

WARM SPRINGS CITIZEN ADVISORY BOARD



DRAFT

Minutes of the special meeting of the Warm Springs Citizen Advisory Board held July 6, 2010 at the Truckee Meadows Fire Station #29, Ironwood Road, Warm Springs, Nevada.

1. **CALL TO ORDER** – The meeting was called to order at 6:31 p.m. by Hugh Ezzell, Chair.
2. **MEMBERS PRESENT** – Hugh Ezzell, At-Large, Chair, Jeanne Herman, At-Large, Secretary, and Jeff Wiggins, At-Large.
MEMBERS ABSENT – Robert White, At-Large, V. Chair, excused
3. **APPROVAL OF AGENDA FOR THE MEETING OF JULY 6, 2010.** – Jeff Wiggins moved to approve the July 6, 2010 meeting agenda as posted. Jeanne Herman seconded the motion. The motion carried unanimously.
4. **APPROVAL OF THE MINUTES OF THE MEETING HELD ON MAY 3, 2010.** – Jeff Wiggins moved to approve the minutes of the May 3, 2010 meeting as submitted. Jeanne Herman seconded the motion. The motion carried unanimously.
5. **UPDATES, ANNOUNCEMENTS AND CORRESPONDENCE.**
 - Hugh Ezzell reviewed information from Lorrie Adams, Community Liaison. (See item 8. B.)
6. **WASHOE COUNTY SHERIFF'S DEPARTMENT** – A representative of the Washoe County Sheriff's Department was not available to report on public safety issues including recent calls for service.
7. **RENO FIRE PROTECTION AND SAFETY ISSUES** – A representative of the Reno Fire Department was not available to present a report on fire safety. Hugh Ezzell urged everyone to clear defensible space around their dwellings and structures.
- 8.* **COUNTY COMMISSIONER/COUNTY LIAISON UPDATES.**
 - A. Commissioner Robert Larkin was not present to provide an update on County issues.
 - B. Lorrie Adams, County Liaison for Districts 4 and 5, is available to answer your questions and concerns. Please feel free to contact her at ladams@washoecounty.us (775) 328-2720. To sign up to receive email updates from the County, visit www.washoecounty.us/cmail. Monthly updates on County issues in your area are available online at www.washoecounty.us/cab (follow the link to your CAB).
9. **PUBLIC COMMENT** - Comment heard under this item will be limited to items not on this agenda and will also be limited to three minutes per person. This three-minute rule shall also apply to public testimony given during an agenda item, and that testimony shall be limited to the subject of the agenda items. Comments are to be made to the CAB as a whole. The CAB follows NRS 241.035 and includes written remarks as part of the public record only when such remarks are read into the record and a copy is provided for inclusion as part of the record.
 - Sharon Spencer stated that 'we' can not have unilateral decisions on who or when we have comments on the GRA (General Rural Agriculture). We need to hear from Bill (Whitney) and Grace (Sannazzaro) at every meeting and it is imperative that we get this resolved and we lose luster and momentum when we do not have this scheduled on each agenda.
 - Katherine Snedigar stated that county staff needs to attend each WSCAB meeting and not drag their feet on the GRA designation. Ms. Snedigar stated that she sent two e-mails to Adrian Freund, Director and regarding Washoe County dropping the ball on this. Ms. Snedigar provided the statute information to Mr. Freund that addresses the change of designation and to modify the Planned Unit Development that is already in place.
 - Katherine Snedigar stated that Palomino Valley is a 37 year old development within the Warm Springs Valley. Ms. Snedigar provided copy of an edited version of the Palomino Valley Vision Statement.
 - Katherine Snedigar stated that she met with Commissioner Bonnie Weber, Adrian Freund, Director, Department of Community Development and Bill Whitney, Staff Representative to discuss the GRA. Ms. Snedigar stated her opposition to a proposed survey. Ms. Snedigar confirmed with Bill Whitney that the intent to change from GRR to GRA was not to eliminate the nuisance ordinance, that it is a totally separate thing. Warm Springs is not a residential development as defined in the statute as five acres or less. Ms. Snedigar stated that the nuisance ordinance is something that will have to be taken up with the District Attorney. The equal protection doctrine means due course and process under the law in court. Ms. Snedigar discussed the doing a survey with Commissioner Bonnie Weber. Changing the GRR designation to GRA is very important to everyone in this valley.
 - Hugh Ezzell asked for further public comment and hearing none, closed this agenda item.
10. **NEW BUSINESS** - (Staff contact listed on items for Community Development may not be in attendance but can be contacted with code and policy questions.)
 - A.* **Washoe County Building & Safety Department Programs** – Don Jeppson, County Building Official, Building & Safety Department presented two new Building & Safety Department Programs. The "Got Permits?" Program is to educate the public about when permits are required and the value of having required permits. The Residential Amnesty Program beginning May 1, 2010 to October 31, 2010 will allow homeowners to obtain permits without additional penalties for projects completed without a permit and to have information recorded about the

