12.040.4 as an allowed exception to the Master Plan policies for Public Services and

Facilities and section 13.02.010.

5. Setbacks for lots within the Hazen or Stillwater town sites shall conform where possible to the following:

Front minimum setback = 30 feet

Side minimum setback = 10 feet

Rear minimum setback = 20 feet

■ 6. Lots created as part of a cluster development shall use the site dimension standards and minimum setbacks standards established for the E-1 zoning district.

7. Setback is from any road easement; where corner lots shall have 2 front yards.

8. Setbacks for detached accessory dwelling unit shall be the same as those for a primary dwelling unit.

9. Minimum lot size is $\frac{1}{2}$ acre if water or sewer facilities are provided; 1 acre if facilities are not provided.

10. An additional setback of 30 feet more than the listed distance is required along all State and County-maintained roads with speed limits greater than 25 miles per hour, unless the lot is less than 1.5 acres in size.

■ 11. This setback applies when the property abuts a Residentially zoned or residentially used parcel.

■ 12. 10 feet of this setback that is adjacent to the street will be dedicated to landscaping.

■ 13. 20 feet or a width equal to the height of the structure, whichever is greater.

■ 14. If community sewer and water services are extended to the property, the minimum parcel area is 5000 square feet.

Public Works Director Chris Spross said, currently, the way that R-2 is written in the code, it does not have a maximum density per acre, unless it is a PUD, which then is 5-8. Part of adopting the R-3 allows us to put some conditions and streamline R-2 on applicants that want to come in and simply get an SUP. The way R-2 is written, if you come in with an SUP you can determine how many units per acre. There is no 20% open space or landscaping requirements so, by doing this, we are also affecting R-2. The county staff is not going to go out in the county and start designating areas as R-3. This is an opportunity for somebody to come in and apply for an area to be rezoned but the county is not going to go around and change those. There is still the application process, which goes through the Planning Commission and then goes to the Board of County Commissioners.

Chairman Olsen asked if there was any public comment. H said public comments will be 3 minutes in length and we would like people to be civil and to stay on point. Civil discourse is what we encourage here. Come forward and state your name and address. We also have had numerous public comments come through in writing, emails, and delivered to us. There was one petition that people had concerns about water. There were 50 signatures on that.

Linda Thompson said I am a resident in the county. I am taking this rezoning that they are talking about in regards to the plans that they have to build massive housing over off of Casey Road. We need housing that is affordable but I am wondering how much are they going to charge for that housing because, if it is \$1,000 or more, it is not affordable and when you have people that are making \$28,000 a year they cannot afford that. I don't see any major businesses coming to town in order to employ all these people that we are wanting to house. We are going to be building to call people to come to Fallon and then we are not going to have anything for them to work at, so they are going to have to travel to Reno. We are going to become a bedroom community. They are going to use our water, our schools and they are not going to leave anything behind for us. I don't see any plans in place to protect our water. We are already tight on water as it is. We are in a drought. The schools are already strained. The last I knew, our teachers are short staffed and I haven't seen anything about the impact for fire, police, traffic. Our infrastructure does not seem to be up to code to handle this kind of multi-family facilities that you are planning. I honestly believe that this is something that should be on a ballot for everyone to vote on just like they should have had the chance to vote on that city center that we didn't get to vote on. Your meetings are during the day, so people can't come to them because they are in Reno working already because there is nothing here for them to work at. Everything is negative against this housing complex and I would really like to see it taken down.

Amber Sanchez said I come to you today in vehement opposition to this R-3 zoning. I don't know enough about it and I don't think that this presentation told me enough about it. For instance, that graph that was on the screen, I couldn't read it and I don't know if anybody could read it. Is there somewhere where we can look at this? Chairman Olsen said it is all available online in the Agenda Packet. Amber Sanchez said I think there should be more effort made to get this out to the public that we can actually see it so that we know what they are talking about. I just think there needs to be more outreach. I would like to know if there were any impact studies done like traffic, schools, water, or anything else that would be impacted by these multi-family units that can spring up. The way I am hearing it, practically anywhere somebody wants to take

an acre or two and apply for an R-3 zone. How would the surrounding landowners also be notified of any applications being made in their area? That was not made clear. They are stakeholders. I mean, we are all stakeholders if you want to throw it down. I would like to see some meetings held and well-advertised and, in the evenings, so then people can make it so that we know exactly what is going on. We can see it. Where nothing is hidden, because I feel like that building that you all built out there at the fairgrounds was done completely clandestine. I am not happy about the way that was done and I don't want to see anything else done like that. There is a really good letter to the editor written in the Fallon Post, which says be afraid, be very afraid, by Jim and Lori Souba and I will just read from it here. It says "the new growth should be sensitive to and respect the character and the culture of our existing rural neighborhoods. New growth should not be haphazardly 'spot zoned,' force-fitting it wherever there is undeveloped property that can be easily connected to their utilities.' So, we do need housing but why can't it be built out where there is not existing single-family neighborhoods? Are we going to have input into that should it appear in our neighborhood? I think that we need stakeholder meetings and we need a whole lot more input and I don't want to see a decision made today by any stretch as to if you are going to approve this or not today. I would be very unhappy with that.

Jackie Ugalde said I was at the first meeting for this and I have just a few simple questions. In the latest paper where you are stating your R-1 with 5 units per acre, these are not single-family homes. Are they 3-4 story apartments and how many apartments across, 10-15 or 20? You are going to block us in. If you go into Reno past the Nugget, they built those new apartment buildings right to the north and they look terrible. They look like anthills. I can't see anybody living in them. It is too compacted. This is not Reno. We want the small-town flavor. We don't want 50,000 people in a small area. We have a lot of area. Don't jam it up. It is not healthy. Look at the lemmings, when they get overgrown with too many people, they go over the cliff and kill themselves. We don't need that here. We are going to end up with it because the more compact, the more pressure people have on each other, the more crime goes up. Reno has gone up how much in the last year. It was on the news last night. How many more police calls, how many people were killed, how many things are happening that don't have to happen because people are jammed together. You have to give breathing room. I think we need more houses, that is not a question but you can't just put us in like an anthill. I looked up last night on Fallon real estate. There are 59 pieces for sale. Three of them were vacant ground to build your own house. The others were houses, whether they were old ones that need to be redone or new ones you could move into, ones that maybe you want to paint or something, but 59 are still open. People aren't buying because the prices are so high. What are you going to do with this? You are not going to sell these apartments for nothing. Who's is going to buy them? There aren't jobs. They say this new little place is going to open up for 60 employees. I understand there are a lot of people that aren't working in Fallon. You are not going to get 60 new people to buy these houses. These are probably people that are living off of unemployment insurance. They are not working. I tried to go to the post office today. The one on Lattin Road was closed because they only had 3 people working for the post office and they kept the main one open. Why don't we have people working? This is not going to solve any problems that we already have in this community. I don't mind if they build houses but not so congregated.

Lori Souba said I live right next to the Birch Road development. Mr. Barbee and Commissioners,

I am sorry to say that I and a lot of my neighbors have lost trust and faith in the leadership of the county because of what is happening in our neighborhood, on Coleman Road and other developments around Churchill County. Spot zoning in our neighborhood on one and putting a 3-story, 400-person unit complex on the other end of our neighborhood with mitigation that doesn't even meet your own standards. It makes me think that developing an R-3 zoning, if you can't be trusted with what you have now, why would we trust you with that weapon in your arsenal of planning and development of our communities. It is scary to think of another neighborhood going through what our neighborhood is going through. It has been a year long battle and we are all tired. We want our neighborhood to stay rural and we want our lifestyle to stay rural and quiet. We do not want these 600 plus new units in our neighborhood. We don't want this to happen to any other neighborhoods. That is exactly what would happen with this zoning. We know that you are developing right now where it is easy to attach to utilities. That means that, if R-3 is approved, the first contractor that builds gets approved, they are going to be dropping 28 units per acre next to a neighborhood just like ours and it is going to destroy their rural way of life like the proposed development in our neighborhood will destroy ours. We are asking you to keep Fallon and Churchill County rural, keep the building rural. R-1 and R-2 is plenty high for our county. We have plenty of space. Build on it all. Bring in the housing that you need but don't destroy our neighborhoods doing it.

Steve Blais, who lives on Silver Circle, said I was looking at your presentation earlier and I noticed the setback for R-3 zoning is just going to be 20 feet. Just for a visual reference, from the front of your bench to the 2nd row is 20 feet and that is a setback. For a 35-foot-high dwelling, you are going to have a 20-foot setback. That is not going to be in accordance with current housing. E-1 housing that has a 20-foot setback, if you have a 35-foot house or apartment complex and there is only a 20-foot setback, you are looking right at somebody's back balcony or their stuff hanging on the line. For people that are in E-1 housing that is a bummer, that is a massive bummer. Second of all, I live in the county and I feel like I don't have a lot of faith in our elected officials because you guys are withholding from the entire community, not just us that are disgruntled. I think we all understand the need for housing and it is a difficult thing to solve. I think it would give us a lot more faith if our infrastructure was already in place to support this type of bonus density, which by the way, PUDs would be bumped up to 24 units per acre with their bonus density. Looking at the PUD development that was on the Birch Lane area with their big park, that grants them their bonus density because they hit that mark. The infrastructure on Birch and Allen is terrible. It is absolutely terrible. There are no dividing lines on Allen. We are all aware of this. Coleman Road, Casey Road, these are no streetlights, there are no sidewalks, there is no bicycle lanes. It took us forever to get one bicycle lane on Sheckler and it is only connected on one end. That is terrible. Like, if we want to go with this modern housing for lots of people, we want this bonus density and multi-family dwellings in Fallon urbanized. I understand that. It is lots of money and the county can totally use that, but we don't have the infrastructure to support that. If we had that infrastructure, I would feel a lot more comfortable with it. We need to fix these roads and put some streetlights up and bicycle lanes and sidewalks and it would make a little more sense but, as of right now, it doesn't make any sense. In the R-3 zoning I understand the fact that we need to clarify some things but it is not going to fix the problems we have already. You go ahead and change the zoning and then you start approving these zoning issues and then the developers come in like the developer for Birch

and Casey. We are going to run into issues when these developers start putting these houses in and they are just looking at money. It is a business. They have to look at money. We are not going to have streetlights, sidewalks, we are going to have traffic issues, I mean, as is for the Birch community, that is 684 new units with the bonus density allowance. That has got to be at least 1,000 vehicles because you have to figure at least 2 people are working because of the cost of living right now. So, you are looking at 1,200 new vehicles on Allen, Casey, and Birch and there is nothing to support that, not to mention the boil water order that was handed out for the community that is right off that area. We don't have the infrastructure. I would really appreciate it if you guys would think about that before you vote.

