



**BOARD OF
COUNTY COMMISSIONERS
CHURCHILL COUNTY, NEVADA**

155 N. Taylor Street, Suite 110

Fallon, Nevada 89406

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Contact Person: Pamela D. Moore,

Deputy Clerk of the Board

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Renae Paholke, Deputy Clerk

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******NOTICE OF PUBLIC MEETING******

AGENDA

PLEASE POST

PLACE OF MEETING: Churchill County Administrative Building, Commission Chambers,
155 North Taylor Street, Suite 145, Fallon, Nevada

DATE & TIME: January 18, 2023 at 1:15 PM

TYPE OF MEETING: Regularly Scheduled County Commissioners' Meeting

Live Webcasting:

<https://churchillconv.suiteonemedia.com/web/live/>

If you wish to make public comment, you may provide them at the meeting or via email, no later than 4:30 PM the day before the meeting, to: pam.moore@churchillcountynv.gov and renae.paholke@churchillcountynv.gov.

Notes:

- I. These meetings are subject to the provisions of Nevada Open Meeting Law (NRS Chapter 241). Except as otherwise provided for by law, these meetings are open and public.***
- II. Action will be taken on all Agenda items, unless otherwise noted.***
- III. The Agenda is a tentative schedule. The Board of County Commissioners may act upon Agenda items in a different order than is stated in this notice – so as to affect the people's business in the most efficient manner possible.***
- IV. In the interest of time, the Board of County Commissioners reserves the right to impose uniform time limits upon matters devoted to public comment.***
- V. Any statement made by a member of the Board of County Commissioners during the public meeting is absolutely privileged.***
- VI. All persons participating in the meetings are put on notice that an audio and video recording is made of these meetings.***

AGENDA:

- 1. Call to Order.**
- 2. Pledge of Allegiance.**
- 3. Public Comment.**
- 4. Verification of the Posting of the Agenda.**
- 5. Consideration and possible action re: Approval of Agenda as submitted or revised.**
- 6. Consideration and possible action re: Approval of Minutes of the meeting held on:**
 - A. December 1, 2022.
 - B. December 12, 2022 Joint Water Workshop with Lyon County.
- 7. Appointments:**
 - A. Consideration and possible action re: Update of current activities, plans, or actions related to the Bureau of Land Management's Carson City District.
 - B. Consideration and possible action re: A Planned Unit Development (PUD) Permit Application filed by Nev Dev, LLC (Old Stone Ranch) for property located near Casey Road and Birch Lane, on Assessor's Parcel Numbers 008-792-11, 008-792-95, 008-831-77, 008-831-85, and 008-831-86, for a total area of 107.239+/- acres in the R-1/E-1 zoning districts, which properties were previously approved for urban development but those approvals have expired. The current development proposes 619 single-family and multi-family residences. This number includes a request for bonus density in exchange for providing community benefit by constructing a county park.
 - C. Consideration and possible action re: A Planned Unit Development Tentative Subdivision Map filed by Nev Dev, LLC referred to as Old Stone Ranch, located near Casey Road and Birch Lane on Assessor's Parcel Numbers 008-792-11, 008-792-95, 008-831-77, 008-831-85 and 008-831-86, for a total area of 107.239+/- acres in the R-1/E-1 zoning districts, whereby the subdivision will implement the Planned Unit Development.
 - D. Consideration and possible action re: An appeal of the denial by the Planning Commission of a Special Use Permit Application for a multi-family development referred to as Riverstone Apartments, in conjunction with a tentative subdivision map, filed by Vertex Fund 3, LLC for property located on Coleman Road, Assessor's Parcel Numbers 008-301-11 and 008-301-12, consisting of 26.24 and 5.20 acres, respectively, in the R-3 zoning district whereby the applicant proposes to construct apartments in a proposed subdivision.
 - E. Consideration and possible action re: An appeal of the Planning Commission's denial of an Application for a variance from the lot density and all setback requirements filed by Vertex Fund 3, LLC (Riverstone Apartments), for property located on Coleman Road, Assessor's Parcel

Numbers 008-301-11 and 008-301-12, consisting of 5.20 and 26.24 acres respectively in the R-3 zoning district. The applicant proposes to create 19 lots within the large apartment complex property using a nearly zero-lot-line development approach.

F. Consideration and possible action re: A Tentative Subdivision Map filed by Vertex Fund 3, LLC for property located on Coleman Road, Assessor's Parcel Numbers 008-301-11 and 008-301-12, consisting of 26.24 and 5.20 acres respectively in the R-3 zoning District, whereby the Applicant proposes to create 19 lots within the large apartment complex property referred to as Riverstone Apartments.

G. Consideration and possible action re: Renewal of a Contract with Mark Stafford, Real Estate Appraiser, not to exceed \$7,500 to assist in appraising and defending the appraisals of solar and geothermal properties in Churchill County.

