SMITH VALLEY CITIZENS ADVISORY BOARD
Wednesday, May 3, 2023, 6:00PM
Smith Valley Justice Court
2 Day Lane, Smith, Nevada

MINUTES OF THE MEETING

1. Call to Order - Chair Ted Stec called the meeting to order at 6:00PM.

2. Roll Call: Determination of a Quorum
   Chair Ted Stec, present
   Secretary Jon Turner, present
   Member Tom Renner, present
   Member Roger Rodarte, present
   New Member Wendy Loomis, present
   All members present, quorum exists

3. Pledge of Allegiance led by Tom Renner.

4. Invocation by Roger Rodarte.

5. Public Participation
   Mark Jones - request agendize moving the “high speed internet” sign on Lower Colony as it is blocking sightlines for traffic turning. Per Roger Rodarte, NDoT tried to move it but landowners refused. Can advise but not force them to change.

   Jim Kinninger - will the R. O. Anderson item have discussion? Per Chairman Stec yes. Can Roger Rodarte update us on 338? Per Chairman Stec, yes.

6. For Possible Action: Review and adoption of Agenda
   Motion by Tom Renner to approve as submitted, seconded by Roger Rodarte.
   Motion carries 5-0 (unanimous).
   Public Comment: None

7. For Possible Action: Approve Minutes of: April 5, 2023
   Correction by Tom Renner - BID to GID item 11.
   Motion to accept the minutes as amended, by Tom Renner. Seconded by Ted Stec. Motion carries 4-0 with the abstention of Wendy Loomis, who was not yet appointed at the April 5 meeting.
   Public Comment: None

8. For Report Only: Report of BoCC action regarding time and date change of SVCAB meetings.
Chairman Stec reported that the BoCC agreed with the CAB’s rationale for changing the day and time of our meetings to the first Wednesday of every month at 6PM.

Jon Turner reported that the BoCC had some concerns about holding three CAB meetings on the same night and the ability of Staff to attend those meetings, and encouraged all CABs to make use of Zoom to allow Staff to remotely attend meetings for efficiency.

Public Comment: Mark Jones thanked Commissioner Dave Hockaday for handling the matter on behalf of us.

Chairman Stec reported that the BoCC appointed Wendy Loomis to the SVCAB, filling the vacancy left by Mark Jones elevation to the Planning Commission.
Jon Turner congratulated both Wendy and Mark on their new roles.
Public Comment: None

10. For Possible Action:
   
a. Election of Officers – Vice Chairman

Ted Stec made a motion to appoint Wendy Loomis as Vice Chair. Second by Jon Turner. Wendy Loomis consented to the nomination. Motion carried 4-0, with abstention by Wendy Loomis.
Public Comment: None

11. Community Reports:
   
   a. County Commissioner – Dave Hockaday
Jumping on flooding and possibility of flooding. Yerington town hall on this was well attended last week. Irrigation ditches are full, trying to run as much water as possible out of the reservoirs (Bridgeport and Topaz) to avoid flooding.
If you need help, ask your neighbors. If nature is causing the problem (not a county road, ditch, etc.) it is not the county’s responsibility.
The Mason Valley Conservation District will hold an open house in June [tbd] (noxious weeds control and habitat preservation.) They will control weeds on private property on request. The cost is $100/hr plus chemicals.

Zoom meetings - been trying to get Dave trained, but he feels the Secretaries should have it since he may not attend every meeting. He is trying to donate his laptop for use for this, it will be set up and can be used by the SVCAB and the SV Parks and Recreation Board.

Public Comment: Jim Kinninger - Lobdell Lake is at an all time high as of this morning. What is the possibility of flooding in central Smith?
Dave - Crushed and blocked culvert was a big driver of this. Ditches are cleaned out and flowing now. There is enough water to fill Topaz Lake 7 times in the snowpack above it. To help keep levels down the ditches are flowing and
farmers getting water but not against their allotment.

Tom Renner - The Forest Service put up a fence across Desert Creek to stop people from going up there, preventing ranchers from access resources.

