

WARM SPRINGS CITIZEN ADVISORY BOARD



DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the special meeting of the Warm Springs Citizen Advisory Board held May 7, 2012 at the Regional Shooting Facility at 21555 Pyramid Highway, Warm Springs, Nevada

- 1.* **CALL TO ORDER** – The meeting was called to order at 6:39 p.m. by Jeff Wiggins, Chair.
- 2.* **MEMBERS PRESENT** – Larry Chesney, At-Large, Vice Chair., Jeanne Herman, At-Large, Secretary, Joann Phillips, At-Large (arrived at 6:57 p.m.), Robert White, At-Large, Alternate and Jeff Wiggins, At-Large, Chair.
MEMBERS ABSENT - Hugh Ezzell, At-Large, excused
- 3.* **PUBLIC COMMENT** - Comment under this item were limited to three minutes per person.
 - Darla Owen stated that she lives adjacent to the Amy Ranch location and stated concern that the use of loud speakers will be a negative noise impact on her quality of life. Ms. Owen asked that there be conditions of approval to limit the use of loud speakers. Ms. Owen stated that there have been occasions when the loud speakers could be heard inside her home. (Ms. Owen is speaking pertaining to item 7. A.)
 - Katherine Snedigar responding to Ms. Owen's statement stated I am not a legal fiction, I am a living self conscious being, I am not a resident of Washoe County, I live in Washoe County. Ms. Snedigar stated that Ms. Owen is mistaken about speakers. You don't have to have speakers to hear your neighbor talking. When I was outside, my neighbor had a bunch of girls over and they were practicing for the high school rodeo and they were doing barrel racing. She happened to be facing in my direction. She was at the back part of her property and I was at the front part of mine. I could hear every single word that she said and she was talking in a normal voice. So the speaker thing is a misrepresentation of what is really happening. Now, if Darla actually has this private nuisance going on, that is tort that she can take up with the court. And then she can go into the court and she can show them what her injuries are as a result of these speakers. That is what is known of in law as a private nuisance. It has to affect a large number of the public. When there is a private nuisance, that is where one neighbor takes it up with another neighbor. If there is no resolution, then the neighbor that seems to be bothered of have some sort of harm or injury caused, an actual harm or injury, then they take it to court. The court hears both sides and sees the evidence in order to make a decision on there has actually been harm caused. Thank you.
 - Bill Deason stated that he observed the smoke from the burning structure when it occurred. The electricity failed so the water at the residence was not available to fight the fire. Mr. Deason stated that the dwelling burned for several hours due to the lack of water from the fire tankers. Mr. Deason stated that homes are in danger with our current lack of water resources. Mr. Deason stated that the tankers arrived about an hour apart.
 - Jeff Wiggins stated that solutions are being discussed to the water availability for fighting fires issue. Washoe County zoning responded to Mr. Wiggins on Easter Sunday.
 - Jeff Wiggins asked for further public comment and hearing none, closed this agenda item.
4. **APPROVAL OF AGENDA FOR THE REGULAR MEETING OF MAY 7, 2012.** – **MOTION:** Larry Chesney moved to approve the May 7, 2012 special meeting agenda as posted. Jeanne Herman seconded the motion. The motion carried unanimously.
5. **APPROVAL OF THE MINUTES OF THE SPECIAL MEETING HELD ON MARCH 26, 2012.** – **MOTION:** Jeanne Herman moved to approve the minutes of the March 26, 2012 special meeting as submitted. Larry Chesney seconded the motion. The motion carried unanimously.
- 6.* **REPORTS AND UPDATES** – **The following reports and updates will be limited to five minutes each.** (These items are informational only and no action will be taken by the CAB.)
 - A.* **Updates/Announcements/Correspondence**
 - Jeff Wiggins had copies of the Washoe County Sheriff's Update and information from the City of Sparks fire response available for review. Larry Chesney announced the information from the Sheriff's Department is available on-line.
 - B.* **Washoe County Sheriff's Office Items** – Sergeant Douglas Brady, Washoe County Sheriff's Office was available to present to report on public safety issues within the CAB area, including recent calls for service. Sgt. Brady addressed questions and concerns regarding excessive vehicle speed on local roadways. An additional concern is that speeding vehicles create increased dust issues. Sgt. Brady stated that budget conditions have reduced levels of service in the unincorporated areas of Washoe County. Sheriff Haley is committed to public safety. Sgt. Brady stated that he would forward the concerns to Sgt. Condon who is the local liaison. Call 328-3350 with questions and concerns.