Launa Workman said I have lived in Fallon off and on since 1946. I don't want streetlights or sidewalks and gutters. I live out north of Soda Lake off of Workman Road. I used to be able to say there was nobody there but family. I can't do that now. I can still yell at my nephew when his music gets loud. What about the sewer? I know I am not politically correct. Water Treatment plant. It is being rehabbed right now. I didn't hear anything about sewer or water. Don't we need infrastructure? I don't want, excuse me, there is a 3-story building here in Churchill County. I don't know how that got there. It is helping the community. It is much needed but we have got to plan. The last Planning Commission meeting that I went to, one of the individuals slept through the whole meeting. Let's think about this.

Chuck Sanchez and I live off of Dallas Drive. We are going to be impacted with this increase in housing, especially with the multi-family units and that that are being put off of Casey and Birch. We have a lot of extra traffic from the subdivision and that, that was put in just down the road from us and the roads along that ditch and Casey and Birch and all of them are being used by these people and that from these subdivisions to get to town. Also, on Casey Road and that is being used by everybody west of McLean Road and everything to go to Walmart. The traffic on Casey road is unreal. You get to the stoplight at Walmart and it is always a backup. It is a good place for accidents. You got people that are coming through that don't pay attention to the traffic control lights. They put in a traffic control light out a Sheckler and it has fixed some of the problems but there are still a lot of accidents. You add to that the people leaving these subdivisions to go to Reno to go to work and that and they are going to be going down Casey, Bottom, Sheckler Road and everything else to McLean. McLean has no traffic control. Lots of accidents there. Allen Road is congested. The other day I had to drive back through the parking lot behind Louie's to be able to get onto Allen Road because it is backed up past the street there behind Louie's by the auction yard. Traffic and that has to be addressed. Churchill County needs an infrastructure. If you build all these houses and apartments and everything, who is going to take care of the sewer and water? Does the county have a sewer and water department? If there is a problem, who is going to respond to it? Who is maintaining it now? Is it under contract? You can't put streetlights or you can't get the state to put streetlights or traffic control lights randomly wherever it is needed. They have to do a survey. How many people have to get in accidents, get killed until the state responds to the added traffic? The county roads are not lined and the only roads that are lined are state run roads. We need an infrastructure before the houses and the housing that is needed should be done in a responsible way.

Raena Blais said I live on Silver Circle. I have lived in this town for 28 years. In that time, I have

seen several changes in Fallon and witnessed many businesses come and go. When I moved here with my family, Safeway was located where CVS stands now and Walmart had not yet been built at all. Although several changes and growth we have seen here has been, undoubtedly, for the better of our town and our livelihood. I strongly believe that the zoning changes proposed by the county will not be a change for the long-term improvement of our way of rural life and our town standards. My fellow town people and I who have purchased homes, raised families, and lived for many years in Fallon fully understand the need for homes. We are not ignorant or blind to the need for housing in our town. Please consider the rapid amount of growth that you are potentially proposing for our small town and the irreparable harm that it may cause 10-20 years from now. I read the placating and carefully worded letter from Mr. Olsen addressing the towns concerns for growth. I found it to be belying and lacking for any acknowledgement of the long-term effects for the decisions that were made and that will be made in this council room today should the zoning be changed. Decisions that will shape our way of life for years to come in this town. Decisions that will never be able to be reverted back to from this point forward. At some point, this town had no Walmart,. it had no Boot Barn, and there was no need for a bus system to ferry employees back and forth to go to work at Tesla. We know there is a need for growth. High density housing, putting high density housing into already planned county neighborhoods where, to quote Mr. Olsen's letter, 'there is no agricultural loss,' will only be replacing problems with a number of different kinds of problems. You will allow for a large number of homes in these areas but what about the traffic? Who is going to want to live in an area where it takes an extra 10-20 minutes longer to get to work in the morning because the traffic is so bad, which it already is and especially in my neighborhood and on Casey Road and on Allen Road alone. Who is going to want to live in an area where there are sewer and water issues like the boil water issue that was released to the neighborhood right before the request for higher density or the development for the Birch Lane property? Who is going to want to live in an area next to a noisy park? Who is going to want to live in an area with increased crime rates because of the lower income housing developed next to nicer county homes? Who is going to want to live in an area with traffic and it takes a million years to get anywhere in this town and it takes a million years to have a traffic light put in this town? Like we all know, it takes a long time. Let's grow but let's grow at a rate that we can sustain because, let's be honest, Tesla may be gone someday. Elon Musk closes down factory's willy nilly. Boot Barn and the 15-20 potential employees that will be gainfully employed there might be gone someday. I have seen several clothing stores shut down and businesses in that town, for that matter. We have had an Arby's before. We are getting an Arby's again, and guess what? Arby's might go away again because I have seen it happen here. Reno and USA Parkway problems do not need to be our problems. You say that you love this town and you say that you want what is best for the people in this town. Show us you care about rural Nevada and we will show you our gratitude when it comes time to vote.

Nancy Hoggard said you probably already know me by now. I spoke last time and that still stands. I was prompted to speak again because of Mr. Olsen's letter. There is nobody that is more patriotic than me. I understand the military. I worked there for 25 some odd years. There is nobody that loves the military more than I do, but I love my neighborhood and I love my town and I love my county. It is a great place and we all moved here for a reason. Spending about 3 minutes, Mr. Olsen, you don't get it. You live in a home well in excess of \$1M, easy on the internet and have a multi-million-dollar business and thank goodness agriculture will keep your

land safe. In the Planning Commission, it was identified that this change to add an R-3 zoning code was for a specific developer. I question R-2 zoning to be maxed out at 16 homes an acre. That is not enough, we have to have 24 residences an acre. Sixteen blows my mind. The Fallon way of life that so many of us live here for. The 2 Commissioners who campaigned a little over a year ago and Dr. Koenig, when you campaigned, we talked last year when I spoke about the rural way of life and that you were going to support that. Dr. Heath, we chatted and you had even more great visions for this community. I can only hope that Dr. Koenig and Dr. Heath can have some respect for the rural way of life and let some of the rest of us maintain that. If this R-3 zoning goes through like the presentation, any developer can request the R-3 zoning. Even if it is developed just for one developer. I hope you can consider that and I do appreciate your help. I know you are stuck here having to listen to me every time but I really kind of hope you will listen to everything I said.

Tanya Freeman said last time I read the constitution, it starts out with "We the People." We the people have spoken. We don't want these changes to take place in this county. We want planned development. We want it to be done deliberately, with infrastructure in place prior to these buildings being put up, not just willingly thrown out. You have heard from a lot of people today saying that we don't want it and I agree with them. It needs to happen but it needs to happen at a slower pace.

County Manager Barbee said I tried to note some of the different issues that were brought up and I will try to address each one of those. There were a bunch of references back to Birch Lane and Casey Road. I want to reinforce that this is a code change that is proposed today, not a zone change on any property within the county. I appreciate the comments Chris made that there would not be any laid over zoning that would be done. That can't be done. It has to be brought through the process, which includes going through the Planning Commission and then coming to the county. The action today is specific to what we have up before you on the screen, which identifies what our existing R-2 densities are as they were compared to the new R-2 and R-3. What we are doing is we are bringing forward a recommendation for code change that, although it uses the words intensity and density and all those parts and pieces, this actually restricts the code from what it is today. Currently, in an existing R-2 zoning, a developer would be able to bring forward to the Planning Commission a proposal of unlimited density and then with small setbacks on the same 35-foot roof with the same requirement for 1.5 parking spots per unit. I want to be very clear; this restricts the density not expands the density. We have PUDs, which are a separate different process.

In terms of employment, the current unemployment in Churchill County is 2.4% as of February 2022, per the federal government. I would refer folks to take a look at the E-Kay Consultants document that was prepared on the housing study back in September and was presented around that time period, which was an update of a previous study that was done about 2 years prior that was basically suggesting that, from 2021-2025 in this community, we will see from a low of 1,577 new jobs to a high of 2,257 jobs. It suggests that we will see an average, to stay up with the amount of jobs that exist, the housing requirements for that needed per year will be around 328-470 units. The demand for active NAS Fallon personnel from that time frame will be at a low of 1,088-1,801. That is just a few of the stats that are found within that document. What we

are bringing forward is based on research and studies that have been put forward over the last 4 years to address, not only the housing needs, but to also address where we are under water, in terms of housing.

Speaking of water, currently, we have the county's holdings, which I also referenced at a meeting a month ago when the water engineer that represents the county along with the USGS came in and presented on the aquifer and the water quality and on the holdings of the county. All that is online and I would encourage you to take a look at that because it is really tremendous information. Currently, the county's holdings, the county itself, is 2,200-acre feet of underground water rights. We have 1,056-acre feet of surface water rights. We have permits as estimated by USGS and the BOR for future development in Dixie Valley, somewhere between 10,000-20,000-acre feet of rights and currently, at the Sand Creek Water Plant, which is a water plant that the county has, we have 1,449 EDUs or what would be the equivalent of that at a multiple of 1.12-acre feet for a single-family home recognizing that for a multi-family home you get double that benefit because your water consumption is less. Multi-family homes are .56 water usage. They actually seem to be a little bit less than that. It would be the equivalent of the footprint multi-family makes in comparison with single-family homes. Since that brought chuckles, a 400-unit multi-family complex at 16 units per acre represents roughly 35 acres of land usage whereas a single-family home on a quarter of an acre would represent 100 acres. The example of 400 single-family homes would consume 448-acre feet of water dedication, whereas a 400-unit multi-family complex would consume half of that or 224 acre feet of water.

