

## **CARSON RIVER ADVISORY COMMITTEE**

### **Minutes of the June 4, 1997 Meeting**

Page 1

A regular meeting of the Carson River Advisory Committee was held on Wednesday, June 4, 1997 in the Community Center Sierra Room, 851 East William St., Carson City, NV at 6:00 p.m.

**PRESENT:** Chairperson Charlene Foerschler

Marian Battaglia

Mike Drews

Jack Foerschler

Neal Goudswaard

Mark Kimbrough

Bill Piccolo

**STAFF:** Kay Bennett, Liaison - Board of Supervisors  
Walter Sullivan, Community Development Director  
Rod Bannister, Sheriff  
Steve Kastens, Parks and Recreation Director  
(CRAC 6/4/97 1-0000.5)

**NOTE** - Unless Otherwise indicated each item was introduced by Chairperson Foerschler. Individuals speaking are identified following the heading of each item. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

**A. CALL TO ORDER** - Chairperson Foerschler called the meeting to order at 6:08 p.m. A roll call was taken and a quorum was present.

Chairperson Foerschler welcomed new member Marian Battaglia who is the Wildlife representative on the Committee.

**B. APPROVAL OF MINUTES** - None.

**C. PUBLIC COMMENT** - None.

**D. PUBLIC HEARING**

Chairperson Foerschler changed the order of the agenda items.

**6. UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING UNAUTHORIZED CAMPING AND THE TRESPASSING ISSUES ON PRIVATE PROPERTY ALONG THE CARSON RIVER** - (1-0019.5) Chairperson Foerschler stated this relates to the area around Deer Run Bridge and that Members Jack Foerschler and Mark Kimbrough had been working on these issues. Member Kimbrough felt that some of Sheriff Bannister's were not aware that there is a letter on file authorizing them to take action in these situations. Member Kimbrough also commented that some of the public is hesitant about going to the river because of the unauthorized camping and also because of gunshots.

Supervisor Bennett arrived at 6:15 p.m. during this discussion.

(1-0075.5) Sheriff Bannister agreed there is some confusion as to what is BLM land and what is private property and also that there are no clear markings. He stated that with the exception of BLM he has letters from all the land owners authorizing the removal of the campers. He noted that a policy meeting was scheduled and said he would request some type of a schedule in order to have his deputies down on the river on a more regular basis. Member Jack Foerschler said he has been working with property owner John Serpa who has given the Sheriff permission to remove anyone on his property. He added that the City owns a small piece near Lloyd's Bridge and everything else

## **CARSON RIVER ADVISORY COMMITTEE**

### **Minutes of the June 4, 1997 Meeting**

Page 2

in the area is private property. Member Piccolo asked about the possibility of putting up signs stating there is no overnight camping. Sheriff Bannister said typically signage does not last very long. Member Goudswaard asked for an update on the patrolling by the posse. Sheriff Bannister said that would be discussed at the meeting discussed earlier. Chairperson Foerschler confirmed for Supervisor Bennett that the Sheriff has letters on file from property owners. Sheriff Bannister said that is not really the problem but rather there is no BLM land along the river in the area south of Lloyd's Bridge.

(1-0231.5) Citizen Tom Quigley stated there is an ordinance at Lake Havasu in Arizona where a camper is required to have written permission from the property owner. He asked if there is a possibility that a similar local ordinance could be developed. Mr. Sullivan expressed his feeling that this could be done. He also stated that his office and Public Health have also received calls about the camping problem. Member Kimbrough expressed his feeling that physical barriers are more effective than sending the Sheriff's people there and said there is also some grant money that would enable a program to be put in place to making it impossible for anyone to go on private property such as that belonging to Mr. Serpa. No formal action was taken.

**3. UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING THE PREPARATION OF A MASTER PLAN/DEVELOPMENT PLAN FOR CAMP CARSON AND 9. UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING PRINTING OF THE MASTER PLAN DOCUMENT** - (1-0343.5) Mr. Sullivan said that Member Drews is working on Item 9 and reviewed the cost figures and available funding for this project. Member Drews said very little work is left to be done on this before it goes to the printer. No formal action was taken.

