

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 1

A meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Wednesday, November 5, 2008 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Steve Hartman
Vice Chairperson Dan Jacquet
Tricia Lincoln
Wayne Perock
Howard Riedl

STAFF: Roger Moellendorf, Parks and Recreation Department Director
Juan Guzman, Open Space / Property Manager
Lee Plemel, Planning Division Director
Robb Fellows, Senior Project Manager
Thorán Towler, Deputy District Attorney
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings, the committee's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record. These materials are on file in the Clerk-Recorder's Office, and available for review during regular business hours.

CALL TO ORDER AND DETERMINATION OF QUORUM (6:00:00) - Chairperson Hartman called the meeting to order at 6:00 p.m. A quorum was present. Members Fischer and Scott were absent.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (6:00:30) - None.

1. ACTION ON APPROVAL OF MINUTES - None.

2. MODIFICATIONS TO THE AGENDA - None.

3. AGENDA ITEMS:

3-A. DISCUSSION AND POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS THE ACQUISITION OF A 21-ACRE PARCEL OF LAND BEING A PORTION OF APN 007-101-51, AND TO ACCEPT THE DONATION OF A CONDITIONAL PERMANENT EASEMENT SUFFICIENT TO ACCOMMODATE A 20-FOOT WIDE ACCESS ROAD, TOGETHER WITH A 30-FOOT WIDE BUFFER, FROM THE TERMINUS OF THE PAVED PORTION OF ASH CANYON ROAD TO ASH CANYON TRAIL, AND MATTERS SPECIFICALLY PERTAINING THERETO (6:00:40) - Mr. Guzman introduced this item. He reviewed the staff report and the open space evaluation form included in the agenda materials in conjunction with a displayed aerial photograph. He advised that the property will facilitate resolution of a "long-standing issue" between the City, the Ormsby Sportsmen's Association, and the Wellington Crescent subdivision. He provided background information on the temporary public access easement established from Ash Canyon Road to the Ash Canyon Trail through the Wellington Crescent subdivision. At the time the temporary public access easement was established, the City committed to identifying a permanent solution

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 2

to the access issue. Mr. Guzman discussed various attempts to resolve the problem over the years, and reviewed the subject proposal to establish a permanent easement comprised of a 20-foot roadway and a 30-foot buffer running parallel to the subdivision. He pointed out the property line “in common with the Wellington Crescent subdivision,” Ash Canyon Road, the Joost Ranch property, and Ash Canyon Trail on a displayed topographic map. He explained the slope percentages represented by various colors on the map, pointed out the 20 acres proposed for purchase and the proposed route of the easement. He advised of discussions regarding difficulties associated with roadway design, and that the Joost family subsequently agreed to enlarge the easement “on those two corners to accommodate our needs.” He advised of a power pole which may have to be relocated, and discussed drainage improvements and the application of grindings proposed by the Public Works Department. He further advised that the easement would be permanent and conditioned for access. He expressed the hope that the purpose of this meeting would be “visionary and ... along the lines that this easement can accommodate a road.” He requested the citizens present to voice concerns “so we can pass those along to whoever is going to design this road in the future.”

Mr. Guzman noted that the land had been appraised at \$1.2 million, and that the Joost family’s offer to sell is approximately twenty percent less. He discussed the Joost family’s interest in completing the transaction prior to December 15, 2008. He noted the trail / access connectivity which will be established by acquisition of the property, and explained its relevance to the fuels reduction program in conjunction with a displayed map and the comprehensive master plan map.

Member Riedl requested more information with regard to the requirement for the temporary public access easement through the Wellington Crescent subdivision. He expressed an interest in determining the connection between “open space and building that road.” Mr. Guzman provided background information on a settlement agreement wherein the City agreed to consider a permanent solution for access. In the interim, temporary public access was provided through the Wellington Crescent subdivision. In addition to the open space values of the subject property, resolution of the public access problem would benefit the community. Mr. Guzman advised that the Joost family has graciously agreed to donate the easement which would facilitate said resolution. He further advised that the Open Space Program acquisition fund has approximately \$2.6 million available. Applications for grant funding pertinent to the subject property have been unsuccessful. Mr. Guzman discussed the historic value of the subject property in consideration of the Open Space evaluation criteria. “This parcel, from day one, was identified ... for its scenic [value] and because of its access ... into the canyon; ... one of the most important recreational and open space areas in Carson City.”