Comments and Concerns

- Jeff Wiggins stated that a concern citizen has requested that speed enforcement issues be addressed by the Sheriff's representative.
- In response to questions raised, Sgt. Brady stated that they do not have jurisdiction on local private roadways.
- Katherine Snedigar stated that any vehicle travel can raise dust on local roadways and everyone who lives out here knew that the roads were dusty when they purchased their property.

C.* Washoe County Update

- Commissioner Bonnie Weber was not present to provide an update on County issues and District 5.
- Sarah Tone, County Liaison, is available to answer your questions and concerns. Please contact her at stone@washoecounty.us or 775.328.2721. To sign up to receive email updates from the County, visit www.washoecounty.us/cmail. The written County updates are available online at www.washoecounty.us/cab (follow the link to your CAB).

7. 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. Special Use Permit Case No. SB12-006 for Amy Ranch Commercial Stables, aka High Desert Equine Center, Ron Olson, applicant.** – Jeff Wiggins introduced this item and acknowledged the home owner, applicant and his representatives that were in attendance. Mr. Wiggins stated that a complaint was filed against the applicant after the March WSCAB meeting. A facility in Sparks went out of business so the horses were brought to this facility. The intent is to move the horses to the new equestrian center as soon as it is available. The CAB recommended up to fifty horses without any special use permit. The current zoning is three horses. The applicant is asking for approval to board thirty five horses for boarding and they will use Amy Ranch facility occasionally for special events. The applicant has already been approved for the equestrian center at Whiskey Springs and Ironwood. Grace Sannazzaro, Staff Representative was available to address code, policy and process questions. Eric Anderson, Big Horse Consulting presented request to allow the operation of commercial stables as authorized in Article 302, Allowed Uses, and Article 810, Special Use Permits. The applicant is requesting a special use permit to operate an equestrian facility for boarding of up to thirty five horses, riding lessons, and up to twenty two special events and activities. The parcel is located at 4455 Amy Road, is zoned General Rural Agricultural, is approximately forty acres in size, and is within the boundaries of the Warm Springs Citizen Advisory Board and Commissioner District 5. (APN: 077-140-06) Mr. Anderson stated that the application will bring the facility into compliance with Washoe County Code. They are requesting overnight stays of up to fifteen trailers on site. They are requesting hours of operation from 7:00 a.m. to 10:00 p.m. seven days per week. The applicant plans to install lower illumination lighting and will install shields over the lights. The public address system would be off by 9:00 p.m. Staff: Grace Sannazzaro, Planner, 775.328.3771, gsannazzaro@washoecounty.us **MOTION:** Larry Chesney moved to recommend approval of SB12-006 as presented and based on staff recommendations. Jeanne Herman seconded the motion. The motion carried unanimously.

Comments and Concerns

- In response to questions raised, Joe Juneau stated that allowing overnight stays must be tied into an event.
- In response to questions raised, Mr. Juneau, the applicant's representative for the Amy Ranch Stables stated that they would like to retain the right to use the Amy Ranch Rd, facility after the Springwood facility is open. They would like to retain the right to use the Amy Ranch facilities in the future for practice and some overflow if needed. Springwood should open in 2013 and it is fully permitted and all events will comply with County Code.
- In response to questions raised, Jeff Wiggins stated that code allows for up to ninety nine participants without any special permits. Mr. Wiggins stated that they historically had less than 20 participants.
- Mr. Juneau stated that Ironwood would be the closest road in to the facility.
- Larry Johnson, PVGID asked that if the applicant would fund the PVGID for dust pallet application. The PVGID would leave the dust controls option up to the applicant.
- Mr. Juneau stated that they do not have a problem with dust control measures on the ingress and egress roadways and along Amy Ranch Road.
- Jeff Wiggins stated that all roads have truck traffic when they have construction. Every landowner has the right to use the roads for vehicle traffic and truck traffic. Mr. Johnson stated that he does not see where a truck traffic pulling a horse trailer would have significant negative impacts.
- Kathleen Davis stated concern that there should be a cut-off time when generators would be shut off. Mr. Juneau stated that noise would be cut off according their conditioned hours of operation.
- John Poundstone stated that concern that 'temporary use' is not correct, that the use would be longer with overflow and other uses. Mr. Poundstone stated concern that traffic and partying would have negative effects.
- Mr. Juneau stated that they are trying to keep the facility in compliance with Washoe County Code and mitigate any negative impacts. Mr. Juneau stated that there is no reason to make participants to drive the