Regarding setbacks, that was one of the topics, this would change the setbacks currently on existing R-2 is 15 feet, 5 feet, and 10 feet. Dean Patterson said the 15 feet would be the front street setback and 5 would be the side setbacks and then 10 feet would be the rear setback. These will change significantly. On the street setback, we don't have a 20-foot setback, you have cars parked in front of the building and they stick out in the street. We have a 15-foot setback. County Manager Barbee said so 20 feet, 5 feet, and 20 feet and then to the R-3 it would be greater. It would be 20 feet, 20 feet, and 20 feet.

Roads have been brought up and very much justifiably so. As a PUD or a zoning change brought forward through the Planning Commission by a private property owner, when we say developers, these are folks that actually own the property and so they are bringing forward their proposals, in that process, they are required to do a road study. In that process, the road study has to be developed by an independent engineer that would review that stuff and bring it to the Planning Commission and then, basically, the Planning Commission, working with the developer has to address those issues before approval. Director Chris Spross said, so if the study says you need a turn lane, that becomes a condition of approval of the PUD. County Manager Barbee said and with that, the engineer takes into consideration the number of units being built and the number of cars they estimate. Director Chris Spross said they have people that specialize in this. They also know which direction they are going to go based on where they live and where they work. County Manager Barbee said that is not necessarily the Birch Lane/Casey Road project that is germane to what the action is that we are trying to take here today. There is a road study going on but has not been released yet. Director Chris Spross said there was an initial study done when the PUD was brought up that was just south of Birch Lane. There was a road study done since

then. That project potentially expanded, so they are going back to their traffic engineer to incorporate that expansion into their study, so that is still forthcoming. Raena Blais said from the audience who decides who the traffic jam engineer is? Chairman Olsen said I am sorry; we won't take comments at this time. County Manager Barbee said, on water and wastewater infrastructure, the Sand Creek plant that we currently have is at 31% capacity, 83% committed capacity, which basically 31% is current, 31% has been purchased but is not being delivered and 21% of it is in reserve for PUD or other projects that are already on the books. It is able to be expanded, obviously, at a cost, but basically, that plant could be duplicated in the way that it was originally configured. Director Chris Spross said it can be upsized from 1,000 gallons per minute to 2,000 gallons per minute. County Manager Barbee said so, at 1,449 EDUs, that represents 1,622-acre feet of water of which currently, only 31% of that number is being delivered. On the Moody Wastewater Plant, we are at 14% of current capacity and that is also able to be expanded with its capacity. It produces effluent water that is able to be used for agriculture and landscaping, although we do not have the infrastructure, at this point, to utilize it for that. that is one of the things we are working on. There was a comment about water rehab. That plan is not water rehab as brought before the commission previously and you have approved as required by state law, it needed a redundant well, which is the well that is being placed on the corner of Casey and Pine Roads, so that is basically, if the well that the plant it is operating off of were to go down, it would be able to immediately shift to the redundant well so that we don't have a break in delivery. I think I have addressed the topics that I heard. Previously, in some of the comments was the concern about recharge in the overall capacity of water that we have per the study that was done or per the presentation that was done within the last 4 weeks by the water engineer. Our shallow aquifer recharge, specifically from the Newlands Project, represents 50,000-100,000-acre feet recharge per year. The intermediate aquifer recharge, which comes from the shallow 50%-100% is 32,000-acre feet of water, which is where the operational water plant well that we utilize actually comes from there and the natural recharge is 1,300-acre feet and the inter-basin flow, which largely comes from the Fernley basin, is 1,200 acre feet a year.

Chairman Olsen said, normally, what we do is confer at this point and let staff discuss this but there were a lot things that were brought and I think Jim did a pretty good job of addressing the concerns that were brought up here today and I would like to give everybody one more shot at public comment so everybody gets a chance to say what they think.

Steve Blais said I appreciate the responses to all the questions. I did bring up streetlights and I understand that, with a PUD, there will have to be a traffic study and I imagine that will have to be approved. Looking at the existing R-2 zoning, there is no maximum density but there is in PUDs already. If we change it to R-3, we can do 16-24 bonus density, so PUDs already have a maximum density, which is less than 16-24, so, there is a change. That was one of the comments that was made about the fact that there are trying to be more restrictive with the new zoning. I do agree that the setbacks for 20 feet makes more sense, however, in PUDs they already have setbacks in place as it is. I would like to reiterate the fact that there might have to be a traffic study for the PUD and then, in accordance with the developer working close with the county and whatnot, I feel like the public would have a lot more faith if we had infrastructure in place, like I said before, not once there is a meeting with the developer because you get a lot of people that are upset because things are going to change. If we show things are going to change in a better

way, then you might have a little more support. As of right now, they are not very supportive. Chairman Olsen said the process that we have here is somewhat drawn out where it hits the Planning Commission and then goes to staff and then, if it gets approved at the Planning Commission, it is handed over to us here and we vote on it. There are multiple opportunities for the public to interact, have input, give their advice as to what they see and that opportunity is there. We are not going to next be approving something because there is a process that has to take place. Steve Blais said I am aware of that. Chairman Olsen said, as Jim was saying, this is not particularly germane to your neighborhood, currently. We are merely doing some clean-up and part of that is seeing the staff say the need to have R-3 zoning there rather than have it all on R-2. Steve Blais said I understand that but my only concern is that will we be doing this again in another month? Will I have to take time off of work again for another meeting, which a lot of people have to do to address the exact same concerns for these developments throughout the county. That is my concern that we have to do this again and again and again. This has been a long process. I know it is not germane to the Birch Lane community but it is really germane to the entire county. That is a lot of concern.

Chuck Sanchez said regarding County Manager Barbee's response to the water supply for Sand Creek and Onda Verde and stuff like that. They are saying that it is at 31% and also in that 31%, having talked to a lot of the people that live in Sand Creek and that, a lot of them don't have yards for the simple reason that the base charge is \$50 a month for water, if they put in a lawn or garden or anything else. Some of them have had their water bill go up to like \$400 bucks. You want people to move into these places, landscaping and stuff, they cannot afford it. We are going to put in a multi-family dwellings and stuff and a park and everything else. Are we going to pipe wastewater from Moody Lane back across the county to use in the parks or are we going use water from the water system and that that people are using for domestic use. These are things that are not being addressed. I was a water distribution officer for the Carson River Estates and I have seen what it takes to take care of a system. It can be easily abused, so we need to have some type of structure put into this and that before we put it forward. We need rates for people to be able to survive and get affordable housing and that, which we need and there needs to be other things addressed. What are we going to do with water? What are we going to do with waste? If it is water treatment, a new well, what standards does this new well need because they are going to have to be treated also. What about the effluence from the treatment. This city puts it into their wastewater treatment plant and it goes down the canal. Are we going to do the same thing here? These are the things that need to be addressed.

Lori Souba said, after listening to everything that has been said, I think this all comes back to trust. You say there is a lot of communication and a lot of opportunity for communication with the county residents and we are speaking. We have been speaking for a year. In our neighborhood we have. We have given you signatures and we have not seen any impact of what we are saying. We can talk and talk and talk but, unless we know you are hearing and listening and implementing what we residents are hoping and wanting for our neighborhoods, there still will be no trust. That is why this R-3 zoning is so scary to us. If you can't be trusted with the current zoning and we don't trust you with the current zoning. You are spot zoning our neighborhood. You are allowing 2-story apartment buildings to back up against 1-acre E-1 zoning with laughable mitigation. You are not implementing and you are not addressing our

concerns. We don't trust you. The thought of R-3 zoning in Churchill County, to me it is like putting a hand grenade in the hand of someone you don't trust with a firework. For Churchill County it will be like a weapon of mass destruction because you will be able to drop 24 units per acre into or next to our E-1 and R-1 neighborhoods. That is a scary thought to those residents and homeowners in the county. Until we know you are hearing us, until we know that you are addressing our concerns, this mistrust is what brings us all here because we don't know what you are going to do to our neighborhoods next. To the commissioners, we are just asking you to live up to the promises that you have made multiple times, to protect the rural way of life in Churchill County for the homeowners and current residents and don't put us on the back burner in preference to possible future itinerate residents of some of this apartment complex zoning. They are going to come and go and we are here. We have invested in this community. We bought homes and raised families here. We should be protected from this insane fast dense building that is being done. We need your protection and we need to see you protecting us. That will build trust. Anything less than that then there is going to be a fight to the end.

Amber Sanchez said I concur with what she just said, by the way. Why does this feel like the UN Agenda 2030 to me, you know. Why am I feeling this? Help me. Take away my fears because this is what I am hearing, stack and pack housing. Why are the sidewalks going in all of the sudden in Fallon? Are they going to take away our cars? Is gas going to go up to \$8 a gallon so we can't drive so you think we are all going to have to walk everywhere? This is what I am feeling, you know. Correct me if I am wrong, please, because it keeps me up at night.