In response to a series of questions, Mr. Guzman advised that the \$3 million associated with the State of Nevada Question #1 funding agreement represents reimbursement for other acquisitions. With regard to Open Space Program priorities, he discussed recent work on the Wilson Trust acquisition; the Long, Schultz, and Darling properties; and the federal lands bill. He expressed the belief that the subject transaction “is time well spent,” based on the opportunity represented by the Joost family’s offer. He discussed recent work on the Potter property. He advised that the responsibility for road construction will “most likely ... be in partnership with Public Works.” He anticipates that Public Works Department staff will design the roadway and drainage improvements, that the Open Space Program will “pay for some of the fences,” and that Public Works will pay for construction of the road and the drainage basins either through contractors or Public Works Department staff.

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 3

Vice Chairperson Jacquet inquired as to the settlement agreement conditions relative to the future permanent easement. (6:21:34) Wellington Crescent resident Scott Heaton expressed the understanding that the Wellington Crescent developer and “one of the property owners went ahead and granted an easement.” He clarified that the easement is not specified as temporary, but the settlement agreement obligates the City to locate alternate access, at which time the public easement through Wellington Crescent will be rescinded and revoked. In consideration of possible alternate accesses, “it potentially becomes an expensive proposition ... when you have to go out and actually acquire it either through negotiation or condemnation.” Donation of the easement in negotiation with the property owner “is a situation that we previously haven’t had since the public access easement was granted through Wellington Crescent back in 1992, and it’s something that the homeowners association has been trying to get since 1992.” In response to a question, Mr. Heaton advised that the existing public access easement would revert to the property owners “from the center line to the property owner to the south and to the property owner to the north.” He discussed the intent to ensure this happens so as not to leave the area open. “As to what those property owners want to do, it’ll be up to them, but that gate ... will be shut permanently at that point and then anyone from Wellington Crescent that wants to access up into Ash Canyon would go on the new ... roadway.” Chairperson Hartman thanked Mr. Heaton for the background information and invited him to proceed with his comments.

Mr. Heaton advised of having recently been approached by the Wellington Crescent Homeowners Association Board to address “this access issue along with drainage issues that we’ve had in Wellington Crescent from mud and debris in the big storms coming down ... Ash Canyon Trail from the water tanks and also the fire break issue ...” He advised of having written to City Manager Larry Werner, who was in the process of scheduling a meeting with various City representatives when Jim Kiernan noticed the subject item on this agenda. Mr. Heaton discussed the potential significance of the drainage issues in heavy storm events due to the amount of mud and debris which flows into the Wellington Crescent subdivision. “The City typically will send in trucks to get the mud out and, in some instances, they’ve actually cleaned the storm drains.” Mr. Heaton advised “it’s always a potential bone of contention getting it done quickly enough ...” He expressed the hope that the easement donation will resolve the drainage issues through design of the roadway.

Mr. Heaton advised that the 2004 Waterfall Fire scorched some of the homes and burned some of the trees on the west side of the Wellington Crescent subdivision. “We don’t have the power or the authority, as a private property owner or homeowners association to go onto the adjacent land and create the fire break. We have to rely on the adjacent property owner granting us permission to do so.” Mr. Heaton noted the Joost family’s legal obligation to maintain the fire break, but stated “it’s always a logistical issue on trying to get that done.” He further noted that the proposed acquisition will become the City’s responsibility to maintain. “To the extent that there’s being granted the 50-foot easement along the westerly portion from Ash Canyon Trail to Ash Canyon Road ... will be a fire break, which isn’t sufficient, but at least better than what we’ve got now and it will be controlled by the City ...”

Mr. Heaton advised of a recent informal meeting of the Wellington Crescent Homeowners Association Board of Directors, where he was requested to attend this committee meeting and convey their desires. He advised of having notified all the homeowners of this meeting, and that the Board of Directors requested him to express their support for the subject proposal “for the reasons [previously] stated.” Mr. Heaton requested three conditions in consideration of the roadway: (1) “That public access through our subdivision goes away,” in a reasonable period of time to accommodate construction of the new roadway. Mr. Heaton

