

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the June 20, 2011 Meeting

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A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, June 20, 2011 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Dan Jacquet
Vice Chairperson Bruce Scott
Member Terri Green-Preston
Member Tricia Lincoln

STAFF: Roger Moellendorf, Parks and Recreation Department Director
Juan Guzman, Open Space Property Manager
Ann Bollinger, Natural Resources Specialist
Moreen Scully, Senior Deputy District Attorney
Kathleen King, Deputy Clerk / 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 part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

CALL TO ORDER AND DETERMINATION OF A QUORUM (6:00:06) - Chairperson Jacquet called the meeting to order at 6:00 p.m., noting the presence of a quorum. Member Riedl was absent.

CITIZEN COMMENTS (6:00:26) - None.

1. ACTION ON APPROVAL OF MINUTES - April 18, 2011 (6:00:37) - Member Lincoln moved to approve the minutes. Vice Chairperson Scott seconded the motion. Motion carried 4-0.

2. MODIFICATIONS TO THE AGENDA (6:00:59) - At Mr. Guzman's request, Chairperson Jacquet modified the agenda to address item 3-A following item 3-G, and to address item 3-D following item 3-B.

3. AGENDA ITEMS:

3-A. ACTION TO APPROVE AN EAGLE SCOUT PROJECT TO BE CONDUCTED BY BENJAMIN WHERRY CONSISTING OF CLEANING GRAFFITI, OUTREACH EDUCATION, AND OTHER MISCELLANEOUS TASKS AT THE KINGS CANYON WATERFALL (8:47:26) - Chairperson Jacquet introduced this item. Mr. Guzman reviewed the agenda report in conjunction with a PowerPoint presentation, copies of which were included in the agenda materials. Vice Chairperson Scott commended and expressed appreciation for the Eagle Scout project. **Vice Chairperson Scott moved to approve the Eagle Scout project to be conducted by Benjamin Wherry consisting of cleaning graffiti, outreach education, and other miscellaneous tasks at the Kings Canyon Waterfall site. Member Lincoln seconded the motion**, and requested to be informed once the project is completed. Mr. Guzman advised of the goal to have the project completed by August 13th. Chairperson Jacquet entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.** Chairperson Jacquet thanked Mr. Guzman and requested him to convey the committee's appreciation to Mr. Wherry.

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3-B. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF AN AGREEMENT AND POSSIBLE RESOLUTION WITH MUSCLE POWERED FOR MUTUAL COOPERATION IN THE CONSTRUCTION AND DEVELOPMENT OF TRAILS (6:02:21)

Chairperson Jacquet introduced this item. Ms. Bollinger provided background information and reviewed the agenda materials. She noted the errata sheet distributed to the committee members and staff prior to the start of the meeting, and reviewed the same.

Chairperson Jacquet entertained public comment. (6:05:20) Jeff Potter, of Muscle Powered, thanked Mr. Guzman, Ms. Bollinger, and Mr. Moellendorf. "It's a pleasure working with them." Mr. Potter thanked the committee for all their support.

Member Green-Preston acknowledged that previously expressed concerns relative to worker's compensation had been addressed in the current version of the agreement. Vice Chairperson Scott expressed support for an agreement "or something formal ... it gives Muscle Powered a little bit more standing and ... it's a little clearer that they're a partner ..." He expressed appreciation that Muscle Powered is "looking past the Kings Canyon area into broader trail efforts ..." In response to a question, Ms. Bollinger read into the record the agreement provisions relative to annual renewal.

Chairperson Jacquet entertained additional public comment; however, none was forthcoming. In response to a question, Ms. Bollinger provided direction with regard to staff's recommended action. Chairperson Jacquet entertained a motion. **Vice Chairperson Scott moved to recommend to the Board of Supervisors approval of an agreement or resolution with Muscle Powered for mutual cooperation in the construction and development of trails in Carson City and to thank Muscle Powered for their efforts. Member Lincoln seconded the motion. Motion carried 4-0.** Chairperson Jacquet thanked Mr. Potter and Open Space Program staff, and commended the agreement.

3-C. ACTION TO MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING THE TENTATIVE FISCAL YEAR 2011 / 2012 ANNUAL BUDGET FOR THE OPEN SPACE PROGRAM (7:43:26; 7:52:48)

(7:43:26; 7:52:48) - At Mr. Guzman's request, Chairperson Jacquet recessed the meeting at 7:43 p.m., reconvened at 7:52 p.m., and introduced this item. Mr. Guzman reviewed the agenda materials.