Commissioner Koenig said you are wrong. We are not going to take away your car and make you walk. Amber Sanchez said that is what I am thinking. I still have not heard, even though the gentleman came up again, I haven't heard from either you all or the gentleman how the homeowners are going to be alerted to or have some input in something that might happen in their neighborhood. Chairman Olsen said there is a process depending on what it is, as for a PUD, if you are in proximity, you are going to get a letter. For a Special Use Permit, zoning change, any of that stuff, the surrounding neighbors are going to get a letter in the mail. Amber Sanchez said so it will be like a sphere of influence. How far out does that go? Director Chris Spross said it is dependent on how dense it is. Sometimes it is 300 feet and sometimes it works up to half of a mile depending on many current residents are in that area. Amber Sanchez said because it makes me a nervous wreck thinking I am going to go around looking for an empty lot. Chairman Olsen said all of our Agendas are posted online. Anybody that has a connection to the internet can find them. The Planning Commission is the same way. You can look at everything before it happens. You can go out here in the foyer out front and they are posted on the Friday before the meeting the following week, so there are opportunities, I think they are at the Library. Pam Moore said they are not at the Library anymore because the legislation changed. We only post here and online. Chairman Olsen said, because of the internet, we don't have to post at the Library anymore but there is ample opportunity to find out and, Amber, you have been a fixture here at times, in our meetings so you know how this works. Amber Sanchez said I do but I don't feel like I should be the one to babysit. I would like to have someone let me know when something is going to happen in my neighborhood. Chairman Olsen said, if it happens in your neighborhood, you are going to get a letter. Amber Sanchez said will it be in plenty of time to have input? Chairman Olsen said, yes, you would have plenty of time to have a private conversation with any of us. People have found us. I have gotten lots of emails like the ones you

send to Pam and she passes them on to me. Amber Sanchez said Lori Souba is very frustrated, right now. I hear it. it seems like she has reached out and reached out and reached out. Chairman Olsen said I took the opportunity yesterday and spoke with her husband for about 40 minutes. I have known Jim Souba for a long time and he is an honorable man. Amber Sanchez said well I am glad to hear that but I feel for her because I would not want to be in her shoes at this moment in time. She has a battle on her hands and I don't feel like she is getting the ear that she is needing. That is what I am feeling. I just want to make sure, well, I still want to stand in opposition to this. I have said my peace, thank you.

Del Thomas said I live on Pine Road and will be directly affected by this as with many of those who are in this room. Several weeks ago, we attended a Planning Commission meeting where this was being discussed and they approved it to send to you to be considered. I approached one of the members and I made a comment and asked who he worked for and he says "I don't work for you; I work for the county." In my opinion, it doesn't matter how many people come here and sit in these chairs. I think it is a futile effort. I think you have already made your decision and it doesn't matter. This is just a formality where you just check a box and say 'let's move forward.' I don't believe that you are hearing what we feel. I don't believe you care. I think if you want this housing, put it out in your field but not in my backyard. I feel that when Mr. Barbee says there is a process to approve, I think that process is just a formality to where we gave the public their comment and now let's move on with the project. What we have to say has no influence on you whatsoever. That is why we feel that we have no confidence in you guys whatsoever or that you have our concerns. I guess what I am trying to say is thank you for giving me the opportunity to check a box. I don't know that you are going to have any change of heart in what you are planning to do. We are citizens of this community, which we care about very much. We want the way of life that we want here. What you are proposing on Birch Road and on Coleman Road. Chairman Olsen said we are not proposing anything on Birch Road. We, these 3 folks right here propose nothing. Del Thomas said but you approved it. Chairman Olsen said. if the Planning Commission approves something and it comes before us. then it will be on our plate. We have overturned things that they have brought forward. There is a safety valve here where we, the elected, we are the backstock. The folks at the Planning Commission do a lot of good work for us and go through these things and then it is passed on to us and it is that multi-layer process where the public has multiple chances to have input and give their voice. Del Thomas said then why do we feel a lack of how do you care about what we feel about or what we care about? Why do we have such a lack in confidence in you? Chairman Olsen said I don't know why you would feel that way. Del Thomas said the evidence has been to let's move forward and it has been kind of done in, I think there are things in the background that you are not letting us know. Why do we need all this? I think there is a way to meet the needs of the housing for the number of people projected to come into our valley without building all these multi-family buildings. There is a way to meet that need. There has got to be some other reason. I guess our suspicious way. Commissioner Koenig said I want to address that this second. I have seen multiple letters from people accusing us of taking bribes, lining our pockets. You know, you are accusing us of a felony? You may not have said that but there are people that have, so to accuse of us committing a felony for what? What do we gain? I guess if you are going to give us a million dollars, that is what you are saying we are gaining. We have never seen a red cent. So, for you guys to accuse us of doing this out of nothing but greed and committing felonies, is

preposterous. Del Thomas said I make no claims. Commissioner Koenig said you said 'I don't know what the reason might be.' Del Thomas said, as far as the county is concerned, I don't presume that there would be you or Mr. Heath or Mr. Olsen that would be personally gaining from any of this. Commissioner Koenig said maybe not you but there are others that have. Del Thomas said you see the existence of the lack of trust. Commissioner Heath said I don't know why people think a lack of trust because the last time this came forward, there was so much resistance to the Birch Lane project that the gentleman actually pulled it off. He took it away. That is zoned for E-1 for in the near future until he brings it back. We don't know what is going to happen but there was so much resistance and the process worked and the gentleman actually pulled it off. This has nothing to do with Birch, right now. That is still in the process. E-1 is going to stay with Birch Lane, which it is already in place and I think that is what you guys are in too. E-1 is staying. We have no plans to change it in the near future. Your trust worked because we listened. There was so much resistance to the Birch Lane project that the gentleman actually pulled it off.

Chairman Olsen said, Del, you are asking good questions and how do you make you trust us? You have to provide feedback. We listen to you guys. I can remember 7-8 years ago, the FRTC and the Navy, we had 350 people in here on a hot July evening and you know what? The BLM has a way of saying that and there was no lack of comments. Thirty-five people made comments that night. I am telling you that, as a politician, when I see 350 people in the room, that is a statement all by itself. You folks are here today and you care and that is great. This is the time for us to hear what you think and we have been very liberal at allowing people to have a say and a second say and try to make this interactive so that you can understand a lot of the concerns about water, sewer, those things. They're unfounded. There are no, at the current time, concerns about water or sewer. Traffic and some of those other things, yes, there are concerns and they are all valid. There is a process for those things to be addressed, as well. Some of this is, we don't drive these things. If somebody comes to us with a development they would like to do, they drive it. They bring it to us and it goes through the planning process. It starts at the Planning Commission and if it is approved, it comes to us. Through that process the public has plenty of opportunities to come here and say so. Commissioner Koenig said I feel the frustration you have but the reality is you are probably going to be back here again. If the person who owns that land comes up with a plan and it passes through the Planning Commission, it will be before us again and, at that point, we will make a decision of what to do. Right now, there is what if, what if, what if. We don't even know where these are going to be asked to put or how many or what their plans are so, how can we address all these things when we are not even sure where these could potentially go? We have to deal with them as they come. I received, and I kept tally, it was about 3-1 for this. About 33% of my emails were for this and I said if you guys are for this, why don't you come to this meeting and they said they are not coming into a room full of people that are passionate against it because they don't want to get attacked. We represent the whole town not just your neighborhood. There is a portion of this county that this is what they want and they need. We will deal with it when it comes and, Del, I am going to listen to you and I don't think we should have a bunch of 3 story apartment buildings up against your property line either. We will look at it and make choices that make sense but part of it is you guys are pretty inflexible. Unless we do exactly what you want you are not going to trust us. We represent the whole town not your neighborhood. We are going to listen to you and, if we pass this today, this has nothing to do

with you until the developer brings it to us and then we will have to open it up and do it all again. Today has nothing to do with the specifics of Birch Lane or Coleman or the specifics of Pete's field. None of those are what we are talking about today. You guys are emotional and I understand it but I will talk to you again when it comes forward.

Del Thomas said thank you for your time and please know that we care very much about our community and we want. Commissioner Koenig said it is our community too. I have lived here longer than you have. Del Thomas said I just want to say that 33% was positive that meant that 67% was negative. Commissioner Koenig said but the addresses were all in your neighborhood. Del Thomas said I want to make sure that you understand we have a great frustration of trust here and what you're deciding today is not about Birch or the field in between Pine and Casey Roads, but down the road, how many more battles do we need to fight to protect the life that we have. You don't have to answer that. Commissioner Koenig said probably just one.

County Manager Jim Barbee said you said you live on Pine Road, right? Del Thomas said yes. County Manager Barbee said between Pine Road and Walmart is zoned R-2, which means unlimited density if this does not pass today. That is just a fact. I want to be very clear that you understand that it already exists and is right next to Pine Road. That is R-2 and, without a change today, as we stated in the spread sheet right in front of you, it is unlimited density. It is 40 to an acre or whatever a developer could bring forward and the Planning Commission would choose to approve and the Commission would choose to approve. It doesn't mean they would but there are no restrictions without this.

Chairman Olsen said I want to thank everybody for coming up making a public comment and being respectful and passionate and I know you are going to still be frustrated when you walk away from here today but there is a process there that if things do actually come to your neighborhood. Life is not a wheel because that property is in proximity to current infrastructure and there are subdivisions there already. It is surrounded by subdivisions. It has access to roads two ways out. There are a number of things that would make a developer look at that and say I can make this work. I would suspect you probably will be back here again. We will take a look at things if that happens. Who knows, if the economy crashes and housing crashes and all of these plans could go away tomorrow. Right now, we have to plan for what we can see. Some of these jobs we know are coming because they are attendant to the base. There are contracts that have already been let, like in the case of Enviro-Demil. Those are the ones we know about and those are independent of whatever the economy is doing. We have responded and interacted and now is the time for board and staff to comment. Commissioner Koenig said I think I have said enough, probably too much.

Commissioner Heath said the city limits are very limited. People have said why don't you put them in the city. Where are you going to put them? Unless you annex more property into the city, you are limited. The median home price right now in Churchill County is \$400,000. People cannot afford that. If we build more homes like we are trying to do, they keep coming back at the same price. You have to find some other way to get something for people to rent and I think this is the best way to do it. If you look at Walgreens and Sonic, that is all county, not city. It is weird how the city is hotspots around. We have Gallagher Livestock, which is in the county. Across the

other side, Crystal Cleaners is county. Dream Spas is county. The county can handle it. We have been doing trailer parks since the 1960s, which are C-1, which may change, I think. There are changes we are trying to make but without doing these codes, we are going to have a hard time.