8. Nuisance Complaint:

3:00 PM Consideration and possible action re: Nuisance Complaint filed by Steven L. Bohrn, Shannon Clevenger, and Jeffery Clevenger against Troy and Beatriz Holbrook related to noise and light at 2100 Trails End, Fallon, Nevada, APN 008-252-24 and adoption of Resolution 1-2023 declaring whether there is or is not a nuisance associated with this property.,

9. Letters Received:

- A. Bureau of Land Management's notification that it has completed the Decision Record, Environmental Assessment (EA) for the Dixie Meadows Geothermal Development Project in Churchill and Pershing Counties, Nevada.
- B. Carson Water Subconservancy District's 2022 Activities & Accomplishments.
- C. Nevada Division of Environmental Protection's notification of its no further action determination for Safety-Kleen's oil-impacted soil located beneath a spill contaminant area and adjacent to two rail lines and a concrete walkway at the facility.

10. Old Business:

- A. Consideration and possible action re: Change in appointment of Commissioner to serve on the following boards/committees: Commissioner Heath to the Museum Association Board, Commissioner Getto to serve as the Cooperative Extension Liaison and on the Fire Board, and Commissioner Scharmann to serve on the Fallon Youth Club Board.

11. New Business:

- A. Consideration and possible action re: Adoption of Resolution 2-2023, a resolution establishing the travel expenses and subsistence allowance for Churchill County effective January 1, 2023, noting the new mileage rate of 65.5 cents per mile and the per diem rate remaining at 59.00 per day.

12. Consent Items: (Action Items generally not requiring discussion or explanation)

All matters listed under the Consent Agenda are considered routine and may be acted upon by the Board of County Commissioners with one action and without an extensive hearing. Any member of the board or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

- 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.
- B. Consideration and possible action re: Building Permit Activity Report for December 2022.
- C. Consideration and possible action re: Building Department's Revenue Report for December 2022 totaling \$21,241.95.
- D. Consideration and possible action re: Recorder's Monthly Apportionment Report for December 2022 totaling \$14,855.50 in revenue for the month.
- E. Consideration and possible action re: Recorder's 2nd Quarter Real Property Transfer Tax (RPTT) Report for October to December 2022.
- F. Consideration and possible action re: Recorder's 2nd Quarter Report for Mining Claim Filing Fees for the period of October - December 2022.
- G. Consideration and possible action re: Churchill County Sheriff's 4th Quarter 2022 Report regarding the number of deaths of prisoners in the county jail, which was zero for the period of September through December 2022.
- H. Consideration and possible action re: Public Works, Planning & Zoning Department's Revenue Report for December 2022 showing a total of \$29,136.29 in revenue for the month.
- I. Consideration and possible action re: Court Services Second Quarter Revenue Report for the period of October to December 2022, reflecting \$7,630 in revenue for the quarter.

13. Consider Future Agenda Items.

14. Commissioner and Management Staff Reports.

15. Claims and Payroll Transmittals.

16. Public Comment.

17. Adjournment.

18. Appendix.

Supporting Documentation

19. Affidavit of Posting:

STATE OF NEVADA)
 : ss.
County of Churchill)

*I, **Pamela D. Moore, Deputy Clerk to the Board**, do hereby affirm that I posted, or caused to be posted, a copy of this notice of public meeting, on or before the **11th day of January, 2023, between the hours of 1:00 and 5:00 PM**, at the following locations in Churchill County, Nevada:*

- 1. Churchill County Administration Building, 155 N. Taylor St., Fallon, NV;*
- 2. The Churchill County Website @ www.churchillcountynv.gov;*
- 3. The State of Nevada Website @ <https://notice.nv.gov/>.*



Pamela D. Moore, Deputy Clerk to the Board

Pamela D. Moore, Deputy Clerk to the Board, who was subscribed and sworn to before me this 11th day of January, 2023.



Renae Paholke, Deputy Clerk

Endnotes:

Disclosures:

**Churchill County is an equal opportunity provider and employer.*

Accommodations/Nondiscrimination:

**In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies or complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible agency [(775)423-4092] or USDA's TARGET Center at (202)720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800)877-8339. Additionally, program information may be available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at:*

http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the Complaint Form, call (866)632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
2. Fax: (202)690-7442; or
3. Email: program.intake@usda.gov.

Procedures:

**The schedule of regular meetings of the Board of County Commissioners is provided for by Title 2, Chapter 2.04, of the Churchill County Code.*

**The public meetings may be conducted according to rules of parliamentary procedure.*

**Persons providing public comment will be asked to state their name for the record.*

**The Board of County Commissioners reserves the right to restrict participation by persons in the public meeting where the conduct of such persons is willfully disruptive to the people's business.*

**All supporting materials for this Agenda, previous Agendas, or Minutes are available by requesting a copy from the Clerk's office, 775-423-4092. During the meeting, there will be one copy available for public inspection. Additional copies are available by making the request from the Clerk's office. You are entitled to one copy of the supporting materials free of charge.*