

MINUTES
CHURCHILL COUNTY SENDING SITE REVIEW COMMITTEE
June 5, 2023

Present: Christian Spross, Chairman
Bob Getto, Committee Member
Carla Pomeroy, Committee Member
Ernie Schank, Committee Member
Dean Patterson, Associate Planner
Robin Schofield, Navy Representative
Diane Moyle, Administrative Assistant
Toby Joe Scoggin, Applicant

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 8:36 a.m.

2. Verification of the posting of the Agenda.

Chairman Spross verified with Diane Moyle that the agenda had been posted in accordance with NRS 241 on 30th of May 2023, between the hours of 8:30 a.m. and 5:00 p.m.

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

Member Schank 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 on anything not on the agenda, and there were none.

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

A. November 7, 2022

Committee members had previously been provided with the Minutes of the meeting held on November 7, 2022.

Member Schank moved to approve the Minutes of November 7, 2022 as submitted. The motion was seconded by Member Pomeroy, and the Minutes were unanimously approved.

6. Public Hearing

A. Consideration and possible action re: A sending site application filed by Toby Joe Scoggin for properties located at 6755 Stuart Road and on Stuart Road, Assessor's Parcel

Number 009-131-06 & 009-131-03, consisting of 230.0 acres with 86.0 water righted acres in the A-10 zoning district.

Director Spross went over the Staff Calculation for the Transfer of Development Rights (TDRs) and stated that this totals 201.

Member Schank explained that these easements are in perpetuity, which means that can't be changed once they've been recorded. He asked Mr. Scoggin if he was sure that he wanted to include 009-131-03 since it only has 0.86 water righted acres on it because he doesn't want him to have buyer's remorse. He said that when it is appraised and since there are so few water rights on that parcel, it will probably not appraise per acre as the other parcel due to the lack of water righted acres. Toby Joe (TJ) Scoggin isn't sure what he should do, and he doesn't see the property as developable land or where he would be able to put more land into production. There was some discussion about the slough that runs through the parcel, the canal delivery to another parcel to the northeast, as well as the runoff from Harmon Reservoir and the ditch ending at this parcel. There is a little area that might be able to be put into production, but access is an issue. Member Schank stated that this committee will take action on it today, and Mr. Scoggin still has some time to consider whether to include it or leave it out of the easement. There was more discussion about requesting the appraisal with and without this parcel, so that the applicant could see what the value would be. Also, they talked about the location of the existing home and possibly a future home site. These things will need to be determined before an appraisal is done.

Member Getto asked if the applicant had any questions for the committee. Toby Joe Scoggin asked if he does move forward and records an easement on these parcels and then the decision is made to bring the new Interstate through this area, how would that affect the easement agreement he made to keep it in production with the water rights on it. There was some discussion about this being something outside of his control and shouldn't be held against him. Director Spross said that there is no way to make a planning decision when there is no way to know where the road might go and when it might happen.

Member Schank reiterated a request for a better Conservation Easement map that someone could read without a magnifying glass, and it was stated that the department would look into this to see if there is a better way to produce this map to make it more readable.

Toby Joe Scoggin inquired if this is a good idea, and Member Schank agreed that this is a great way to preserve water and curtail development around agricultural lands.

Motion by Member Getto, based on meeting the criteria for a Sending Site, including zoning designation, minimum acreage, and military operations buffer area, that the application concerning Assessor's Parcel Numbers 009-131-03 and 009-131-06, consisting of ±230.0 acres, with ±86.0 water righted acres, be approved as a Sending Site. Member Schank seconded the motion and it passed unanimously.

Member Getto made a motion based upon the calculations for acreage, water righted acreage, and location in the military buffer zone to recommend a total of 201 Transfer of Development Rights (TDRs) be approved for APNs 009-131-03 and 009-131-06 on Stuart Road and at 6755 Stuart Road. The motion was seconded by Member Schank and was carried unanimously.

This application and recommendation will be forwarded to the Planning Commission meeting for June 14, 2023. Mr. Scoggin should plan to attend the meeting in case the Commissioners have any questions.

7. Discussion Item.

A. Updates and other items of interest.

Director Spross shared that C & A Rentals LLC was approved as a Sending Site by the Board of County Commissioners since the last time the committee met. Conservation Easements have been recorded on E & C Schank Properties LLC, Eckert Family Trust (3 parcels), and Brown Family Trust. The applications that are in progress for appraisals include: Eckert Family Trust (2 parcels), Smith, Buckmaster, Goings, and C & A Rentals LLC.

Member Schank asked about the meeting to discuss how to handle utilization of the TDR certificates that have already been issued. Director Spross admitted that the department has been so busy that it was completely forgotten to schedule this. He said that we will work toward getting some type of workshop together to discuss this as well as receiving sites within the next couple of months. Member Schank has tried to speak with the County Manager and others about ways to use these certificates in order to create a market, and some are afraid of giving the impression that it could be considered to be a tax. He is concerned that the County doesn't get into a position like the City of Fernley where they don't have any water to support their growth. There was some discussion about how to use them for things like an accessory dwelling unit and other uses for increasing residential. Director Spross also thinks that a discussion needs to take place regarding the calculations of TDRs because when you look at the potential TDRs that a conservation easement could create, and with just a couple of the larger acreages there would be more than enough TDRs generated to cover just a few developments. Member Schank pointed out that there were a couple of developments that were very controversial, and especially the one off Coleman Road where it is on agricultural lands would have been a great place to retire quite a few of these TDR certificates. He also believes that any zoning change should involve use of the TDR certificates, but this is an area where people think it becomes more of a tax. He further asked if there are still fees and taxes charge with building permits for new development, and it was stated that there are. Member Schank thinks this should be a part of those, and Director Spross believes that everything should be considered and discussed. Director Spross said that in other places these types of programs work differently. Usually there is a receiving site before there is a sending site, and they work in tandem. It was suggested that maybe we need to review the receiving site portion of the code as well. Member Schank agreed and also spoke to expanding to include the southwest quadrant where development has taken place. He further added some discussion about building outside of the old floodplain areas around the Santa Fe area—from Sheckler Cutoff to Mc Lean Road.

8. Public Comment.

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

9. Adjournment.

Chairman Spross adjourned the meeting at 9:01 a.m.

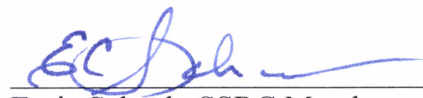
Approved:


Bob Getto, SSRC Member

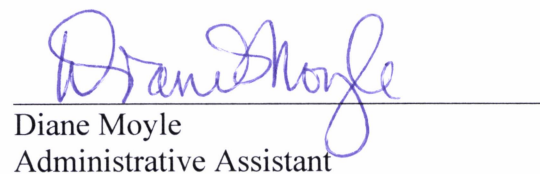
Approved:


Carla Pomeroy, SSRC Member

Approved:


Ernie Schank, SSRC Member

Attested:


Diane Moyle
Administrative Assistant