Commissioner Gregory Koenig made a motion to approve Bill 2022-A, Ordinance 27, 32 and 39, amending the Churchill County Code to establish the R-3, Intensive Multi-Family Residential District, and other associated changes. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

D. - Consideration and possible action re: Modifications to the class specification of Deputy Chief - Detention Operations, renaming it as Juvenile Detention Director and assigning it to Pay Grade 67

In November of 2021, the Board of County Commissioners approved a compensation study for county positions. As part of that study, it was recommended that there be a differentiation and wage separation between the positions of Deputy Chief Juvenile Probation Officer and Deputy Chief - Detention Operations at the Juvenile Probation Department. In discussing these positions with Chief Juvenile Probation Officer Motulalo Otuafi, it became clear that the operations of the department have a hierarchy, where the Deputy Chief Juvenile Probation Officer has supervisory oversight over all the functions of the department, including over detention operations. That being the case, the Deputy Chief - Detention Operations is a subordinate of the "full" Deputy Chief. To have both positions named Deputy Chief could create some lack of clarity on the organizational structure.

When the compensation study was implemented, the "full" Deputy Chief, based on comparable salary data, was placed at a higher salary rate than the Deputy Chief - Detention Operations. It was noted at the time that this wage difference was being implemented and the employee overseeing the detention operations was notified of this change. The plan was to bring forward a revised job description to formalize the change. The revised job description is now presented. Staff recommends the position be placed at Pay Grade 67, which is the same grade as the current classification. With this approval, the old classification of Deputy Chief - Detention Operations will be removed from the inventory of classifications.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: There is no proposed change in the pay range for the position.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Human Resources Director Stark made this presentation as outlined above.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the modification of the class specification for Deputy Chief - Detention Operations, renaming it to Juvenile Detention Director and keeping it assigned to pay grade 67, effective 5/2/22 Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

E. - Consideration and possible action re: Request for funding in the amount of \$2,500 for the Fallon Armed Forces Day Event

Fallon Community Events, a non-profit organization which has filed paperwork with the State of Nevada for its 501(C)(3) status, seeks community support funding in the amount of \$2,500 to support the Armed Forces Day event scheduled on May 21, 2022. Event coordinators estimate there will be 2,000 participants and seek to recognize and express gratitude to all military members, current and retired, by providing a free lunch and a family-friendly event. This event will also be used to bring awareness to additional fundraising opportunities to support a tiny home community. Funds and donations are being provided by the City of Fallon and local community organizations and businesses. A copy of the Application for funding is provided.

FISCAL IMPACT: FY22: \$2,500 +/-.

EXPLANATION OF IMPACT: The Miscellaneous Support line item of the Community Support Budget currently has funding available to support this request.

FUNDING SOURCE: Community Support/Miscellaneous Grants: 100-401-70300.

ACTION REQUESTED: Accept

This item was tabled until a future meeting.

F. - Consideration and possible action re: A request for a one-year extension of the deadline to record Skyridge Estates Phase 8 (Michelle Drive) Parcel Maps approved on February 17, 2021

This property was originally owned by Twenty-One Lots Caleb, LLC and had been granted extensions pursuant to Development Agreement, Bill 2010-A, Ordinance 103, for submittal of a Parcel Map. The last extension expired on February 28, 2022. The McCreary family (D&K Development) purchased the development and successfully gained Board of County Commissioner approval of the Parcel Maps before the development agreement expired. They were approved on February 17, 2021. Approved Parcel Maps must be recorded within one year, with a one-year extension allowed. The developer is requesting a one-year extension.

The developer notes that approval of power plans by NV Energy took an excessive length of time and also notes that infrastructure construction will be underway soon. This development is located west of Soda Lake Road and north of Caleb Drive in Section 20, T19N, R28E, APN 008-174-84.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Public Works Director Chris Spross made the presentation as outlined above.

Chairman Olsen asked if there was any public comment but there was none. He said we have been dragging our feet on these extensions but this one has extenuating circumstances. Director Chris Spross said this was not the fault of the developer, this was NV Energy getting backed up

and they could not get the design done so they requested this extension. Chairman Olsen said I just want this in the record that we are trying to chop these things off.

Commissioner Gregory Koenig made a motion to approve the request from D&K Development to extend the deadline to record the parcel maps for Skyridge Estates Phase 8 for one year, expiring February 17, 2023. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

G. - Consideration and possible action re: Approval to submit the FTA 5339 Grant for two new electric vehicles for the CART Program and approval of the Agreement for the purchase of two new electric vehicles for CART if FTA funds are available

Formula funding will remain the same as it has been for the last 8 years. Vehicle purchases will be done with 85% federal funding and 15% local match for the Fiscal Year 2023-2024 grant cycle if federal funds become available. Local match for the purchase of two new vehicles would be \$48,236.48 or \$24,118.24 each.

By purchasing and utilizing electric vehicles, CART will be reducing its carbon footprint by reducing greenhouse gas and direct carbon emissions, plus the maintenance of electric vehicles is reduced due to less moving parts that come with gas-powered vehicles. CART has a plan in place to incorporate electric vehicles into the CART fleet to make the most of these cost-saving vehicles. With CART being proactive to the future of new transportation modes, CART will be in the forefront of this new technical operation.

In 2022, CART will be celebrating over 22 years of providing transportation services to the residents of the City of Fallon and Churchill County. Due to COVID-19 restrictions in 2021, ridership was down about 20%, which CART reacted and made operational changes for a safe environment on the vehicles for our passengers. CART still operates the Dial-a-Ride service Monday through Friday, a dedicated daily route to the William N. Pennington Life Center for seniors to take advantage of the lunch services and other activities provided. The Reno route, which operates on Tuesdays and Thursdays for medical appointments and for Veterans needing transportation to the Veteran's Hospital. CART also provides rides for persons with disabilities to attend a workshop on a daily basis. With the reopening of businesses and agencies in Churchill County, CART has seen an increase in ridership for employment, medical, and essential services needed. CART also provides rides to voting locations, which is important for clients who use mobility aids who would have no other means of transportation to take part in their right to vote.

CART has many partners, including but not limited to: Churchill County Social Services, Lyon County Human Services, William N. Pennington Life Center, and senior centers in northern Nevada, Paiute-Shoshone Tribe, local businesses, and RTC in Reno, with whom we share transportation needs and supply training to other agencies requesting assistance. CART is also working with Churchill County to provide transportation to residents needing transportation to the vaccination and testing site. Individuals may request a ride and all of the documentation is done right on the bus, with the nurses giving the vaccinations or tests.

This transportation program is funded with federal grants, state grants, and local funds, in

addition to the fare box and ticket sales revenue received from clients utilizing the transportation system. This service depends on having safe and reliable vehicles. CART has a plan in place to replace older buses that have seen their useful life and it has been proven to be more cost-effective to replace them. CART has and will always look for ways to replace vehicles when federal funds are available with a low matching requirement.

CART is requesting grant funding from federal FTA 5339 funds available through NDOT. Included in the grant Application is a quote on the purchase price for two electric vehicles. This submittal is in reference to Fiscal Year commencing October 1, 2023 and ending September 30, 2024. The county is able to use in-kind services and to offer space as part of the matching portion of the grant.

CART has made several operational changes in the past year due to COVID-19 restrictions and policies for using our service, i.e. bus sanitation throughout the day, mandatory mask mandate for staff and passengers, social distancing on the vehicles, where possible, and providing masks and gloves for passengers. CART has made the operation changes to reflect ridership changes and to adjust to the financial reality of the local economy. With that said, CART is slowly seeing an increase in client usage by seniors, persons with disabilities, and the clients going to DaVita Dialysis. The lift-assist service is available on all vehicles and clients regularly request this type of service. It is one of the main attractions to our service, as this allows persons with disabilities who request lift service to be able to venture out in the community and be independent when they otherwise, may have become a prisoner in their own home. Some seniors plan their whole day around their daily CART ride. Upon request, customer satisfaction surveys are available for any comments and/or concerns from the riders or the public. NDOT's Intermodal Planning Department refers to CART as the model rural transportation program.

FISCAL IMPACT: The fiscal impact is the net amount that is not covered by the grant, in-kind services, office space, and fare box and ticket sales. This amount has been under \$75,000 annually. Matching funding is available for the purchase of the new vehicles if federal funds become available at an 85%/15% ratio.

EXPLANATION OF IMPACT: As noted in the grant documentation, the riders appreciate this transportation service as a way for them to continue their independence, while having the ability to make their necessary medical appointments, shopping, essential services, and wellness trips to retain their quality of life in their homes.

FUNDING SOURCE: A portion of the funds available for the CART Program come from the Social Services' budget to pay for the matching funds of the grant. Adequate funds have been available for CART for the last 22 years and will be available for this submittal if approved by the Board of County Commissioners.

ACTION REQUESTED: Accept

Cathy Lucero, Churchill Area Regional Transportation (CART), made the presentation as outlined above.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the submittal to the Nevada Department of Transportation for FTA 5339 funds for Fiscal Year 2023-2024 for the acquisition of two 6 ambulatory/2 mobility aid position buses if FTA funds are available. Funding for two vehicles is \$303,374.00. The vehicle purchases would be made with 85% federal dollars and a 15% local match as federal funds become available. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

H. - Consideration and possible action re: Resolution 11-2022, a Resolution approving the submittal of an FTA 5339 grant Application to the Nevada Department of Transportation for rehabilitation and upgrades to the property located at 859 South Maine Street, Fallon, Nevada to support the CART relocation, with a total project cost of \$1,559,496

Churchill County desires to submit an FTA 5339 Application to the Nevada Department of Transportation. The funds would be utilized to complete a remodel/full property rehabilitation at 859 South Maine Street, Fallon, known as the Drumm Building. The goal is to update the property to house CART (Churchill Area Regional Transportation), allowing for offices, dispatching, lobby, secure bus parking, electric charging stations, and in-door space to complete equipment maintenance and storage.