Commissioner Hockaday reported being aware of the issue and having reached out to the Forest Service about it.

b. Planning Commission – Constantine Kuzmicki
Constantine Kuzmicki reported a couple of items in Stagecoach, but nothing affecting Smith Valley.
Mark Jones had no further comment.

c. Sheriff’s Office Report – Cdr Ryan Powell (or designate)
Powell related this is Peace Officer Memorial month and that his agency is participating in a number of different ways. His agency has had one line-of-duty death that was Covid-19 caused. Also, two Lyon County deputies will be honored for heroism regarding a pursuit that ended with gunfire and the death of the suspect. The deputies are “survivors” and will be recognized.

Powell related 15 deputies have been hired. There were 22 vacancies at one point. The challenge after hire is getting the new hires through training and the academy, as this takes a long time to accomplish. Government jobs tend to be secure, so they are getting quality applicants.

Powell related Silver Springs now has deputies and will get more. They did not have deputies under the previous administration. Silver Springs folks are happy to have the law enforcement presence.

The Sheriff’s Office is working with emergency management regarding potential flooding planning. E. Walker is a concern area.

Powell related not having any statistics to share, as the person who generates such reports was not available. Arrests, he noted, are up and efficiency within the organization has been improving.

Powell mentioned the shop-with-a-cop program and the intention of expanding it. School starts in September this year and the hope is to have a backpack drive before that. Sheriff’s personnel also attended a job fair which, he noted, is good in building relationships too.

Powell encourages citizens to follow his agency on Facebook and to also upload the forthcoming free app to begin receiving “push alerts” regarding police emergency activities. This app should have an official roll out this coming July. The app will also provide access to other information in the sheriff’s office.
Leslie Sonne asked about contract city Fernley with respect to how much they pay the sheriff’s office for the service. Powell related the county receives Fernley’s C tax but likely it would cost Fernley more money to open their own police department. D. Hockaday added that this topic is a bit touchy.

Dan Galula asked Powell about speeders near the school. Powell related the difficulty in preventing this, describing when a marked police vehicle is parked in the area, no one speeds. There are, however, other measures such as deploying their radar trailer and increasing patrol which he feels may come as personnel numbers increase. Mark Jones recalled seeing elsewhere a dummy placed in a parked police vehicle. Michael Weiss asked if “warrant Wednesday” was still occurring to which Powell said it was.

d. Fire Department Report – Chief Matt Nightingale (or designate). Not present.
e. Other Elected/Appointed officials of Smith Valley, Lyon County or State of Nevada. None.

12. For Discussion Only: Community Engagement, presentation by Smith Valley Rotary – Rotary President Claudia Galula

Galula provided Rotary handouts and briefed on the purpose of Rotary, such as: organizing community events, grant writing to address identified needs, focusing on the youth, and scholarships – recalling three local recipients last year. Also, Rotary has provided funding for needed repairs or upgrades at the community center.

Board Member / Public Comment - Dan Galula related that the Rotary also provided $4,500 worth of poster board for the school. Hudbay Chantae Lessard complimented Claudia on all of her Rotary related work. Jon Turner related he is a disabled Veteran who received his Service Dog from the Carbondale Rotary (of southern Illinois).

13. For Report Only: Presentation from R. O. Anderson on PLZ-2023-020 - Jones Master Plan Map Amendment

Kate Cunningham provided a PowerPoint presentation [see attached] that briefly illustrated the amendment proposals and findings that she feels align appropriately with the Master Plan objectives. She took questions from both the audience and some CAB members:

Dan Galula asked for clarification on the number of lots proposed. The answer was, four. Constantine Kuzmicki challenged the findings and expressed that if everyone split their 20-acre parcels, the SV community would be destroyed. He added that if the property owner purchased ag land, keep it that way.
Jim Kinninger related having served on the master plan committee and having maps showing all of the 20-acre parcels in SV. He fears a precedent being set should this project be allowed and how many other property owners would do the same.