unpermitted work against the property. Penalties for work completed without a permit will be significantly increased and strictly enforced after conclusion of the program. Mr. Jeppson stated that their research has found that many licensed contractors have billed customers for permits, however, they did not pull the permit. Mr. Jeppson stated that citizens don't want over regulation. Following his presentation, Mr. Jeppson was available to address questions and concerns. (This item was for information only and the CAB took no action.)

Comments and Concerns

- Sharon Spencer stated concern that there is no legal statute of limitations or beginning date that permits are required. Mr. Jeppson stated that to his knowledge, that the code does not recognize grandfathering and this code goes back to the 1979. Ms. Spencer stated that the law does not work from the beginning of time.
- Mr. Jeppson stated that the Building & Safety Department is a government entity that is funded by permit fees and through an enterprise fund.
- Mr. Jeppson stated that they work in a fair and equitable manner with private individuals by waiving penalty fees but have zero tolerance for licensed contractors who have not pulled permits.
- Concerns were raised that some lenders will no loan on a property that have improvements that were not permitted. Mr. Jeppson stated that pulling permits is required, however, there may be a penalty in the future after the amnesty has expired.
- Mr. Jeppson stated that the amnesty program may be extended by the Board of County Commissioners. Mr. Jeppson discussed over the counter permits that can be accessed on-line. There is a list available of improvements that do not require a permit.
- Mr. Jeppson stated that insurance companies may not pay claims on damage caused by non-permitted improvements.
- Mr. Jeppson stated that the Building & Safety Department is concerned about public safety. Mr. Jeppson encouraged citizens to contact their County Commissioner with opinions regarding the permit code. Mr. Jeppson stated that they to charge the same for permits throughout Washoe County with the exception of Incline Village.
- Hugh Ezzell asked that the plan checkers look at small to medium sized structures and make the markups on the plan and when the inspectors go on-site, they need to be kinder and gentler.
- Mr. Jeppson reviewed his actions to reduce the Building & Safety Department budget reductions.
- Concerns were raised that anonymous complaints may in fact be a fictional complaint by a Building & Safety representative in order to increase the number of permit fees collected.

B.* Request for Comments on Proposed Commercial Stables – Ron Gunderson and Cheryl Gardner from GA Engineering & Planning, the property owner, Jose de la Luz and his representative Veronica Cortes introduced themselves and stated that they plan to submit a request for a Special Use Permit to establish commercial stables for the purpose of boarding, training, breeding and selling horses. The proposed plan would use existing facilities on the ±40-acre parcel located at 6205 Grass Valley Drive which consist of 13 12' x 12' stalls, a 30' x 1,312' fenced exercise area, and a graded parking area that would accommodate 25 vehicles. Manure would be removed off-site on a weekly basis. The property owner wishes to obtain comments and concerns from the CAB and surrounding residents prior to applying for the Special Use Permit. (This item was for information only and no action was taken by the CAB at this time.)