additional three miles into the facility. Mr. Juneau stated that they have been in operation for the past three years and he does not anticipate an increase in participation.

- Mr. Poundstone stated that he moved into the area to be away from high traffic and other negative impacts. Mr. Poundstone stated concern that the applicant seems to have their feet in the door to expand in the future and still be in compliance.
- Mr. Wiggins stated that the applicant should comply with conditions of approval. Mr. Wiggins also stated that the special use permit stays with the land. Mr. Wiggins added that the participants in an event should be a good neighbor.
- Katherine Snedigar stated that she lives in a direct line from the facility on Amy, and she has not had any dust. Ms. Snedigar stated that she could have eighty horses, and fifty of her friends come to her home for events that she does not need any permit of any kind.
- Darla Owen, adjacent neighbor stated concern that loud speakers would negatively impact her property. Mr. Juneau stated that their cut-off time is 9:00 p.m. Mr. Juneau stated that they reserve the right to allow some people to stay overnight and that they would comply with the hours of operation allowed by Washoe County. Ms. Owen stated that if the applicant has fifty to one hundred participants staying overnight that this would negatively impact adjacent neighbors.
- Mr. Juneau stated that they would not allow inappropriate activity and they would honor the conditions of approval. Mr. Juneau stated that they have removed some loud speakers and past uses are a template for what they plan to do in the future. Evening is a good time for qualifying events.
- Larry Chesney stated that Ms. Owen can contact Washoe County to register a complaint.
- Grace Sannazzaro stated that should the applicant break their condition of approval, that the special use permit would be withdrawn by Washoe County.
- Kenneth McGuire stated concern whether the applicant has water rights sufficient to move forward with the permitting process. Ms. Sannazzaro stated that the Department of Water Resources would review the application for sufficient water rights.
- In response to concerns raised regarding disposal of horse manure, Mr. Wiggins stated that horse manure is considered as dirt by the EPA (Environmental Protection Agency).
- Bruce Cote stated concerns regarding whether all event holders would pay for repair and maintenance of PVGID roadways. Mr. Wiggins stated that the PVGID would handle roadway usage just as it has in the past. Mr. Cote stated further concern whether the impacts from this applicant would be an additional burden considering the existing allowable uses.
- Mark Dunnigan, Legal Council for the Applicant stated that the applicant is not expanding any operations. They are making application to come into compliance with Washoe County code and they would not expand the operation. Mr. Cote stated that people do not feed twenty or thirty horses unless they are making money off of them. Mr. Cote stated that the applicant should assist with the cost of maintenance of the roads.
- It was stated that the condition of all of the roads is a different issue and people can not expect one land owner to pay for other peoples roadways.
- Larry Johnson, PVGID stated that there would be an influx of traffic in the beginning of and the evening of events and watering once in the morning and in the evening would be the best schedule.
- Darla Owen stated that she lives adjacent to the Amy Ranch location and stated concern that the use of loud speakers will be a negative noise impact on her quality of life. Ms. Owen asked that there be conditions of approval to limit the use of loud speakers. Ms. Owen stated that there have been occasions when the loud speakers could be heard inside her home. (Ms. Owen spoke under public comment, item 3, pertaining to item 7. A.)
- Katherine Snedigar responding to Ms. Owen's statement stated I am not a legal fiction, I am a living self conscious being, I am not a resident of Washoe County, I live in Washoe County. Ms. Snedigar stated that Ms. Owen is mistaken about speakers. You don't have to have speakers to hear your neighbor talking. When I was outside, my neighbor had a bunch of girls over and they were practicing for the high school rodeo and they were doing barrel racing. She happened to be facing in my direction. She was at the back part of her property and I was at the front part of mine. I could hear every single word that she said and she was talking in a normal voice. So the speaker thing is a misrepresentation of what is really happening. Now, if Darla actually has this private nuisance going on, that is tort that she can take up with the court. And then she can go into the court and she can show them what her injuries are as a result of these speakers. That is what is known of in law as a private nuisance. It has to affect a large number of the public. When there is a private nuisance that is where one neighbor takes it up with another neighbor. If there is no resolution, then the neighbor that seems to be bothered of have some sort of harm or injury caused, an actual harm or injury, then they take it to court. The court hears both sides and sees the evidence in order to make a decision on there has actually been harm caused. Thank you. (Ms. Snedigar responded to Ms. Owen's comment under public comment, item 3, pertaining to item 7. A.)
- Darla Owen submitted comments in writing stating concerns regarding the proposed project.