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 4

suggested a one-year time period. (2) “The proposed roadway within this 50-easement is 20 feet in width. We would request that that roadway be limited to that 20 feet in width.” Mr. Heaton expressed objection to “giving up our limited access easement through our subdivision and then see a new roadway to the west of us become a major thoroughfare that potentially could go all the way to the property to the north and having people start using Ash Canyon, driving along that thoroughfare all the way to the property to the north and how that property may eventually be developed.” Mr. Heaton advised of “wide opposition to the Vicee Canyon plan,” but expressed no doubt that another proposal will be presented in the future. Mr. Heaton noted significant dust issues in the Wellington Crescent subdivision due to westerly winds, and advised that the third condition (3) would be to pave the roadway with asphalt grindings “or something of a similar nature to ensure that the dust was mitigated.” Mr. Heaton expressed doubt that the Wellington Crescent Homeowners Association Board of Directors would support the proposal without the previously-stated conditions. “One of the other things ... is if the easement isn’t part of the deal and we have new open space land that, presumably will be developed for recreational purposes, and our public access easement becomes the way for people to get to that site, again, it’s effectively going to increase the traffic through our subdivision which ... is not something that the people desire.”

Mr. Heaton noted “there are homeowners who are more affected than others within our subdivision. Certainly, all those people along the westerly side will be affected more than others,” some of whom he noted were present in the meeting room. He emphasized that, from a Wellington Crescent Homeowners Association Board of Directors perspective on behalf of all the residents of the subdivision, “the support is tied directly to getting rid of the public access easement and then alleviating some of the drainage and fire break issues.” Mr. Heaton further noted the potential for the Joost property to be developed into 1/3-acre lots, based on the current zoning. From his perspective as a homeowner, he expressed support for open space and recreational use of the property. “To have that buffer, even though it’s not as much as some of the homeowners would desire, is a much better deal from my perspective than what we potentially could get if and when that property is developed.” In response to a question, Mr. Heaton advised that the majority of the residents want the subdivision gated. Gates have been constructed on the southeast corner “with the understanding that we cannot put gates in on the southwest corner until the easement through our subdivision has been revoked or rescinded.”

Member Perock requested Public Works Department input regarding the time frame associated with construction of the easement. Mr. Heaton clarified that he was not “married to” the one-year time frame, “but, by the same token, ... this happened in 1992, we’re now in 2008. I don’t know how many opportunities we’re going to get. What we don’t want to see happen is a lengthy period of time where nothing gets done and the roadway continues to be used.”

Chairperson Hartman requested Mr. Fellows’ input, and inquired as to storm drainage facilities in the 50-foot easement adjacent to the Strull residence. (6:35:36) Mr. Fellows advised of “natural drainage corridors, ... and the subdivision actually provided means for that water to continue through ...” He pointed out, on a displayed topographical map, a route to convey drainage to Ash Canyon Road. He explained that additional width will be needed “to make it all fit with the contours that are out there now and not have it look like a subdivision road.” He advised that the timing of the agreement will determine the construction time frame. “If you agree and finally things are settled now, ... we’ll probably have to wait until next summer.” He discussed time frames associated with design and construction depending upon whether the work is done by City crews or a contractor.

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 5

Vice Chairperson Jacquet inquired as to whether maintenance of the storm drainage facility would serve as a fire break. Mr. Fellows suggested the facility should be vegetated “but not to the extent ... of large and tall sage brush ...” Chairperson Hartman discussed drainage issues in the area, and Mr. Fellows pointed out and described existing drainage facilities on the displayed map. He discussed maintenance access to the water facilities by Public Works Department personnel. Mr. Guzman advised of the Wellington Crescent Homeowners Association’s preference for “all use by utilities of that corridor” to be eliminated. Mr. Fellows advised of two large water tanks in addition to other facilities, and “to maintain those, you have large vehicles that have to get up there. Certainly, if there’s enough room to accommodate those on this alternate route, that would be fine. We just have to go through that design to find that out.” Mr. Guzman advised that the title report indicates the State of Nevada has five culverts crossing the road, which he pointed out on a displayed map. Chairperson Hartman referred to the natural drainage routes which were accommodated in the subdivision design and can be conveyed to Ash Canyon Road and confined. Mr. Fellows described a facility at the top of Hobart Road as an example which “would fit this situation.”

Member Riedl suggested it may be difficult to “get everything in that 20-foot width.” Mr. Heaton acknowledged that a 20-foot travel way would be acceptable. Member Riedl inquired as to whether the Ormsby Sportsmen’s Association still has an interest in the settlement. Mr. Heaton explained the requirement to provide access to Ash Canyon. Whether access is provided via Ash Canyon Road or through the Wellington Crescent subdivision is irrelevant. Chairperson Hartman advised that the Ormsby Sportsmen’s Association position was based on prescriptive uses.