Applicant Mark Jones explained that he can’t get water anymore via the ag well on his property. The agreement when he purchased the property was not followed by the other involved party and now they are back in court. Kinninger answered that ‘no water’ is not a valid criteria, as others do not have enough water also. Leslie Sonne agreed with Kinninger, adding that others in SV should not suffer. There was a bit more back and forth over changing the density of SV.

Tom Renner asked about Jones’ storage water. Jones reiterated he no longer has access to the ag well. Renner responded that he’s short on water too and just working with it. Renner feels the county is lax on water management.

Chair Stec stepped in to redirect and encouraged meeting decorum. Kate Cunningham continued and completed her PowerPoint presentation.

Jon Turner asked Kate to distinguish between zoning and land use to which she answered: Planning decides on proposed amendments after determining regulations. To answer Tom Renner’s question as to a timeline, Kate felt this could occur in July.

Roger Rodarte asked about a traffic study. Kate related it was not required at this juncture but could be assessed later.

Constantine Kuzmicki asked when the lawsuit might be adjudicated, suggesting this proposal wait until then.

Joanne Lawson related she purchased her 20-acre parcel knowing it could not be split. The county doing so now would set precedent and she wondered who else would do the same. She questioned how applicants can change the Master Plan.

Wendy Loomis pointed out that Kate was just doing her job – it’s a process.

Mike Weiss related being uncomfortable with the proposal.

A sidebar (private discussion) occurred between Claudia Galula and Tom Renner, which Chairman Stec asked to be made public - Claudia asked the timeline for the process and Tom had answered the process was just starting. Stec related the item was now closed therefore, he would not be providing an answer.

14. For Discussion Only: Review of Correspondence, email, other communications:
a. Debt Management Commission vacant position
   Chairman Stec read the email aloud and placed it on the table
b. Miscellaneous correspondence and email - no other communications

15. For Discussion Only: Chairperson & Board Member Discussion (to include ancillary duties update, if any)

   Stec reported since we had a new board member, Wendy Loomis, he’d give a snapshot of what this item is: In short, members have some worthy ancillary duties:
   ○ Jon Turner has IT, moving Zoom capable forward, outreach & enhanced community engagement.
   ○ Roger Rodarte is the cemetery director
   ○ Tom Renner has ‘quality-of-life’ concerns and traffic safety
   ○ The vice chair has First Responder Support (LE, Fire, EMS). This might involve receiving and reading their department updates if they cannot be here to do so; and perhaps learning what challenges they face of the type that we could assist with (Example: messaging, equipment needs, K9)

   Jon Turner - thanked Rotary for attending and discussed plans to have other community organizations also attend and present, including tribal organizations. It was suggested to add Smith Valley PTA to the list.

   Tom Renner - been in contact with Michael Tanner in TRE who is all for 208 improvements. May need matching funds. Still in the initial part of the process.

   Tom Renner again related the ongoing issues to certain health insurance not being accepted by South Lyon Medical Center. Joanne Lawson responded that as a nonprofit SLMC cannot legally accept the reimbursement rates that are being offered because it is less than medicare/medicaid, and that she would relay the concerns to the hospital board.

   Rotarian Claudia Galula mentioned that they have a potential donor that wants to do a survey of community needs, and Leslie Sonne cautioned that the county had to know the sources first before engaging.

   Roger Rodarte- the contract for 338 has been reached, started work on Monday. Milemarker 0.7 to Hunewill’s driveway the road has been washed out in many places. Hope to have it done in a month. 2 culverts must be replaced. 338 is the only road south other than 395, which has its own issues going around Topaz Lake.

   Wendy Loomis - nothing to report

   Ted Stec reported that he and his wife attended the Lyon County Search and Rescue bingo fundraiser, and also attended the SV recreation board meeting. Bingo was fun and well attended, hopefully raising a lot of money for SAR. For
16. For Possible Action: Adopt Board of County Commissioners Resolution No. 22-25 establishing the Smith Valley Advisory Board, including updated geographical language and map for the SVCAB. (Requested by county manager’s office)

Tom Renner - we need to pass this and get it over with. It has been delayed over issues with the map, but that can be addressed in the future.

Wendy Loomis noted that the resolution has prior board members listed, and Stec said the record will reflect which board members voted.