The total cost of the project is \$1,559,496. Estimates were obtained from Chris Spross, Public Works Director. The grant requires a 10% match for the project, whether in cash or in-kind, totaling \$155,949.60, to be determined at the time of the funding award.

FISCAL IMPACT: \$1,559,496 FTA 5339 funds; \$155,949.60 in-kind and/or cash match (source to be determined).

EXPLANATION OF IMPACT: Cost of full remodel/rehabilitation of the Drumm Building to allow for utilization.

FUNDING SOURCE: Grant - FTA 5339, NDOT, In-kind / cash match - to be determined.

ACTION REQUESTED: Adopt

Jim Barbee, County Manager, made the presentation as outlined above.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Gregory Koenig made a motion to approve Resolution 11-2022 authorizing the submittal of the FTA 5339 Application to the Nevada Department of Transportation. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

Letters Received:

A- Nevada Department of Health and Human Services' audit report stating that the audit has yielded no findings or concerns of the Churchill County Social Services' administration and management of the Community Service Block Grant Funded Programs and Family Resource Center Program.

The Nevada Department of Health and Human Services provides its audit report stating that the audit has yielded no findings or concerns of the Churchill County Social Services' administration and management of the Community Service Block Grant funded programs and Family Resource Center Program.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

B- Nevada Division of Environmental Protection's notification of the Kennametal Class III Landfill Solid Waste Permit groundwater permit data.

The Nevada Division of Environmental Protection (NDEP), Bureau of Sustainable Materials Management (BSMM), received the annual Groundwater Monitoring Report for the Kennametal Class III Landfill Permit SW287REVOO. Along with the 2021 groundwater data, past groundwater reports for 2019 and 2020 were also included. The NDEP-BSMM appreciates submittal of the groundwater data with acknowledgement that the Bureau of Water Pollution Control retains primary responsibility for review of the groundwater data. NDEP will continue to monitor future reports for groundwater trends near the Class III landfill.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

C- Nevada Division of Environmental Protection's notification of its review of the Draft Removal Action Completion Report, Asbestos Removal Action filed related to Installation Restoration Program Site 29 at Naval Air Station Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) has reviewed the response to the NDEP comments to the Draft Removal Action Completion Report, Asbestos Removal Action. at Installation Restoration Program Site 29 at NAS Fallon, Nevada.

The NDEP notes that the consultant has made these highlighted scans in Appendix A readable as requested. The recommendation is that a request for site closure be prepared with a designation of no further action and NDEP concurs with that request.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

D- Nevada Division of Environmental Protection's review of the 2021 Annual Groundwater Monitoring Report for the Old High School located at 690 South Maine Street, Fallon, Nevada.

The Nevada Division of Environmental Protection (NDEP) has reviewed the 2021 Annual Groundwater Monitoring Report for the Old High School located at 690 South Maine Street, Fallon, Nevada.

Two sampling events were conducted in 2021 during the second quarter and the fourth quarter. The second quarter sampling event was conducted on June 22, 2021 (11 wells) and the fourth quarter sampling was conducted on December 27, 2021 (6 wells). The second quarter sampling

event consists of all the existing monitoring wells and the December sampling event includes wells within the plume area only. Groundwater gradient was to the southeast with a gradient from 0.0004 to 0.0021 foot per feet in June and to the southeast with a gradient from 0.0020 to 0.0022 foot per feet in December

During the 2021 sampling events, non-aqueous phase liquid (emulsified Bunker C heating oil) was present in wells MW-5 and MW-6 during both sampling events; however, these wells were sampled for analytical parameters. Benzene was detected above reporting limits in four monitoring wells during both sampling events; however, MW-10 was the only well that had contaminants detected above the state and federal maximum contaminant level (MCL). Benzene was above the MCL of 5 micrograms per liter (ug/L) during the June sampling event at 30 ug/L and December at 29 ug/L. It is noted that detection limits for benzene and benzo(a)pyrene (MCL of 0.2 ug/L) were increased for several groundwater samples collected due to sample foaming, high concentrations of target analytes, or hydrocarbons present in the sample.

A Mann Kendall Trend test (non-parametric statistical test) was performed on the analytical data for benzene. Results indicate that benzene concentrations are decreasing at well MW-1, and are stable at MW-4, show no trend at MW-5, and is increasing at MW-10. Benzo(a)pyrene trends were not analyzed in this report.

The recommendation in the report is to continue groundwater sampling at the current schedule until benzene trends stabilize or begin decreasing. The NDEP concurs with the recommendation to continue groundwater sampling. The NDEP also concurs with the use of passive diffusion samplers during 2022 with an evaluation in the 2022 Annual Report as to their effectiveness. They are asked to transmit the semi-annual sampling analytical data to the NDEP within two weeks of receipt from the laboratory on or before February 28, 2023.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

E- Bureau of Land Management's notification of its public consultation for 3F, LLC change in season of use for the Willow Ranch Allotment.

The Willow Ranch Allotment is located primarily in Eureka County, Nevada, with a small portion located in Lander County which is administered by the Mount Lewis Field Office (MLFO). The Allotment is approximately 30 miles East of Austin, NV. US Highway 50 runs East-West through the allotment. There are 51,297 acres administered by the BLM in the Willow Ranch Allotment. 3F, LLC is the only permitted grazing operator on this allotment.

The Willow Ranch Allotment contains Greater Sage-Grouse Priority Habitat Management area (PHMA), General Habitat Management Area (GHMA), and Other Habitat Management Area (OHMA). The Willow Ranch Allotment contains portions of the North Monitor Herd Management Area and primarily overlaps the Jackrabbit pasture.

In March 2022, the MLFO was notified by Russell Fitzwater that drought conditions were being

experienced throughout the pastures that 3F operates. Mr. Fitzwater brought to our attention that the allotment faced persistent drought conditions. The Warm Springs and Jackrabbit pastures have been severely affected by drought. Additionally, Jackrabbit pasture continues to be heavily impacted by wild horses.

According to the U.S. Drought Monitor, 100% of the State of Nevada is experiencing severe drought or worse, with the southern end of Eureka County experiencing Extreme Drought (See map below). Also, according to the U.S. Drought Monitor, Lander and Eureka Counties experienced extreme and exceptional drought conditions throughout most of the summer last year.

To provide immediate protection for riparian areas, upland plant communities, wildlife habitat, and other natural resources that experienced extreme drought conditions in the 2021 grazing year and for the potential for similar conditions to persist into 2022, temporary changes to the grazing permit terms and conditions are necessary. The MLFO proposes to temporarily modify the proposed season of use within 3F's Use Areas on the Willow Ranch Allotment by resting Warm Springs and Jackrabbit pastures for two years, which have been severely affected by the drought. Additionally, the crested wheatgrass seedings (Grimes SDG and Lincoln SDG) will be grazed first from 5/1 - 6/10, which will allow for the native pastures to be grazed after the growing season. All pastures, including the crested wheatgrass dominated pastures, will be grazed for slightly shorter durations and with significantly fewer AUMs compared to permitted use.

The proposed Drought Response Action (DRA) for Willow Ranch was developed in collaboration with 3F and the MLFO. As a result of this effort, management was proposed by 3F that will implement a drought response action to provide for resource protection and recovery, in conformance with BLM drought policy

The season of use associated with the proposed modifications are outside of the terms and conditions of 3F's Term Permit, therefore a grazing decision is required. A Determination of NEPA Adequacy (DNA) to the Battle Mountain District Drought Management Environmental Assessment (EA #DOI-BLM-NV-B0000-2012-0005-EA) will be completed prior to the issuance of a grazing decision.

This proposed drought response action implements utilization thresholds and responses. These utilization thresholds are developed to ensure a conservative level of utilization in the case the proposed management is not sufficient to protect natural resources. If utilization thresholds are met or exceeded, the permittee will be required to move to the next pasture in the schedule or move livestock to private lands. This proposed drought response action implements utilization thresholds and responses. These utilization thresholds are developed to ensure a conservative level of utilization in the case the proposed management is not sufficient to protect natural resources. If utilization thresholds are met or exceeded, the permittee will be required to move to the next pasture in the schedule or move livestock to private lands.

The current grazing rotation for the Willow Ranch allotment is setup on a 6-year rotation that provides all pastures grazing a full year of rest from livestock grazing once every 6 years.

Additionally, pastures are rotated every year to ensure grazing does not occur during the same time every year. Under normal climatic conditions or mild drought conditions, the current rotation is not problematic due to sufficient water sources that allow for adequate cattle dispersal. However, given the severity of this drought, and, more importantly, the poor range conditions in the warm springs and jackrabbit pastures, it is prudent to give these pastures rest for two consecutive years. To accommodate rest from livestock grazing in these pastures, the other 7 pastures in this allotment need a season of use change. To ensure deviating from the rotation does not negatively impact the other 7 pastures, this DRA proposes pastures being grazed for shorter durations (3 months less total) and with fewer cattle (29% less) than currently authorized.

The jackrabbit pasture is heavily utilized by wild horses throughout the spring and in some instances during the summer. To avoid rangeland degradation that would likely occur if livestock and wild horses utilized the pasture throughout the summer during this severe drought, the permittee prefers to give the pasture rest from livestock.

The proposed DRA for the Willow Ranch allotment would not authorize grazing to occur outside of the grazing period that is currently permitted (511-1114). The proposed DRA stays within that window and shortens the end day by 3 months. Additionally, this allotment is setup on a 6-year rotation where pastures are grazed at different time periods every year. This temporary season of use change does not authorize grazing for an individual pasture to occur outside of a time period that it is not already authorized for at some point during the 6-year rotation. This ensures that while the proposed rotation itself is not part of the current 6-year rotation, each of the pastures have been grazed during the proposed seasons of use at some point during their regular 6-year rotation.

