

MINUTES
CHURCHILL COUNTY SENDING SITE REVIEW COMMITTEE
June 21, 2021

Present: Christian Spross, Chairman
Bob Getto, Committee Member
Carla Pomeroy, Committee Member
Dean Patterson, Associate Planner
Jennifer Haley, Navy Representative
Diane Moyle, Administrative Assistant
Jessi Eckert, representing her parents (Applicants)
Robert Smith, Jr, and Debbie Smith (Applicants)

Absent: Ernie Schank, Committee Member

1. Call to Order.

Chairman Spross called the meeting held in the Planning Department Conference Room of the Churchill County Administrative Complex, 155 North Taylor Street, Fallon, Nevada, to order at 8:30 a.m.

2. Verification of the posting of the Agenda.

Chairman Spross verified that the agenda had been posted in accordance with NRS 241 on the 14th day of June 2021, between the hours of 8:30 a.m. and 3:30 p.m. He asked if there were any changes to the agenda, and Diane Moyle stated that there were none.

3. Consideration and possible action re: Review and Adoption of the Agenda as submitted or revised.

Member Getto moved to approve the Agenda as submitted. The motion was seconded by Member Pomeroy, and the Agenda was unanimously approved.

4. Public Comment.

Chairman Spross asked if there were any public comments. Member Getto wanted to publicly acknowledge that one of the applicants is a business partner with his brother, and he didn't feel that would be a conflict of interest in his ability to make a determination about whether or not the application meets the criteria in the code. The second applicant is his sister, and he wanted to disclose this fact. He again does not believe this will affect his ability to decide in whether it meets the criteria in the code. If anyone does have an issue with either of these, he supposes that other arrangements would need to be made.

5. Consideration and possible action re: Review and Adoption of Minutes of the regular meeting held:

A. March 29, 2021

Committee members had previously been provided with the Minutes of the meeting held on March 29, 2021.

Member Pomeroy moved to approve the Minutes of March 29, 2021 as submitted. The motion was seconded by Member Getto, and the Minutes were unanimously approved.

6. Public Hearing

- A. Consideration and possible action re: A sending site application filed by the Eckert Family Trust for properties located at 1805 Norcutt Lane, 9295 Pasture Road, and farmland off of Pasture Road, Assessor's Parcel Number 006-111-25, 006-111-26, 006-111-27, 006-111-29 and 006-111-37, consisting of 262.88 acres with 220.08 acres of water righted property of which 218.12 is irrigated. The applicant proposes to place a conservation easement on the property.

Jessi Eckert informed that she was at the meeting to represent her parents, David and Vicky Eckert, and she would try to answer any questions to the best of her knowledge. They are aware of conservation easements, and she worked for the conservation district for four years. She was even responsible for monitoring a conservation easement. Diane Moyle noted that she handed out a revised staff Transfer of Development Rights (TDR) calculation. Upon review of the application and records received from Truckee Carson Irrigation District (TCID) it was noted that not all of the water was being used on some of the parcels. She then asked if the rest of the water could be used on these parcels because it is best not to include them in the conservation easement if they could not be beneficially used on the parcel. Jessi Eckert stated that the water can be used on the parcels. There is a portion of the property that isn't being irrigated right now. Diane Moyle just wanted to verify because we don't want to create a situation where water is lost due to not being able to be beneficially used where it is tied. Dean Patterson asked if they were planning to put that portion of the property back into irrigation, and Jessi Eckert confirmed that they are.

Diane Moyle also brought up that during review of the application it was noted by the GIS Coordinator that two deeds were filed after a boundary line adjustment map was recorded that affected some of the parcels; however, the deeds refer to an older recorded map instead of the newer map and accompanying deed. The Eckerts will need to correct Deed document number 471181 to refer to Map document number 435319 and accompanying deed, and also correct Deed document number 476681 to refer to Map document number 435319 and accompanying deed. These should be done prior to any preliminary title report is completed for any appraisal to be ordered.

Dean Patterson pointed out that some of these parcels are non-contiguous. Jessi Eckert stated that Colby Frey owns the larger parcel in the middle, which at one time did belong to her family. After looking at the conservation easement map on the wall it was determined that the Frey parcel already has a conservation easement on it.

Member Getto asked about the houses on these parcels, and it was pointed out that there is one residence on 006-111-26 and one residence on 006-111-27. He asked if they have determined whether they would like to request an appraisal with any additional residences on any of the parcels yet. Jessi Eckert noted that they are requesting the appraisal with and without a future homesite for the parcel next to the Schurz Highway, 006-111-29. Dean Patterson pointed out that this parcel is not fully water righted.

Member Getto reiterated that this easement would be forever, and he asked if the family members have talked, and everyone is in agreement with this being tied up in this easement. He said that he understands that there may come a day in the future where people may want to change their minds, and that will open up a lot of other legalities. Jessi Eckert reported that her family is okay with this. They are hoping to take over when her parents decide to retire.