Chairman Stec asked for a motion to adopt. Tom Renner made a motion to adopt as stated which was seconded by Roger Rodarte. The motion carried 5-0 (unanimous).

RECESS TO CONVENE AS THE SMITH VALLEY CEMETERY BOARD

17. Public Participation: none

18. For Report Only: Report on plot sales and improvements to plots requested by plot owners (who and what has been requested) – Doug Homestead / Roger Rodarte.

Ted Stec read the written report submitted from Doug Homestead.

19. For Report Only: Update on cemetery operations, maintenance and activities, including a report of information from Doug Homestead, facilities manager with review of projects that need to be accomplished.

Roger Rodarte reported three plot sales, three cremations, and one native burial. The Rotary is coming in to grind stumps, etc, May 13. Public cleanup on May 20 (on a different weekend due to heavy equipment necessary to grind the stumps), and on May 27 Rotary will be back working in the cemetery. The Rotary is also planning flags for Veteran gravesites on Memorial Day.

Dave Hockaday said to make sure the Conservation District knows if you need them for weed control spray. in the cemetery.


21. For Possible Action: Approval of new Cemetery Rules and Regulations to harmonize the Smith Valley Cemetery rules with other Lyon County cemeteries.

Tom Renner - Item 8 appears to prohibit some items that are currently present
like LED lights, rocks, etc. He understands there cannot be breakable items like glass, pottery, etc. and that consistency is desired moving forward.

Chairman Stec asked for a motion to approve the new rules and regulations. A motion was made by Wendy Loomis and seconded by Tom Renner to accept as read. The motion was approved 5-0 (unanimous).

22. Public Participation:

Mark Jones - on May 19, 5:30pm there will be a New Nevada gathering at his ranch to discuss separating rural Nevada from Clark County.

**ADJOURN TO RECONVENE AS THE SMITH VALLEY ADVISORY BOARD**

23. Public Participation: none

24. Board Member Comments. none

25. Adjourn.

Tom Renner made a motion to adjourn which was seconded by Wendy Loomis. Hearing no objections and seeing hands raised, Chairman Stec adjourned the meeting at 8:27pm.
Master Plan Map Amendment and Zone Change

Mark and Sheryle Jones
60 Artesia Lane

Smith Valley Advisory Committee
May 3, 2023
Requests

• Amend the Master Plan Map from Agricultural to Rural Residential.

• Amend the assigned zoning from RR-5 (Fifth Rural Residential, 20 acre minimum – Title 10) to RR-5 (Rural Residential – 5-acre minimum per Title 15 zoning district.)
Location
<table>
<thead>
<tr>
<th>View from west to east along frontage on Artesia Road</th>
<th>From east to driveway Well house visible</th>
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</thead>
<tbody>
<tr>
<td><img src="image1" alt="View from west to east along frontage on Artesia Road" /></td>
<td><img src="image2" alt="From east to driveway Well house visible" /></td>
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</tbody>
</table>

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<tr>
<th>View from northwest corner of property looking east at site development</th>
<th>Electrical and distant well sites – looking west from northeast side of property</th>
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<tbody>
<tr>
<td><img src="image3" alt="View from northwest corner of property looking east at site development" /></td>
<td><img src="image4" alt="Electrical and distant well sites – looking west from northeast side of property" /></td>
</tr>
<tr>
<td>Irrigation looking north from curve</td>
<td>Existing structures</td>
</tr>
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Existing and Proposed Master Plan
Existing and Proposed Zoning
Master Plan Findings

Finding 1a
Consistency with the Master Plan

“The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.”

Smith Valley Community Master Plan Goal 1
• Goal LU 4: Viable Agriculture
  • Encourage the continuation of an agricultural lifestyle in appropriate rural areas of the County.
  • Celebrate the County’s agricultural past with policies and programs design to encourage ranching and farming activities.

The County supports residential development in alternative rural patterns that allow “ranchettes” and “farmettes” that integrate ag and residential uses. See Chapter 3, page 3.2 of the 2020 Master Plan.
Master Plan Findings

Finding 1a

Consistency with the Master Plan

“The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives, and actions.”