This letter serves as the opportunity for the interested public, partners, and state, local, and tribal governments to provide comments on proposed drought response actions that will be implemented within the Willow Ranch Allotment. Please submit any comments in writing to the above address by April 14, 2022.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

F- Nevada Division of Environmental Protection provides notice of its review of the Interim Remedial Action Completion Report for NOU Sites 2-4 at NAS Fallon.

The Nevada Division of Environmental Protection provides notice of its Interim Remedial Action Completion Report for NAS Fallon NOU Sites 2-4. The IRACR describes the approach and results of implementing remedial actions at the Northern Operable Unit (NOU) Sites 2, 3, and 4, which consist of recovery of light nonaqueous phase liquids (LNAPL) mixture of jet fuels at NOU Installation Restoration Program (IRP) Sites 2 and 4 and long-term monitoring (LTM) of dissolved-phase trichloroethene (TCE) and vinyl chloride (VC) in groundwater at NOU IRP Site 3. The selected remedy also includes land use controls (LUC) to prevent the exposure to residual free product (as needed) and domestic use of groundwater until the DON established remediation goals for TCE and VC are met.

Biweekly LNAPL recovery events were conducted from April 1 through December 21, 2021 at NOU Sites 2 and 4. The total amount of LNAPL recovery during the events was approximately 1,000 gallons (an average 52.6 gallons per event). LNAPL is recovered using a combination of automated skimmer pumps and manual recovery. The recovery systems are removing approximately 100 gallons a month. However, the Navy stated that the systems could reach the end of the acceptable recovery relatively soon because of the apparent high percentage of fuel recovered; 79,373.5 gallons of an estimated 85,000 gallons have been recovered since recovery inception. Therefore, the Navy is considering options for system optimization. The optimization ideas being considered include installing more strategically placed wells to increase recovery or conduct a draw down, which involves pumping in the middle of the plume so the product will flow toward the extraction wells.

Two groundwater sampling events were performed at NOU Site 3 in March and September 2021. Seventeen monitoring wells were gauged and sampled for analysis of TCE and TCE biodegradation daughter products including VC. Groundwater sample collection was conducted using low-flow sampling methods. Three of the 17 monitoring wells sampled had reported concentrations of TCE and TCE biodegradation products; however, TCE was the only analyte that was reported above state regulatory limits and Navy project action levels. The highest detection of TCE was 20 micrograms per liter (ug/L).

The recommendations in the IRACR are as follows:

1. Continue LNAPL recovery events, including the automated recovery system, on a biweekly basis,
2. Continue annual site-wide gauging events and include the Hot Pit Area monitoring wells,
3. Continue semiannual groundwater monitoring events until TCE is reported below the Navy action level,
4. Conduct a recharge assessment of the wells at NOU Sites 2 and 4, and
5. Consider system optimization options for future implementation when product recovery begins to decrease.

The NDEP concurs with the recommendations presented in the Quarterly Report. The NDEP also has minor comments to the Report that are provided in the report.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

G- Bureau of Land Management's notification of its issuance of a Determination of NEPA Adequacy and Full Force and Effect Decision Record for the the Unionville WUI Fuels Reduction Project.

Recently, the Bureau of Land Management (BLM), Winnemucca District, issued a "Full Force and Effect" Decision Record (DR) for the Unionville WUI Fuels Reduction Project with an associated Determination of NEPA Adequacy (DNA), DOI-BLM-NV-W010-2022-0013-DNA.

The Unionville WUJ Fuels Reduction Project is a combination of fuels reductions, habitat protection and restoration treatments for areas previously impacted by wildland fire. The purpose of the project is to reduce annual invasive grass cover and restore degraded rangelands within the Greater sage-grouse (GRSG) Priority Habitat Management Area (PHMA), General Habitat Management Area (GHMA), and Other Habitat Management Area (OHMA). Treatments will be prioritized in areas prone to wildfire ignition to promote landscape resistance and resilience while reducing wildfire susceptibility.

The project area was designed to encompass areas of known annual grass invasion. By reducing these hazardous fuels, firefighting crews and equipment will be able to more effectively engage future wildfires, thereby reducing the size and scale of subsequent habitat destruction. Habitat restoration will reintroduce perennial vegetation and shrubs, leading to increased landscape resilience. The goal of this project is to conserve and promote GRSG habitat by reducing hazardous fuel concerns adjacent to GRSG habitat. These efforts will in turn reduce the impact of future fires on intact wildlife habitat. Proposed treatments include invasive plant and noxious weed management, ground and broadcast seeding, and mechanical treatments such as mowing, disking or harrowing. The proposed treatments would result in 1,000-2,000 acres of treatments annually in the Humboldt Range, Pershing County, Nevada.

The DR, DNA and the associated location maps can be viewed online at: <http://eplanning.blm.gov>. Hard copies are available upon request. Appeal procedures are outlined in the notice.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

H- Bureau of Land Management's notification that the Stillwater Field Office has initiated a field monitoring contract to better address allotment and horse management area (HMA) monitoring needs.

The Bureau of Land Management (BLM) provides notification that the Stillwater Field Office has initiated a field monitoring contract to better address allotment and horse management area (HMA) monitoring needs. Contract monitoring crews will begin visiting allotments beginning this spring and continue through the summer and early fall of 2022. Depending on the specific allotment need, crews will collect various types of data which may include production, nested frequency, photo trend, utilization, and riparian monitoring, including proper functioning condition (PFC) assessments and multiple indicator monitoring (MIM). This data will serve to inform specialists of annual use as well as short and long-term trends in the allotments and help gather necessary information for current grazing permits and future grazing permit renewals.

The following allotments and HMAs are included in the contract and will be monitored in 2022:

Little Huntoon

Basalt

Belleville
McBride
Marrieta Burro Range
Pilot Table Mountain
Edwards Creek
Porter Canyon
Eastgate
Clan Alpine
Cow Canyon
Dixie Valley
Gray Hills
Perry Springs Deadman

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

I- Bureau of Land Management's notification of its Final Decision related to the Sadler Ranch to address drought conditions and mitigate impacts from grazing during drought in the Union Mountain, North Diamond, and Romano Allotments.

After consultation, coordination and cooperation with the interested public and the Bureau of Land Management (BLM) Interdisciplinary Team (ID Team), I am issuing this Final Decision implementing drought response actions (DRAs) in the Union Mountain, North Diamond, and Romano Allotments. This Final Decision is a result of an ongoing cooperative effort with Sadler Ranch to alleviate livestock impacts on native habitat and riparian areas during the current ongoing drought. This Grazing Decision temporarily modifies the current terms and conditions for Sadler Ranch. In addition to modifying the terms and conditions, the permittee has agreed to applying for at least 10% non-use for each of three allotments. This equates to a minimum of 723 AUMs. The permittee may take a larger amount of non-use and will discuss actual permitted use with the BLM on an Annual Basis. A Determination of NEPA Adequacy (DNA) has been completed, which tiers to the Battle Mountain Drought Management Environmental Assessment.

The Union Mountain and North Diamond allotments contain Greater Sage-Grouse General Habitat Management Area (GHMA) and Other Habitat Management Area (OHMA). The Romano allotment contains the Greater Sage-Grouse Priority Habitat Management Area (PHMA), GHMA, and OHMA. The Romano allotment contains a portion of the Whistler Mountain HMA on the west side of the allotment and the North Diamond allotment contains a very small portion of the Diamond HMA in the north-east corner. While there is very little overlap with HMAs and these three allotments, wild horses are present throughout most of the three allotments.

In February 2022, the Mount Lewis Field Office was notified by Levi Shoda, owner of Sadler Ranch, that drought conditions were being experienced throughout the pastures that Sadler Ranch operates. Levi brought to BLM's attention that particularly during July and August of last year, his livestock's health was deteriorating, which he believed was due to the limited water and

vegetation and the high amounts of wildfire smoke from surrounding states. According to the U.S. Drought Monitor, as of March 1, 2022, 100% of the State of Nevada is experiencing severe drought or worse, with the southern end of Eureka County experiencing Extreme Drought (see map provided). There are further drought conditions listed in the letter.

To provide protection of natural resources to include riparian, upland plant communities, and wildlife habitat following drought conditions experienced in the 2021 grazing year and for the potential for similar conditions to persist into 2022, temporary changes to the grazing permit season of use within Sadler Ranch's Use Areas for Union Mountain and North Diamond allotments by deferring public land grazing in the hot season between June 30th and August 30th and utilizing private lands during this period. This proposal will shift the season of use in some pastures 45 days earlier and extending the end dates for some other pastures by 15 days (see tables in letter). It also proposes to modify the season of use within Sadler Ranch's Use Areas of the Romano allotment by shifting the begin date 45 days earlier and shortening use dates for most pastures. Also proposed is to implement a two-year rotation that would provide pastures with hot season rest every other year and change when plants are being grazed, aside from the Valley pasture that would be grazed from August 16 - December 31 every year. The proposed DRA for these three allotments would reduce adverse impacts to upland vegetation, riparian areas, and other water sources during the hot season, while still allowing appropriate grazing on public lands. Also, the earlier use in all three pastures would result in the targeting of invasive annual grasses that become active earlier in the growing season than native bunch grasses.

The proposed Drought Response Actions are detailed more fully in the letter. This decision will remain in effect for the duration of drought, plus one additional grazing year.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

J- Nevada Division of Environmental Protection's notification of its Notice of Proposed Action to issue a revision of the Class II Air Quality Operating Permit for Temporary Construction Sources.

The Nevada Division of Environmental Protection provides notification of its Notice of Proposed Action to issue a revision of the Class II Air Quality Operating Permit for Temporary Construction Sources. Pursuant to the Nevada Revised Statutes (NRS) Chapter 445B, the Nevada Administrative Code (NAC) Chapter 445B, and the Clean Air Act, the Nevada Division of Environmental Protection is issuing the following Notice of Proposed Action.

The Director is proposing to issue a renewal to the Class II General Air Quality Operating Permit for Temporary Construction Sources. The Class II General Air Quality Operating Permit for Temporary Construction Sources for operating scenarios listed in the table provided in the draft air quality operating permit covers the following counties: Carson City, Churchill, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, and White Pine. No adverse ambient air quality impacts are expected.