**10. DISCUSSION AND POSSIBLE ACTION ON ROAD CLOSURE AT MEXICAN DAM** - (1-0431.5) Sandy Gregory - Mr. Sullivan stated he had received a couple of calls on this in the past week and had referred them to City Manager John Berkich and Public Works. He added that his office knew of no road abandonments or road closures of that type. He also said in talking to Public Works they did not know of any closures as well. Chairperson Foerschler said it was her recollection this had come before the Committee a couple of years ago and at that time the Committee had expressed their feeling that it was not within their jurisdiction. Ms. Gregory, the owner of the property where they wanted to close the road. She said she had met with Helen Lavier who represents the Nevada Coalition Public Access, Inc. She noted they had discussed the closure and Ms. Lavier had informed her they were within their legal right. She commented she had also worked with the Homeowners Association and had informed them they wanted to close the road. She had a letter from attorney Michael Turner representing the Homeowners Association stating they could not close it. She said she had gotten the deed of cross easement as well as the deed of the easement and noted it was done in 1986. She said they have had three surveys done on their property to ensure they would know where to put the fence posts. She also noted they had found out that the easement was not on their property. She then asked that the easement be placed in the proper area. Member Jack Foerschler expressed his belief that this topic was not within the Committee's parameters. Mr. Sullivan indicated that they could review the matter from an advisory standpoint. He also noted that depending on how the easement was established the City might have an interest in how it was closed. He added if it was established on a parcel map with a public access easement there is a procedure that Ms. Gregory could use to go through the City. Supervisor Bennett asked about the fencing at the high water mark and Ms. Gregory said it is eight feet above it. She stated they would be happy to sit down with their attorney and the Committee to discuss the issue further. Member Jack Foerschler reiterated his feeling that this is out of the Committee's purview and that if there are any problems they would have to be resolved among the property owners on the site and the City. Chairperson Foerschler repeated the position that this was not something the Committee had any control over. Member Kimbrough agreed and said he felt strongly about this. Member Battaglia echoed the sentiment that they did not have the authority to make a decision. Barbara Mello, property owner in the area and member of the Home Owners Association, talked about filing an easement on what they consider a portion of Mexican Dam Road. She also expressed a concern that the Committee could be violating the open meeting law because some of the association members had not been notified of this meeting. Chairperson Foerschler explained the posting requirements which had been met. She also commented that the Committee had not been made aware of why this item was on the agenda. Mr. Sullivan explained that this was placed on the agenda because there was sketchy

## **CARSON RIVER ADVISORY COMMITTEE**

### **Minutes of the June 4, 1997 Meeting**

Page 3

information and more was needed. He felt that the Committee and staff now knew enough to say that it is not within the baliwick of the Committee and did not feel there should be any action on their part. Ms. Gregory stated she had not heard about the meeting until earlier in the day and repeated what Ms. Mello had said about the open meeting law. Chairperson Foerschler suggested that interested parties request they be put on the mailing list for agendas. Mr. Sullivan apologized for any inconvenience this had caused and explained he had not been aware of the involvement of the Gregorys until he had been advised of the closure. He added this had been put on the agenda in an attempt to get more information. Member Jack Foerschler stated that sometimes the Committee is not aware of issues and, although the Committee was not empowered to take action on this, expressed his appreciation for the citizens coming before the Committee. No formal action was taken.

**5. DISCUSSION AND POSSIBLE ACTION REGARDING POSSIBLE LAND USE OF "SILVER SADDLE RANCH" - (1155.5)** Mr. Sullivan said he had a concern with this subject and was not sure how this had been placed on the agenda. Chairperson Foerschler said it was on the agenda because Member Kimbrough had mentioned the possible use of the ranch for wild horses. Supervisor Bennett said this was suggested as a possible use. Member Jack Foerschler commented on the percentage of the state that is designated as a wild horse reserve. He expressed his feeling that the farms and farmers in the state are somewhat endangered because there is so little land that is designated as agricultural. Sheriff Bannister cited an example of how a working ranch can be maintained but at the same time allowing animals. He expressed a concern that Silver Saddle needs to be maintained in its present state but did not know anyone the City might have who would be qualified to do this. Member Jack Foerschler asked about the status of water rights on the ranch. Supervisor Bennett said the City was negotiating for the purchase of those rights but did not know the current status. She suggested that the Bannisters put something together to bring to the Committee for their recommendation to the Planning Commission and then to the Board. She asked that this be agendized for the next agenda and suggested Dorothy Timian-Palmer be asked to attend. Mr. Kastens stated he had not been involved in the process but said it was his understanding that BLM was going to be the property owner and that the City was not going to purchase or control it. He added he would ask for a status report from City Manager John Berkich and would come back to the Committee. Citizen Tom Quigley then provided details on activities that could take place on part of the ranch. These included picnic areas, 4H activities, family gardens, a pumpkin patch, etc. He also noted that the property is near the trail system which the public could utilize. No formal action was taken.

Member Goudswaard left the meeting at 7:30 p.m. during this discussion and returned at 7:40 p.m. during which time a quorum was present.