Smith Valley Community Master Plan Goal 2

• Goal NR 3: Clean Water / Water Supply and Quality
  • Recognizing that clean water is a precious resource necessary to maintain our health, economy, and quality of life, Lyon County will protect the water supply and encourage efficient use of water resources.

The Department of Water Resources will oversee the requirements for any wells. State law and Lyon County Code will regulate the treatment and disposal of sewage. Both agricultural and residential uses impact water quality. The productive mix of the two may be a healthy alternative to intensive ag uses and dense residential developments.
“The proposed amendment is compatible with the existing or master planned adjacent land uses and reflects a logical change in land uses.”
Master Plan Findings
Finding 1c
Response to Change in Conditions

“The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land.”

The owner’s original intent to raise hay was thwarted by the inconsistent delivery of water to this parcel that has, at times, received ½ the 11% allotment. To support his crop, the owner relasered and reseeded the hay field, invested in weed abatement, and purchased water rights. Based on these efforts and obstacles, dividing the property to create additional parcels for use as ranchettes or farmettes presents a more desirable utilization of this land.
Master Plan Findings
Finding 1d
No Adverse Effects

“The proposed amendment will not adversely affect the implementation of the master plan goals, objectives, and actions, and will not adversely impact the public health, safety, or welfare.”

Approval of this amendment would not adversely affect the master plan goals, objectives and actions. To establish the limited impacts to public health, safety, and welfare, we prepared a Septic Radius Exhibit.
Smith Valley is located in Basin 107.

NDEP regulations for this basin allows up to 127 septic systems within a one-mile radius.

While a few more parcels may have been developed since this aerial image was obtained, the existing RR-5 zoning south of Artesia Road and the agricultural parcels to the north and west of the project location are not likely to impact the maximum number of septic systems within this one-mile radius.
The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides the development of the County based on the consideration of natural resources, the physical geography, and the efficient expenditure of funds for public services. (Ord. 603, 11-1-2018)

The proposed 5-acre parcels will connect to an existing pattern of Rural Residential Land Use to the south of this parcel. The infrastructure is limited to cable, phone service, and power. The properties will rely on well, septic, and propane. The parcel size is less dense than that of other developments in the Wellington area.
Findings for Zoning Map Amendments

Finding A

“That the proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan.”

Changing the zoning from RR-5 (Fifth Rural Residential, 20-acre minimum – Title 10) to RR-5 (Rural Residential, 5-acre minimum per Title 15 zoning district) would align with the adopted master plan and the underlying land use designation.
Findings for Zoning Map Amendments

Finding B

“That the proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;”

The proposed amendment would not be inconsistent with public facilities policies in this title. As noted above, rural residential communities may rely on well and septic according to the requirements established by the County and NDEP.
Findings for Zoning Map Amendments
Finding C

“That the proposed amendment is compatible with the actual or planned adjacent uses.”

Pinion Ranch Estates, directly across Artesia Road and south of the subject site, is a subdivision with approximately 40 five-acre parcels. The proposed amendment is compatible with neighbors in Pinion Ranch Estates as their existing zoning matches the proposed future zoning for this property.

In addition, the proposed zoning is compatible with adjacent agricultural parcels—as it has been in Smith Valley for years.
Findings for Zoning Map Amendments

Finding C

[Diagrams showing map amendments with labeled project location and legend]
Conclusions

- The findings can be made in the affirmative.

<table>
<thead>
<tr>
<th>APN &amp; Address</th>
<th>Acres</th>
<th>Current &amp; Proposed Zoning</th>
<th>Current &amp; Proposed Master Plan Status</th>
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<tbody>
<tr>
<td>010-081-43</td>
<td>23.41 acres</td>
<td>RR-5 (Fifth Rural Residential, 20-acre minimum – Title 10)</td>
<td>Agricultural</td>
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<tr>
<td>60 Artesia Rd</td>
<td>~&gt; RR-5 (Rural Residential, 5-acre minimum per Title 15 zoning district)</td>
<td>~&gt; Rural Residential</td>
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