- Midge Bevilacqua submitted comments in favor of the proposed project.

B.* PVGID Water Storage Tank Conditions of Approval Update – Larry Johnson, PVGID provided an update on the conditions of approval for relocation of the water storage tank located at the PVGID 5105 Wayside equipment yard. Information may include issues not related to the PVGID mission of road maintenance. Mr. Johnson reported that they were required to install a threaded connect that only works on City of Reno fire connections. Mr. Johnson stated that they have complied with the requirements. Mr. Johnson stated trucks could have filled with water from this site to fight a dwelling fire. Mr. Johnson stated that the site has been targeted by vandals. The GID meetings are the second Thursday of each month and welcomed everyone to attend. (This item was informational only and no action was taken by the WSCAB.)

Comments and Concerns

- Jeff Wiggins thanked Mr. Johnson for attending this meeting to discuss the approval process for relocation of the water storage tank. Mr. Wiggins provided a map identifying the location of the water storage tank.
- In response to questions raised, Mr. Johnson stated that the water tank is now available to all emergency agencies. Mr. Johnson stated that development of the Ironwood well is not needed at this time because another well on the PVGID site supports the needs of the PVGID as well as water to wet down roadways. Mr. Johnson stated that they had to move the building back three feet in order to be in compliance with Washoe County requirements. Mr. Johnson stated that there is information on the GID web-site regarding fire fighters getting water from the tank. The tank is outside and easy access for fire trucks. Bureau of Land Management fire trucks will also fill from the GID water tank. The Wayside well will also provide for the GID water needs. Mr. Johnson reported that the well site has been hit by vandals. An agreement and budget should be finalized by May 15, 2012. The PVGID meetings are typically held the third Thursday of each month. Everyone is welcome to attend.

C. Fire Protection in the Warm Springs Valley – Battalion Chief Scott Baker, Reno/Truckee Meadows Fire Protection District was available to discuss fire protection levels of service including water availability for fighting fires in the Warm Springs valley. Chief Baker was available to address questions and concerns regarding a recent residential fire. The WSCAB did not make recommendations to the Board of County Commissioners.

Comments and Concerns

- Jeff Wiggins stated that Ron Olson provided the water to fight the residential fire that occurred on Easter. Mr. Wiggins announced that he has volunteered to serve on the Volunteer Fire Department and encouraged everyone to consider volunteering as well. Mr. Wiggins stated concern that insurance carriers could have an impact on individual property owners. Mr. Wiggins urged citizens to volunteer to serve on the fire department. Mr. Wiggins stated that he is urging Washoe County to fund putting in the water tank on Ironwood
- Mr. Olson stated that they will have a connection available for fighting fire at the new equestrian center.
- In response to concerns raised, Chief Baker stated that they do provide adapters for the water tanks.
- Chief Baker stated that Station seventeen located on Pyramid Hwy. responded to the dwelling fire and Chief Baker also discussed fire truck arrival times at that fire. Chief Baker stated that heavy timber homes provide a lot of fuel for fires that are more difficult to fight. Chief Baker thanked everyone on site of the home fire for their help.
- Chief Baker stated that they use a soap additive to help water to adhere to burning structures. Chief Baker encouraged citizens to volunteer to serve on the Volunteer Fire Department.
- Jeff Wiggins stated that at the time of the Easter fire, no one was aware of water availability at the PVGID.
- It was stated that the house that burned did not have smoke alarms and there were fuels stored on the site.