Vice Chairperson Jacquet expressed appreciation for the Board of Supervisors' action relative to the Open Space Program internal finance charges. With regard to the federal lobbyist charges, he discussed misgivings "about stopping completely" in consideration of valuable services rendered over the years. He cited the Waterfall Fire rehabilitation, as an example. In response to a question, Mr. Guzman advised that overtime is based on a 40-hour week. In response to a further question, Mr. Moellendorf explained the carry-over mechanism of the Question #18 budget which is "different from our general fund budgets." He reviewed various Question #18 line items, as reflected in Exhibit F, in response to additional questions. With regard to the fire suppression budget, Vice Chairperson Scott expressed the opinion that any major fire would be a City-wide problem "not just an open space problem." Mr. Moellendorf discussed the importance of a reserve account to address any fire on open space property. "It's not intended to pay for fires not on open space properties." Mr. Moellendorf acknowledged that the \$100,000 has been carried forward in each new budget year. Mr. Guzman clarified the intent to increase the reserve amount; "it's just

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that there's not sufficient monies at this point." Mr. Moellendorf advised of the long-term goal to accumulate \$1 million in the fire suppression account. Mr. Guzman responded to additional questions of clarification, and discussion ensued, regarding the professional services line item.

Chairperson Jacquet entertained public comment; however, none was forthcoming. With regard to previous comments regarding the lobbyist fees, Chairperson Jacquet discussed the importance of "stand[ing] prepared to contribute our share for lobbying because it's been effective in the past." He entertained a motion. **Vice Chairperson Scott moved, on number one, to inform the Board of Supervisors that the Open Space Advisory Committee concurs with their action to use OMB A-87, less the City Manager's office charges, as the preferred method for allocating indirect costs for the management of Question #18 Open Space Program, and also to thank them for their deliberations and their considerations in this regard because we can put it back into services that are a real benefit to the community. Member Lincoln seconded the motion. Motion carried 4-0.**

With regard to staff's recommended action relative to discontinuing the lobbyist services, Vice Chairperson Scott expressed concern over the wording. He suggested a modification to restrict the lobbyist services "in a manner consistent with availability of the potential benefit that changes at the federal level might allow." He expressed uncertainty as to the other City or general fund inputs to the lobbyist and what impact this might have on the City's overall lobbying process. Vice Chairperson Scott moved to recommend that the Question #18 Open Space portion of the federal lobbyist be reduced and monitored to be more consistent with available funds and the current lack of activities that are potential lobbying targets in Washington. Motion died for lack of a second, and extensive discussion ensued regarding alternatives. Chairperson Jacquet entertained a motion. **Vice Chairperson Scott moved, regarding the federal lobbyist expenditure recommendation to the Board of Supervisors, that we ask staff to look further into the citywide situation with regard to lobbying and bring back to the committee further recommendation or possible allocation under the interagency fund guidelines. Member Lincoln seconded the motion.** Chairperson Jacquet entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.**

In response to a question, Mr. Guzman advised that the budget recap is for the committee's information. Chairperson Jacquet entertained a motion. **Member Lincoln moved to accept and file the Question #18 monthly budget recap report, dated June 9, 2011. Member Green-Preston seconded the motion.** Vice Chairperson Scott thanked Parks and Recreation Department staff for the explanations included in the agenda materials. Chairperson Jacquet entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.**

Chairperson Jacquet entertained a motion relative to the Open Space Program budget. **Member Green-Preston moved to recommend to the Board of Supervisors approval of the Parks and Recreation Department's Open Space tentative fiscal year 2011 / 2012 annual budget for the Open Space Program. Vice Chairperson Scott seconded the motion.** In response to a comment, **Member Green-Preston amended her motion to reduce the \$30,000 federal lobbyist allocation to \$15,000, subject to review. Vice Chairperson Scott continued his second.** Chairperson Jacquet entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.** Chairperson Jacquet thanked Mr. Guzman.

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3-D. DISCUSSION ONLY REGARDING THE DEVELOPMENT OF A MANAGEMENT PLAN FOR THE PRISON HILL, SILVER SADDLE RANCH, AND SURROUNDING CARSON RIVER LANDS (6:10:22) - Chairperson Jacquet introduced this item, and Mr. Guzman reviewed the agenda report. (6:11:34) Consultant Mark Kimbrough advised of a meeting held earlier in the day with BLM representatives and of meetings held with Friends of Silver Saddle Ranch (“FOSSR”) representatives, and reviewed the most recent revisions to the draft management plan included in the agenda materials.