Chairperson Hartman opened this item to public comment. (6:45:30) David Strull pointed out his property on a displayed map, and advised of having signed the original easement in 1992. He provided background information with regard to the same. He expressed the opinion that the proposed new easement may “work well for the other neighbors. ... I’m not sure how well it works for the houses located right along that easement.” He expressed concerns over dust, noise, privacy, and the potential for vandalism, and suggested there may be other solutions. He advised of having nearly lost his home during the Waterfall Fire, and stated that, in consideration of a fuel break, “fifty feet doesn’t do it, doesn’t even come close to doing it.” He further advised that he has requested the City “every year since the Waterfall Fire to get in there and put in a fire break.” He noted the need for a fire break “that’s sufficient in any kind of solution.” He advised that drainage on the road “is a nightmare” and is supposed to be maintained by the City. He expressed the opinion that the drainage basin “to the subdivision is virtually useless now because it’s plugged with dirt from that road.” He expressed support for acquiring the open space, but proposed moving the road back 300 feet, “put in a nice, big fire break, respect everyone’s privacy with the realization that, at some point, that road may have to move or, when that property is developed, another access would have to occur through that property.” He further suggested moving the road along the natural contour of the property which would address the drainage and “you could still put a nice fire break in.” If the proposed location for the road is the only possibility, he suggested gating it at night. He reiterated opposition to “just throwing a road right behind [his] house.” He further reiterated that “the City really has not held up their end of the bargain in maintaining the drainage. I can’t trust that the dust won’t be a problem, and it doesn’t provide a fire break.” Dr. Strull requested the committee to not accept the proposal “the way it stands right now.”

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 6

At Chairperson Hartman's request, Dr. Strull advised that the existing road is "used a lot for kids to party, for vagrants ..." He discussed vandalism to his gate, litter, an attempted burglary, and trespass during the period of time he's lived at his residence. He expressed support for recreational access and open space, but opposition to nighttime access. He requested the committee to identify a solution that works for everyone and respects the property owners. He referred again to his previously-stated proposals.

(6:53:12) Norm Scoggin, a resident of Wellington Crescent, thanked the Joosts for their cooperation in working out an agreement. He discussed existing traffic issues, and advised that all the streets in Wellington Crescent are private property. He discussed support for eliminating the existing easement. In response to a question, he described the location of his residence in relation to the west-side trail.

Vice Chairperson Jacquet noted that Mr. Guzman had been negotiating with the Joost family regarding the easement, and inquired as to the possibility of moving it from the west side to the east side "or somewhere interior." Mr. Guzman advised that this possibility had been discussed, and the Joost family believes doing so would impose an undue hardship on their land.

(6:56:40) Wellington Crescent Homeowners Association Board President John Uhart thanked the Joost family for their cooperation. He provided background information on the informal homeowners association board meeting which was previously discussed by Mr. Heaton, and expressed concerns over issues of trespass and traffic. He agreed with Mr. Heaton's statements in that the matter needs to be resolved.

(6:58:06) Jim Kiernan advised that his property backs up to the proposed easement, which he described as "the best of all the worst that you could get. What we have now is certainly not acceptable in long term ..." He discussed issues of litter and vandalism due to "kids that go up there and party at the tanks." He described the proposal as the "best resolution to a bad solution," and requested the committee to recommend that the "City hold up their end of the bargain." Mr. Kiernan acknowledged that asphalt grindings would be a sufficient surface to mitigate dust issues. He expressed a preference for not paving the road in order to avoid attracting "more kids in their cars." He requested to include traffic calming devices in the road construction, and that "something be done with the 20-acre parcel to preclude four-wheel activity or motorbikes. They're killing that hill behind you." In response to a question, Mr. Heaton advised that Sheriff's Department personnel is unable to enforce the laws. "They can't catch those kids going up the hill." Mr. Kiernan advised "it takes the sheriff too long to get up there."

Chairperson Hartman expressed serious concern over vehicles coming down the hill, particularly relative to the trail near Dr. Strull's house in snowy, muddy conditions. He noted this as one of the design issues which Public Works Department engineers will need to address. Mr. Heaton suggested placing boulders, and Chairperson Hartman expressed concern over boulders then serving as a tool to violate the residents' privacy. He discussed additional design issues, including drainage, as practical considerations. Mr. Kiernan suggested imposing time constraints for use of the area. Mr. Heaton provided background information on previous legal research into the possibility of imposing time constraints, with the conclusion that it could not be done. Chairperson Hartman suggested considering the possibility of installing bollards to restrict access.