D.* Air Quality Management - Ms. Charlene Albee, Air Quality Engineer II, District Health Department provided information on air quality management in the Warm Springs valley. Ms. Albee stated that they will respond to complaints and give warnings to those committing violations with a request to mitigate any problems noted. Ms. Albee stated that they do not respond to complaints from non-residents of the area. The District Health Department will contact Code Enforcement to enforce code violations. Following the presentation, Ms. Albee addressed questions and concerns from the audience and CAB. (This item was informational only and no action was taken by the WSCAB.)

Comments and Concerns

- Concerns were raised regarding nuisance odors and concerns regarding dust clouds created from local events.
- Concerns were raised regarding complaints that resulted in retaliation by the violators.
- Ms. Albee stated that they would work with the GID regarding dust controls on local roadways.
- Ms. Albee stated that the Burning Man event is not in Washoe County. It is held in Pershing County.

E. Speed Enforcement on Roadways in the Warm Springs Valley – Sergeant Douglas Brady, Washoe County Sheriff's Department discussed this item under item 6. B.

F. Date Change or Cancellation of the July 2, 2012 Regular Meeting – Discussion was held and the WSCAB took the following action. **MOTION:** Larry Chesney moved to change the July 2, 2012 WSCAB meeting to July 16, 2012. Jeanne Herman seconded the motion. The motion carried unanimously.

Comments and Concerns

- There was no opposition heard from the CAB or audience.

8. OLD BUSINESS – Time limits for public testimony on these items will be limited to 3 minutes per person.

A. Palomino Valley General Improvement District (PVGID Permanent Agenda Item) - Larry Johnson, representative from the PVGID presented information under item 7. B.

B.* Warm Springs Planning Area Equine Update – Sandra Monsalve, Department of Community Development reviewed the results of the survey that was reviewed during the March WSCAB meeting. Ms. Monsalve reported that an application for a code amendment regarding the number of horses allowed on a parcel that would be reviewed by the Board of Adjustment. Ms. Monsalve stated that she would bring the wording back to the WSCAB in July and then take the resolution to the Washoe County Planning Commission and then to the Board of County Commissioner for final approval. Ms. Monsalve encouraged comments and recommendations from the community. (This item was informational only and no action was taken by the CAB)

Comments and Concerns

- Jeff Wiggins stated that the Department of Water Resources as well as the State Water Master will review applications in the approval process. Mr. Wiggins stated that everyone's concerns are being addressed.
- Katherine Snedigar stated that she has the right to water her horses on her property without political interference.
- Concerns were raised that there are limits to the number of dogs one can have, so how can the determination be made to allow fifty horses which are much larger animals.
- Katherine Snedigar read from the state definition of commercial agriculture regarding what constitutes commercial boarding. Ms. Snedigar stated that we are not a residential regulatory zone.

9.* CHAIRMAN/MEMBER COMMENTS (This item limited to announcements of topics/issues posed for future workshops/agendas).

- Jeff Wiggins urged citizens to volunteer for the volunteer fire department. Mr. Wiggins thanked Mr. Olson for volunteering water to fight local fires.
- **Next Agenda Items:** Warm Springs Planning Area Equine Update.

10.*PUBLIC COMMENT – Jeff Wiggins asked for public comment and hearing none, closed this agenda item.

- Darla Owen stated concern that she was not allowed sufficient time to ask her questions. Ms. Owen stated that she did not understand some answers regarding the public address system at the Amy Ranch site.
- Jeff Wiggins stated that the meeting agenda clarifies the three minute time limits that everyone gets to speak. Mr. Wiggins also addressed Ms. Owens' questions and concerns.
- Joanne Phillips announced that there will be a garage sale on June 3, 2012 garage sale to benefit Beards.

11. ADJOURNMENT – MOTION: Larry Chesney moved to adjourn the meeting as at 9:00 p.m. Joanne Phillips seconded the motion. The motion carried unanimously

Respectfully submitted by: Allayne Donnelly-Everett, Recording Secretary