Chairperson Jacquet noted the importance of specificity in the plan to “help the manager ... five years from now ... The more open-ended you leave it, it just gets nebulous and difficult to enforce.” In response to a question, Mr. Moellendorf expressed the opinion that the draft management plan is “getting closer.” He agreed with earlier comments that “there’s a lot to it and you really don’t realize how much there is to it until you get into the discussions ...” He further agreed with earlier comments that decisions on some of the “larger policies” are being deferred. He discussed a number of dog-related issues which have come up over the last several months. He advised of upcoming meetings, which will include members of the Board of Supervisors to review Citywide dog policies and develop recommendations which will “dovetail in with this management plan.” He provided an overview of discussions which have taken place relative to drafting the management plan. Chairperson Jacquet noted the importance of the management plan having sufficient detail to define the objectives for the natural and cultural resources aspects in order to measure “impacts from human use.” He expressed appreciation for all the effort invested by staff, the consultant, and the involved citizens.

Mr. Kimbrough and Mr. Moellendorf responded to questions of clarification regarding the management area addressed by the plan. At Member Green-Preston’s request, Mr. Moellendorf agreed to provide copies of Question #1, Question #18, and the open space ordinance to the committee members. Mr. Kimbrough and Ms. Bollinger responded to questions of clarification regarding the boundaries of the Ambrose-Carson River Natural Area. With regard to Section G, Safety and Law Enforcement, Vice Chairperson Scott advised that the Carson City Sheriff’s Office patrols “along the River, from Riverview Park on the Silver Saddle side back up towards the Mexican Dam ... because they can see across the River ...” He suggested considering the OHV use, dogs, and shooting issues “as part of a comprehensive River concept that doesn’t have to wait for a master plan ...” He expressed appreciation for the evolving plan. Mr. Kimbrough acknowledged that the Prison Hill area is designated for OHV use. He clarified that the east side of Silver Saddle Ranch is an option in the conservation easement, but it is not currently designated for OHV use. Vice Chairperson Scott expressed support for not allowing the red house area to “get overrun. ... We need to be careful about uses at the red house ...”

In response to a question, Mr. Moellendorf advised that the prohibition of hot air balloons was discussed “in part” during the charrette process. He speculated that most people associate hot air balloons with large events, and that consensus was the area is too small to support that type of activity. In response to a further question, he advised that hot air balloon activity is prohibited by the provisions of the conservation easement. He acknowledged that the conservation easement covers the Silver Saddle Ranch “and the other remaining BLM properties that are transferred to the City along the Carson River.” In response to a further question, he clarified that an emergency balloon landing at the Silver Saddle Ranch would not be met with citations and fines. “The intent is, it’s not to be used as a launching ... or landing site.” He acknowledged that neither the Andersen nor Jarrard properties have the same prohibition, and reiterated that activities such as those associated with hot air balloons “could be directed to other City property where it may be appropriate and ... allowed.”

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Chairperson Jacquet entertained public comment. (7:02:06) FOSSR President Nancy Santos introduced herself for the record, and expressed appreciation for the “Wild Horses section” of the draft plan. She expressed agreement that there should be no shooting allowed in the area. She expressed concern over “generally prohibiting” campfires, and Mr. Kimbrough and Ms. Bollinger provided clarification. Mr. Moellendorf explained the intent to prohibit “the casual camping, the unplanned camping where people just drive down to the River and build a fire ring and camp without any type of permission.” With regard to the red house area, Mr. Moellendorf discussed the intent “that you wouldn’t go down there with your horse trailer or you wouldn’t go down there with your Winnebago and camp within that area. Now, if there’s an event, you may go in there [and] ... unload, ... move your vehicles out of there ...” Mr. Moellendorf assured Ms. Santos there is no intent to allow campfires, RVs, tents, etc. in the area of the red house. Ms. Santos suggested requiring dogs to be on leash in the area of the red house complex and during the duck breeding season. Discussion took place regarding the format of the section entitled “Land Use Areas.”