In response to a question, Vice Chairperson Jacquet advised there is no standard fire break width; it is dependent upon fuel types. He suggested a 200-foot fire break would likely be appropriate for the subject area. He expressed the understanding that ensuring a fire break is the responsibility of the property owner.

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 7

He clarified “that philosophy is bent here ... in the last ten years where you do see the public agencies ... creating fire breaks on public land largely because it’s too late. There’s already humanity built right up to the edge.” (7:11:10) Mr. Heaton reviewed the provisions of a Carson City ordinance obligating owners of vacant land adjacent to land with structures to establish a fire break on their land.

(7:13:34) Scott Rasner pointed out his property and a City-used road on a displayed map. He suggested using this road as an alternative. Chairperson Hartman explained the hardship which would be imposed on the Joost’s grazing operation. Mr. Rasner expressed concern over traffic issues associated with the proposed location of the easement. Mr. Guzman pointed out, on a displayed map, a water intake facility just past the Leid property, and discussed the steepness of the slope. He reiterated that it would create an intrusion into the Joost property. In response to a question, Karen Joost explained the agreement between the Joost family and the City to accommodate access to the water intake facility following the 1997 flood. Discussion followed, and Chairperson Hartman commented that the City hadn’t followed through on commitments made “early on.” This “has created an animosity between adjoining property owners that probably didn’t need to be there ...” Chairperson Hartman noted the importance of resolution between the City providing public access, the Wellington Crescent residents, and the Joost Ranch operation. “We have to figure out a way for everybody to work together to solve these problems and they’re not easy.”

(7:21:08) David Strull reiterated the preference to identify a “win-win” solution; for the Joosts to sell their land and for the Wellington Crescent homeowners to “not have the traffic right behind the house.” He further reiterated the proposal to retain the 50-foot easement and “run the road ... about 300 feet back, put in a nice, big fire break, realizing that’s still your property.” Dr. Strull offered to pay for the fire break behind his property to ensure safety and privacy. Chairperson Hartman reiterated concern over the grade, and advised that Ms. Joost is “as practical as anybody in this room when it comes to solving problems.” He reiterated the need to develop a resolution which benefits both the Joost family and the Wellington Crescent residents.

Member Riedl advised of having reviewed the appraisal conclusion which indicates that the easement “up against the property line does not cause any damage to the remainder property.” Establishing an easement, as recommended by Dr. Strull, would subdivide the Joost property such that it would cause damages for which the Open Space Program would be financially responsible. Member Riedl suggested there would likely be a change in the value of the easement to the Joost family. Dr. Strull acknowledged that his proposal would not establish an easement but a revocable license to provide something more convenient in the near term that would be relocated at some future point. Chairperson Hartman explained this would also create an issue for future development.

In response to a question, Ms. Joost recognized the number of issues to be resolved prior to the December 15th date designated in the proposal. She expressed serious concern over design of the road because of potential impacts to the Joost’s private driveway. She expressed a willingness to take the transaction into 2009, if necessary.

Mr. Guzman inquired as to what the committee would need to make a decision. He noted that, as Open Space staff, he has no involvement in designing roads and no authority to force a schedule upon the Public Works Department. He suggested that the Open Space Program serve as a facilitator to provide the land upon which the road would be constructed. “We do pay for fencing and some other ... expenses that are ... normal and customary, but ... the main investor in these roads is somebody else.” Chairperson Hartman

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 8

expressed concern over the need for more information regarding design in order for negotiations to proceed. "It wasn't Open Space that created this issue. This was an obligation of the City to resolve for a long standing time." Chairperson Hartman noted the benefit to the Open Space Program of the proposed transaction, but reiterated the roadway easement is the City's obligation, not the Open Space Program. He offered the committee's assistance, and noted the very nice offer by the Joosts. "We just need to figure out a way to do it that accommodates, as best we can, these clear areas of conflict." Chairperson Hartman expressed the opinion that the Public Works Department is responsible for resolving the issue. He acknowledged the appraisal is valid for a period of six months, but can be updated. He expressed a willingness to proceed with the transaction, "as long as everybody's happy with the solution."

(7:30:38) Peggy Twedt advised of having walked the property with Ms. Joost approximately a week ago in consideration of "the corners." They measured out 100 feet from the western boundary of Wellington Crescent. Ms. Twedt advised "that's the radius, basically, the logging trucks took and they were able to make that curve ... onto the existing pipeline road within 100 feet of the doctor's house." She explained that Ms. Joost had proposed the corners accommodating up to 100 feet. "Given that kind of leeway, ... it would seem like the Open Space Committee could go forward." Ms. Twedt noted that it had worked for the logging truck road and would likely work for the easement the Joosts are willing to donate.