**2. UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING THE BUREAU OF LAND MANAGEMENT TRAILS GRANT (1-1775.5)** Member Kimbrough had a draft of a plan that he, Mr. Kastens, and Tom Abbott of BLM had reviewed. He noted there had been some discussion regarding approving that draft with a couple of changes. This would be brought to the Committee at the next meeting and then to the Parks and Recreation Commission. He also stated that Mr. Abbott had talked of changing the three day stay limit. He then said the design was very minimal to the parcel because there is another subject to be dealt with, that being the mining issue. He said he would bring the draft plan to the next meeting. He also noted that would be the first opportunity for public notice on the plan for those properties. No formal action was taken.

**3. UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING THE PREPARATION OF A MASTER PLAN/DEVELOPMENT PLAN FOR CAMP CARSON - (1-1877.5)** Mr. Kastens provided copies of a project schedule. He noted that an agreement with SEA Consulting had been finalized for the plan and that the Committee had authorized the expenditure of funding. He added that SEA had started Task 1 which was the program development. He commented that they are in the process of doing the base mapping and would soon be embarking on Task 2 which was the Preliminary Conceptual Master Plan at which time they would prepare a park facility program. He also said they want to meet with what they identify as the Camp Carson Review Committee. He commented, because of all the things SEA is doing, it would be difficult to meet with the entire Committee and said they wanted to meet with two or possibly three members who could relay information to the other members. He added there would be a public workshop and then the final conceptual Master Plan would be brought to the

## **CARSON RIVER ADVISORY COMMITTEE**

### **Minutes of the June 4, 1997 Meeting**

Page 4

Committee for their action. He also noted that he and the consultants had reviewed the previous Master Plan and had also visited the site so that SEA could better understand what was being considered. At this point Mr. Kastens asked for volunteers to meet with the consultants as discussed above. Chairperson Foerschler asked that any members who would be available to let her know so that it could be arranged. Member Piccolo said he would participate. She said that item would be on the next agenda in the event Mr. Kastens had something new he needed to report.

Chairperson Foerschler declared a recess at 8:10 p.m. When she reconvened the meeting at 8:25 p.m. a quorum was present.

**4. UPDATE, DISCUSSION AND POSSIBLE ACTION ON A PROPOSED FEASIBILITY STUDY ON CARSON RIVER PEDESTRIAN BRIDGES - (1-2171.5)** Mr. Kastens reported he had submitted a cost for the study to the Board of Supervisors for possible funding from the one shot monies but it had not been allocated. However, because they had not received the funding, he had provided the Committee with a revenue projection sheet relating to funding from Question 18 which is to be set aside for the Committee to utilize in order to fulfill their mission. He then explained the figures and their intended utilization and also emphasized this is a five year plan only and that additional funding would be available after that. Member Battaglia expressed her feeling that some of the projects need to be done now rather than making commitments of funding for later. Member Jack Foerschler had a concern with the bonding issue and Mr. Kastens explained the process. Chairperson Foerschler talked about Camp Carson being the overall top priority and felt it should be improved and maintained for use by the citizens of the community rather than using Question 18 funding for new facilities. Mr. Quigley expressed his appreciation for how this meeting was handling the subject matter as opposed to what he felt the Parks and Recreation Commission had not done the previous evening at their meeting, that being support of the bike and trails plan. Member Battaglia agreed with Mr. Quigley's position that the bike and trails plan is just as important as other projects and said that although some groups in the community are smaller than others they are more vocal about their needs. Member Kimbrough provided details on how he felt the Committee's projects should be funded and Member Drews agreed with this position. Discussion ensued on whether funding for Camp Carson should be separate from other projects and how much should be requested for other projects. Member Kimbrough then moved to recommend to Mr. Kastens to break this into two separate items on the budget, one would be for Camp Carson for the \$100,000 but in the first year he would put in \$7,000 for the second phase of the Master Plan leaving a balance of \$93,000 starting in the second year and also another entry for \$100,000 for Carson River itself for the Committee to pursue other projects; and it would be split \$50,000 and \$50,000. Member Drews seconded the motion. Member Jack Foerschler questioned whether this would relieve the City of responsibility for maintaining existing parks. Mr. Kastens said there are other funding sources for projects like Camp Carson but the Committee would have to get in line like everyone else and said those could be pursued. He noted it would then become a decision by the Board as to what they fund. He stated he had also asked for funding from the Board knowing that Question 18 had passed and had received fairly good support from them. Member Battaglia said it was her understanding the City has a prior obligation to maintain that which is already in existence but that the concept for Camp Carson is greater than what was there before, that being construction enhancement not just maintenance. Motion carried 7-0.

Supervisor Bennett noted she had to leave the meeting and requested the Chairperson next go to Item E.