Comments and Concerns

- In response to questions raised, Mr. Gunderson stated that they will be filing for a Special Use Permit and request comments from the community.
- In response to questions raised, Ms. Gardner stated that there this would be a low key stable.
- Katherine Snedigar stated that this application should not require a special use permit and that she would be happy to receive horse manure from the facility for her personal use.
- There was no opposition heard from the audience and the applicant was wished good luck on the project.

C. Special Use Permit Case No: SB10-009, Palomino Valley General Improvement District (PVGID) Water Truck Fill Station – Discussion was held regarding the request to allow the development of one water truck fill station (Utility Services Use Type) in support of on-going roadway maintenance, as authorized in Section 110.302 of the Washoe County Development Code. The project is proposed to be located at the southeast corner of State Route 445 and Ironwood Road. The subject parcel is designated Public and Semi-Public Facilities (PSP) in the Warm Springs Area Plan, and is situated in a portion of Section 7 T22N R22E MDM, Washoe County, Nevada. The project is located in the Warm Springs Citizen Advisory Board boundary and Washoe County Commission District No. 4. (APN: 076-251-07) Staff Representative: Roger Pelham, 775.328.3622. This application is scheduled for the August 5, 2010 Board of Adjustment meeting. **MOTION:** Jeanne Herman moved to recommend approval of SB10-009 PVGID as presented. Jeff Wiggins seconded the motion. The motion carried unanimously.

Comments and Concerns

- Questions were raised regarding costs related to the wells.
- Jeff Wiggins stated that per Mr. Pelham, Staff Representative, with the two map system, this application would not have needed to be brought before the CAB.

- Hugh Ezzell stated that bringing this before the CAB is a waste of the CAB 's as well as the GID's time.
 - There was no opposition heard from the audience or community.
- D. Election of Officers** – Elections were held to elect the Chair, Vice Chair and Secretary to serve for the 2010-2011 term of office. **MOTION:** Hugh Ezzell moved to elect Robert White as Chair for the 2010-2011 term of office. Jeff Wiggins seconded the motion. The motion carried unanimously. (The election is subject to approval by Robert White.) **MOTION:** Hugh Ezzell moved to elect Jeff Wiggins as Vice Chair to serve for the 2010-2011 term of office. Jeanne Herman seconded the motion. The motion carried unanimously. **MOTION:** Jeff Wiggins moved to elect Hugh Ezzell to serve as Secretary for the 2010-2011 term of office. Jeanne Herman seconded the motion. The motion carried unanimously.
- E. Possible Cancellation of or Change of September 6, 2010 Meeting Date** – Discussion was held regarding changing the September 6, 2010 meeting date due to the Labor Day Holiday. With no opposition heard from the audience, the CAB took the following action: **MOTION:** Jeanne Herman moved to change the WSCAB regular September 6, 2010 meeting to a special meeting on Monday, August 9, 2010. Jeff Wiggins seconded the motion. The motion carried unanimously. (The time and location are unchanged.)
- 11. OLD BUSINESS – There are no Old Business items scheduled for review.**
- 12.*CHAIRMAN/BOARD MEMBER ITEMS** (This item limited to announcements of topics/issues posed for future workshops/agendas).
- Hugh Ezzell announced that he was reappointed to the WSCAB. Mr. Ezzell announced that on Tuesday August 17th, Keep Truckee Meadows Beautiful will participate in the Annual Litter Index. Mr. Ezzell provided copies of announcements including agency review information for public review.
 - Katherine Snedigar identified the Palomino Valley and stated that sustainable development is going to be subject to government controls and it is important that the land use be changed back to GRA (General Rural Agriculture).
 - **Next agenda Items:** Bill Whitney and Grace Sannazzaro to continue discussion regarding General Rural Agriculture designation.
- 13. ADJOURNMENT** - Jeff Wiggins moved to adjourn the meeting at 7:33 p.m. Jeanne Herman seconded the motion. The motion carried unanimously.

Respectfully submitted By: Allayne Donnelly-Everett, Recording Secretary