Member Riedl noted the unique opportunity represented by the proposed transaction to resolve a long-standing problem. He acknowledged the solution isn't perfect, and noted the need for Public Works Department staff to determine what is the most functional in consideration of safety. He agreed that the transaction will likely not be completed by December 15th. He expressed appreciation that the Wellington Crescent residents and homeowners association representatives are supportive of having open space adjacent to their subdivision. "It's going to be a value to them and a value to the community." Member Riedl discussed the value of making open space available to responsible people for "responsible activities." He noted the extensive use of the area by mountain bikers, and expressed the opinion that allowing responsible people to use the open space will have the effect of decreasing "some of the shenanigans." **Member Riedl moved to pursue the transaction with the understanding that the Public Works Department "gets going" to determine what is needed for the easement, and that no Open Space Program funds be used to construct the roadway.** Ms. Joost acknowledged a willingness to expand the easement to 100 feet at the corners to accommodate the curves. She explained that the "north and south ends" would be "approximately a 100-foot by 100-foot block. The roadway could not ever be any wider than 20 feet," which is a condition of the Joost family. Member Perock expressed the opinion that the concession will assist with the safety and design issues, **and seconded the motion.**

Vice Chairperson Jacquet suggested requesting Fire Department personnel to visit the property and determine whether the proposed width "is going to do the job." He further suggested that a fire break would be best accomplished by a road and drainage-way maintained by the City. Chairperson Hartman suggested this would be included in the conditional permanent easement. Ms. Joost discussed the goal to again graze cattle on the property which has not been "manageable" since construction of the Wellington Crescent subdivision. She noted that the grazing operation will help with the fire break. She acknowledged that the requirement for the fire break is factored into the easement.

Chairperson Hartman noted the pending motion, and reviewed the conditions, as follows: (1) that public access would be eliminated after completion of the new roadway within one year or as expediently as possible in not more than two construction seasons; (2) to limit the roadway width to not more than 20 feet

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the November 5, 2008 Meeting

Page 9

so that it does not provide access to state lands in Vicee Canyon; (3) that dust and drainage would be addressed in terms of using asphalt chips, but not a paved surface, with some form of speed bump or undulation; (4) that the fire break would be maintained along that edge; (5) that drainage would be dealt with; (6) that there would be reversion of the roadway back to the centerline, save and except for what is necessary to accommodate the existing water line easement; and (7) to design the roadway to avoid impacting the safety and privacy of the residents along the westerly boundary of the Wellington Crescent subdivision. **Member Riedl amended his motion accordingly, and clarified that the travel lane width would be 20 feet. Member Perock continued his second.** Mr. Heaton acknowledged the requested conditions had been included in the motion. Chairperson Hartman advised that the motion also accommodated the Joost family's conditions, and that their other conditions will be included in the agreement. He called for a vote on the pending motion. **Motion carried 5-0.**

Chairperson Hartman thanked the Joost family and the citizens for their attendance. In response to a question, Mr. Guzman advised that the committee's recommendation would be submitted to the Board of Supervisors. Before that, City staff and the Joost family will continue to discuss the offer. Chairperson Hartman requested Mr. Fellows to ensure consideration of the corners of Dr. Strull's and Mr. Rasner's properties. Discussion took place regarding the date on which the recommendation will be forwarded to the Board of Supervisors, and Chairperson Hartman requested Mr. Guzman to keep all the interested parties informed.

4. NON-ACTION ITEMS:

STATUS REPORTS AND ANNOUNCEMENTS FROM STAFF - None.

MEMBERS' ANNOUNCEMENTS AND REQUESTS FOR INFORMATION - None.

5. FUTURE AGENDA ITEMS (7:46:53) - Member Lincoln expressed concern over the Fulstone Wetlands in consideration of the annual party sponsored by Harley-Davidson. She requested Mr. Guzman to agendaize a discussion item.

6. ACTION ON ADJOURNMENT (7:47:36) - Member Lincoln moved to adjourn the meeting at 7:47 p.m. Member Perock seconded the motion. Motion carried 5-0.

The Minutes of the November 5, 2008 Carson City Open Space Advisory Committee meeting are so approved this 26th day of January, 2009.

STEPHEN D. HARTMAN, Chair