## **E. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION ITEMS)**

**2. Advisory Committee Comments - (2-0209.5)** Supervisor Bennett said she had received a letter from Mr. Howard of American Pipeline who was seeking a letter of support from the Committee as he proceeds to ask for a swap of land with BLM for a piece of property in Goni Canyon. It was agreed a discussion on this would be on the next agenda.

## **CARSON RIVER ADVISORY COMMITTEE**

### **Minutes of the June 4, 1997 Meeting**

Page 5

**11. STATUS REPORT, DISCUSSION AND POSSIBLE ACTION ON PROPOSED TRAIL ON THE WEST SIDE OF CARSON RIVER AT EMPIRE RANCH GOLF COURSE** - (2-0279.5) Mr. Quigley presented aerial photos of the area. Member Jack Foerschler said there are no trails planned on that side but rather on the other side because the west side has been set aside for a wildlife area. Member Kimbrough felt that more discussion was needed and also suggested a visit to the site. Chairperson Foerschler said this would be agendized for the next meeting.

**7. UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING THE FOREST STEWARDSHIP GRANT** - (2-0334.5) Member Kimbrough provided details on work they will be doing soon at the Deer Run access area with rocks. He also stated he was waiting for BIA monies to purchase barrier systems for blocking their property on both sides of the road. No formal action was taken.

**1. DISCUSSION AND POSSIBLE ACTION ESTABLISHING PRIORITIES OF POSSIBLE PROPERTIES AVAILABLE FOR OPEN SPACE ACQUISITION** - (2-0358.5) Member Kimbrough reported the highest priority for acquisition had been established. He explained this was the center section of the river. He added that the northern section from Deer Run to Lyon County was the second priority and the southern section from McTarnahan to Douglas County was the third. He then said a feasibility study needs to be done first so that they would know what would happen at Camp Carson. He felt that someone could go to Open Space and tell them that. Mr. Kastens said right now Open Space is trying to get input from anyone as to what their ideas are. He noted one of the people who had done this was Dorothy Timian-Palmer who had taken them maps depicting the location of wellheads, recharge areas, etc. He added they had also asked him to provide his input on the bike path plan, the Eagle Valley rim trail plan, etc. He also said this information was important in that when they get ready to make an acquisition they will have this knowledge. Member Piccolo said as part of the priorities he would like to include in the central part the linear access from downtown into the Carson River area. Member Kimbrough felt that Open Space should be one of the first groups to get the Master Plan so that they could see the Committee's feeling about open space and pasture lands being green and the linear park. Member Kimbrough then moved that the Committee follow their past priorities 1, 2, and 3 the first being the central section from Deer Run Bridge to McTarnahan Bridge, the second was the northern section from Deer Run Bridge to the Lyon County line, and the third was the southern section from McTarnahan Bridge to the Douglas County line. Member Drews seconded the motion. Member BattagliA asked that the motion be amended to reflect that Member Kimbrough and whomever else wished to could go to the Open Space Committee and present his to them. Member Kimbrough amended his motion to reflect this and Member Drews accepted the amendment. Motion carried 7-0.

## **B. COMMITTEE ACTION**

**1. Approval of Meeting Minutes** - Chairperson Foerschler noted a correction on Page 4 of the April 2, 1997 meeting Minutes in that on the last line it should read \$700 rather than \$400. Member Drews moved to approve the Minutes of the April 2, 1997 meeting with the discussed change. Member Kimbrough seconded the motion. Motion carried 7-0.

## **E. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION ITEMS)**

**1. Status Report from Dan Kaffer, Resource Conservation District Coordinator, Regarding Activities Along the Upper and Lower Carson River** - (2-0545.5) Mr. Kaffer was not at this meeting and Chairperson Foerschler continued this to the next meeting.

**3. Staff Comments** - None.

**2. Advisory Committee Comments** - Member Drews referred to the Mexican Dam Road and Silver Saddle issues discussed earlier and noted there had not any background or formal presentation. He felt these types of things should be agendized under Staff Reports in the future and that staff should know what the Committee

**CARSON RIVER ADVISORY COMMITTEE**  
**Minutes of the June 4, 1997 Meeting**  
Page 6

needed.

**F. ADJOURNMENT** - There being no further business Chairperson Foerschler entertained a motion to adjourn. Member Drews moved to adjourn. Member Goudswaard seconded the motion. Motion carried 7-0. Chairperson Foerschler adjourned the meeting at 10:05 p.m.

The Minutes of the June 4, 1997 meeting of the Carson River Advisory Committee

ARE SO APPROVED 9/11, 1997

/s/  
Mark Kimbrough, Chairperson