Motion by Member Getto, based on meeting the criteria for a Sending Site, including zoning designation, minimum acreage, water rights, and military operations buffer area, that the application concerning Assessor's Parcel

Numbers 006-111-25, -26, -27, -29 & -37, consisting of 262.88 acres, with 220.08 water righted acres, be approved as a Sending Site. Member Pomeroy seconded the motion and it passed unanimously.

Member Getto made a motion based upon the calculations for acreage, irrigated water righted acreage, and location in the military buffer zone to recommend a total of 352 Transfer of Development Rights (TDRs) be approved for APNs 006-111-25, -26, -27, -29 & -37. The motion was seconded by Member Pomeroy and was carried unanimously.

It was stated that this application and the recommendation of this committee will be forwarded to the Planning Commission for their meeting on July 14, 2021, and then that recommendation will be added and forwarded to the Board of County Commissioners at their meeting to be held on August 5, 2021. If it is approved as a sending site, it will go onto a waiting list for the Navy and County to consider for appraisal and possible conservation easement purchase. Dean Patterson commented that this is a lot of acreage and questioned if the Navy might want to consider inviting Natural Resources Conservation Services (NRCS) to partner with the purchase of an easement. Jennifer Haley thought that was a great question and stated that she will propose it to them. She then noted that they have already submitted their budget requests for the 2021-2022 fiscal year, so this application would probably be considered for adding to their budget for the 2022-2023 fiscal year. She shared that it could be at least a year before any movement may be made toward purchase of an easement. There was discussion about how the military has been very supportive of this program in order to protect the interests of military training and bases. Jennifer Haley didn't think that there would be issues with funding for this program due to where the money comes from. Jessi Eckert inquired about the involvement with NRCS, and she was told that this agency could become a funding partner to provide a portion of the funding. It wouldn't affect the Eckerts, and it only has to do with where the money comes from.

- B. Consideration and possible action re: A sending site application filed by Robert E Smith Jr for properties located at 7250 Curry Road and 3303 Gwinn Marie Court, Assessor's Parcel Numbers 006-553-37 and 006-553-41, consisting of 211.0 acres with 89.81 acres of water righted property. The applicant proposes to place a conservation easement on the property.

Robert Smith explained that they would like to keep their properties from being subdivided, and their parcels are bordered on two sides by the bombing range to the southwest of the county. Member Pomeroy asked if the zoning is A-10 because the application only listed "A". It was determined that these parcels are in the A-10 zoning district. Member Getto questioned how many residences there are and did they want to request any reservations for a residence in the future. Mr. & Mrs. Smith stated that there are a total of three houses now, and they wanted to get the appraisal with and without a future reservation for one more house in the future, but it isn't really that important if it will affect things too much. Mrs. Smith informed that they requested the appraisal price with and without the additional residence. Diane Moyle pointed out that there were two homes on the 164 acre property and 1 home on the 46 acre parcel. Jennifer Haley asked if the third home was a permanent home, and Mrs. Smith said that it was a modular/manufactured home. There was some discussion about foundation and whether it was placed prior to a foundation being required, and the determination is that it was a single-family residence since it was not placed under a temporary use permit and would be considered a

permanent home on this parcel. Member Getto restated that this easement would be in perpetuity, which is forever. He further noted that this would be the furthest easement on the west side of Schurz since the boundary had been changed to include properties to protect the ranges. He thinks that this is a good thing. He would like to see more large properties in this area request easements in order to protect the bombing range there. Diane Moyle pointed out on the conservation easement map on the wall the parcels in yellow that are closer to these parcels that belong to Minner. The conservation easement deed was just sent to the Navy in San Diego to record this easement. These parcels are right in line with these.

Motion by Member Getto based on meeting the criteria for a Sending Site, including zoning designation, minimum acreage, water rights, and military operations buffer area, that the application concerning Assessor's Parcel Numbers 006-553-37 & 006-553-41, consisting of 211.0 acres, with 89.81 water righted acres, be approved as a Sending Site. Member Pomeroy seconded the motion and it passed unanimously.

Member Getto made a motion based upon the calculations for acreage, irrigated water righted acreage, and location in the military buffer zone to recommend a total of 195 Transfer of Development Rights (TDRs) be approved for APNs 006-553-37 & 006-553-41 off Curry Road. The motion was seconded by Member Pomeroy and was carried unanimously.

7. Discussion Item.

A. Updates and other items of interest.

Diane Moyle shared that Olivo and Lawrence have had conservation easements recorded on their properties earlier this year. Nygren had to get a record of survey due to an error in his deed. Snow also had to have a map completed for his parcel. There were some legal issues that came up with Buckmaster and Davis that must be resolved before we can discuss conservation easements on those. Minner was just sent to the Navy to record the easement. She noted that Kathie Minner has passed away and her son is the successor trustee.

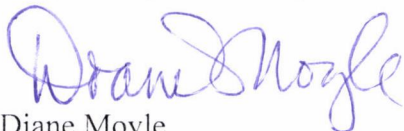
8. Public Comment.

Chairman Spross asked if there were any public comments and there were none.

9. Adjournment.

Chairman Spross adjourned the meeting at 8:53 a.m.

Respectfully submitted,



Diane Moyle
Administrative Assistant