On the basis of the preliminary review and the requirements of the NRS, the NAC and the Clean Air Act, the Director is hereby announcing his intent to issue the proposed Class II Air Quality Operating Permit for Temporary Construction Sources based on a review of the information submitted. A copy of this document and the draft permit will be available for public inspection at <http://ndep.nv.gov/posts>.

Pursuant to NAC 445B.3395 .9(f), the Director is providing this notice of a Public Hearing on the proposed action. The Public Hearing will be held on May 5, 2022 in Carson City, Nevada at 2:00 PM. Persons wishing to comment regarding this proposed action pursuant to NRS 445B Air Pollution and NAC 445B Air Controls, should submit their comments in writing, either in person or by mail within thirty (30) days to:

Tanya Soleta, P.E.
Nevada Division of Environmental Protection
Bureau of Air Pollution Control
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701
(775) 687-9540
FISCAL IMPACT: N/A
EXPLANATION OF IMPACT: N/A
FUNDING SOURCE: N/A
ACTION REQUESTED: None; Informational Only

New Business:

A- Consideration and possible action re: Churchill County's application to acquire the following properties being held in trust by the Churchill County Treasurer for the non-payment of taxes pursuant to NRS 361.603(5) - APN 006-191-09, APN 006-711-13, APN 006-711-16, APN 007-891-17.

Churchill County has submitted a written Application to acquire, for a public purpose, APN 006-191-09, 006-711-13, 006-711-16 and 007-891-17, which are currently held in trust by the Churchill County Treasurer for non-payment of property taxes. NRS 361.603 provides that any local government may acquire property held in trust by the Churchill County Treasurer upon paying the delinquent taxes. However, under 361.603(5), when the parcels are or will be used for streets, sewer, or drainage, the county is not required to pay the delinquent taxes. These parcels are not useable for any purpose other than roads or utility easements as that is their current or future use. There are also appurtenant water rights associated with these parcels that need to be preserved. See provided map for parcel location.

FISCAL IMPACT: \$0.

EXPLANATION OF IMPACT: Given the fact that these parcels are or will be used for roads or utility easements, the county is not required to pay the delinquent taxes.

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

Ben Shawcroft, Civil Deputy District Attorney, made the presentation as outlined above.

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the acquisition of APN 006-191-09, 006-711-13, 006-711-16 and 007-891-17 for the purposes outlined in NRS 361.603(5).

Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Closed Session - Regular Meeting will Recess and then Reconvene After the Closed Session:

8:45 AM A- Closed Personnel Session Pursuant to NRS 288.220 re: Discussion of negotiations with the Churchill County Sheriff's Deputies Association (CCSDA), Deputies' and Sergeants' Units, and with Operating Engineers Local No. 3 (representing Dispatchers)

A closed session will be held to discuss the progress of negotiations with the Churchill County Sheriff's Deputies Association (CCSDA), Deputies' and Sergeants' Unit, and with Operating Engineers Local No. 3 (representing the Dispatchers). No action will be taken as this is for informational purposes only.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None; Informational Only

The meeting was recessed at 3:15 PM.

Commissioner Gregory Koenig made a motion to recess the meeting to go into closed session pursuant to NRS 288.220. Commissioner Justin Heath seconded the motion, which carried by unanimous vote.

The meeting reconvened at 3:30 PM.

Consent Items:

A- Consideration and possible action re: Report of the condition of each fund in the treasury and the statements of receipts and expenditures pursuant to NRS 251.030 and NRS 354.290.

A Fund Balance Report is attached indicating the beginning balance, receipts, disbursements, and the ending balance of each fund for Churchill County as required by NRS 251.030 and NRS 354.290.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

8:15 AM B- Consideration and possible action re: Quarterly Report from the Churchill County Sheriff regarding the conditions of the county jail and any branch county jail and the number of deaths of prisoners in the county jail and any known circumstances

surrounding any such deaths, including, without limitation, basic demographics and information submitted pursuant to the Death in Custody Reporting Act of 2013, Public Law 113-242.

Assembly Bill 301 from the 2019 Legislative Session requires a Report from the Churchill County Sheriff regarding the conditions of the county jail and any branch county jail and the number of deaths of prisoners in the county jail and any known circumstances surrounding any such deaths, including, without limitation, basic demographics and information submitted pursuant to the Death in Custody Reporting Act of 2013, Public Law 113-242.

The Sheriff submits his First Quarterly Report outlining these things as required by law.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

C- Consideration and possible action re: Building Department's Revenue Report for March 2022 totaling \$46,058.85

The Building Department provides its Revenue Report for March 2022 for the board's consideration and acceptance. A total of \$46,058.85 was received for the month.

FISCAL IMPACT: \$46,058.85

EXPLANATION OF IMPACT: Fees collected to help offset services provided

FUNDING SOURCE: General Fund

ACTION REQUESTED: Accept

D- Consideration and possible action re: Building Permit Activity Report for March 2022.

Provided for the board's review is the report showing 36 permits issued in the month of March 2022. Included in the 36 permits are 3 single-family-dwellings, 5 commercial permits, 1 industrial permit, 2 manufactured home permits and 2 septic permits.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

E- Consideration and possible action re: Recorder's Monthly Apportionment Report for March 2022 totaling \$42,425.10 in revenue for the month.

Churchill County Recorder, Tasha Hessey, provides her Recorder's Monthly Apportionment Report for March 2022 totaling \$42,425.10 in revenue for the month.

FISCAL IMPACT: \$42,425.10 in revenue.

EXPLANATION OF IMPACT: Fees help to off-set services provided.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

F- Consideration and possible action re: Recorder's 3rd Quarter Report for Mining Claim Filing Fees for the period of January - March 2022.

Recorder Tasha Hessey provides her 3rd Quarter Mining Claim Filing Fees Report for the period of January - March 2022 required by NRS 517.185. Details can be obtained from reviewing the report.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE:

ACTION REQUESTED: Accept

G- Consideration and possible action re: Recorder's 3rd Quarter Real Property Transfer Tax (RPTT) Report for January - March 2022.

Recorder Tasha Hessey provides her 3rd Quarter Real Property Transfer Tax (RPTT) Report for January - March 2022. Further details can be found by reviewing the report.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Accept

H- Consideration and possible action re: Public Works, Planning & Zoning Department's Revenue Report for March 2022 showing a total of \$20,488.58 in revenue for the month.

The Public Works, Planning & Zoning Department submits its Revenue Report for the month of March 2022, showing a total of \$20,488.58 in revenue. This report is provided for the Commissioners' review and acceptance.

FISCAL IMPACT: \$20,488.58 in revenue for the month.

EXPLANATION OF IMPACT: Fees to off-set services provided by the department.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

I- Consideration and possible action re: Sheriff's Office Civil Report for March 2022.

The Sheriff's Office provides its Civil Report for March 2022 for the board's review and acceptance. A total of \$21,770.00 was received as revenue for the month.

FISCAL IMPACT: \$21,770.00.

EXPLANATION OF IMPACT: Fees collected help to off-set the services provided.

FUNDING SOURCE: General Fund.

ACTION REQUESTED: Accept

Chairman Olsen asked if there was any public comment but there was none.

Commissioner Justin Heath made a motion to approve the Consent Agenda as submitted. Commissioner Gregory Koenig seconded the motion, which carried by unanimous vote.

Consider Future Agenda Items:

There were no future Agenda items suggested.

Commissioner and Management Staff Reports:

Chairman Olsen reported on the following topics:

- We had a quarterly meeting with Fernley. There was not much to report.
- We had the IEC meeting. The Navy seems to be plotting their way towards making offers on things we have not seen before. They seem to be picking up the pace. That is the only update.
- I was asked to meet the Commander of Naval Operations and he was frustrated at how far away the Navy was away from being done. He thought things should be buttoned up tighter.
- We went to a campaign event for Dean Heller.
- We met twice with the Fallon Paiute Tribe. We met with them this morning to discuss their maps. They have a proposal they are trying to put forward.
- Easter Sunday was my mother-in-law's 99th birthday, so we were in Utah helping her celebrate.

Commissioner Koenig reported on the following topics:

- I went to the Museum Board meeting. The Director is resigning. That is one of the dangers of having someone over-qualified. She is going to take over the Madison Square Garden Archives.

Commissioner Heath reported on the following topics:

- I attended the Stillwater Conservation District meeting at the Stillwater School.
- I attended the Lahontan Conservation District meeting.

County Manager Barbee reported on the following topics:

- We have been working on looking at the items in the Museum that Churchill County owns that are located at Buckman Station. They are displayed uniquely among sagebrush so you can't see them. They are in less than grand condition. We are bringing to the board and agreement to display those in front of the Rafter 3-C. It is a bunch of historical, agricultural implements that will be displayed and put in better shape, which is kind of exciting. The Road Department will help us with that.
- If you have nothing going on Saturday, bring your pocketbook and come out to the Churchill County Junior Livestock Show and support those students. There are some good quality animals for you to purchase and put in your freezer to be ready for the end of times. You will also get a free tri-tip lunch with that. Lunch is at 11:30 and the sale is at 1:00 PM.

Sheriff Richard Hickox was not present.

Comptroller Wideman reported on the following topics:

- We submitted the tentative budget to the Department of Taxation. The fund balances look good.

Civil Deputy DA Shawcroft had nothing additional to report.

Clerk/Treasurer Rothery was not present.

Claims and Payroll Transmittals:

The Claims and Payroll Transmittals were submitted for the board's consideration and approval.

Public Comment:

Chairman Olsen asked if there was any public comment but there was none.

Adjournment:

The meeting was adjourned at 3:38 PM.

Approved:


H. Peter Olsen, Jr., Chairman

Approved:


Greg Koenig, Vice-Chairman

Approved:


Justin Heath, Commissioner

ATTEST:

Linda Rothery, Clerk/Treasurer


Renae Paholke, Deputy Clerk