With regard to the Public Day Use and Events section, Ms. Santos advised of FOSSR’s preference to “maintain the red house complex as historic and keep it as pristine as we can; don’t want it to be overused.” Mr. Kimbrough and Mr. Moellendorf responded to questions of clarification, and discussion ensued, relative to the provisions addressing frequency of use and number of participants. By way of further clarification, Ms. Bollinger reviewed the City facility reservation and permitting process. Discussion took place regarding the proposed provisions relative to the historic ranch complex, including the red house and lawn. Ms. Santos expressed the opinion that the provisions under the “Red House and Lawn” section “should be applicable all the time.” She expressed opposition to “having events of 100 to 200 people in the red house complex area” as “inappropriate.” Mr. Moellendorf reviewed the statutory provisions requiring portable toilets for a certain number of people attending certain events. Ms. Santos expressed opposition to portable toilets as compromising the historic character of the red house complex. She expressed concern over busing in large numbers of people. “We’d like to see the red house complex maintained as historic as possible so that when people come to visit the ranch, they get an idea of what it would be like in those days. If there’s big events going on there every weekend, it’s going to take away from the historic character of the ranch.”

Mr. Moellendorf assured Ms. Santos that her comments would be carefully considered. He noted recurrence of the word “may” throughout the draft which provides flexibility relative to allowed use. Following discussion, Ms. Santos suggested “start small and work your way up, not start big and work your way down.” Mr. Moellendorf assured Ms. Santos that current and historical uses are being evaluated. “We’re going to start at that point and then we’re going to be constantly evaluating the impact that those type of events have on that resource and if we have to make adjustments in this plan, we’ll make adjustments one way or the other.” Ms. Santos expressed the opinion that just because events have been taking place doesn’t “make it okay to do it again in the same manner. There might be adjustments that need to be made in how they’re done because it is a conservation easement now where before it wasn’t. ... every event that’s put out there should be re-evaluated.” Mr. Moellendorf agreed, but noted “you have to start somewhere. And so we’re starting under the premise that what has happened in the past under the stewardship of BLM, there must have been some thought put into it, there must have been some observation, there must have been some kind of a feeling that that was adequate or we believe that BLM probably wouldn’t allow it in the past.” He reiterated that every event will be evaluated to determine impacts. “If that event shouldn’t be allowed in the future because we think it’s too impactful to the resource, we won’t allow it. If we think we can allow it but restrict the numbers, we’ll do that. If we think there’s some flexibility to even allow the numbers to increase, we’ll do that. It’s going to have to be an

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evaluation process ..." In response to a comment, Mr. Moellendorf advised that historic events have been evaluated. "That's why we've set numbers where we have and ... the reduction of the numbers from 300 to 200 [for the Escape from Prison Hill event], was an evaluation process during that." Mr. Moellendorf reiterated that "as we go through this, we'll be constantly checking it and finding out ... if we need to make adjustments." Ms. Santos discussed a method by which to evaluate impacts to natural resources before you have an event. In response to a comment, Mr. Moellendorf advised of the intent to keep the facility open to the general public even during events. Ms. Santos acknowledged that the red house complex is fairly sensitive, and that the FOSSR would be support of a "new, removed group use area or some other facilities that provided an alternative to some of the things that are only at the red house today ..."

(7:24:10) FOSSR Vice President Beth Scott acknowledged "there's lots of opportunity to take the heat off the red house and historic complex ..." She suggested considering "the other side of Carson River ..." She discussed the intent to "restore the ranch buildings, make it a real experience rather than ... simply a 2.5 star event on YELP ..." She discussed other sites at the Silver Saddle Ranch for public use, including the white house and "a great spot ... south of the currently irrigated fields." Ms. Scott expressed confusion over the document "because it sort of concentrated on Silver Saddle but it also mentioned the other conservation easement areas and then it threw in the other areas ... making reference to the non-conservation easement areas." She was uncertain as to whether to include the conservation and non-conservation easement lands in a management plan, but expressed concern over addressing them "very distinctly, carefully, and separately." In response to a question, Chairperson Jacquet expressed the understanding that both Mr. Moellendorf and Mr. Kimbrough are aware that these "were the marching orders from the very beginning ... because of the legal limitations on the management plan." Ms. Scott expressed a preference for more distinction between the two. She discussed a preference for considering a permit process for the conservation easement lands "that would evaluate impacts before they happen." Chairperson Jacquet expressed understanding for Ms. Scott's concern "that we do want good, thorough consideration of natural, cultural resources and other things before [Parks and Recreation Department staff] signs a permit." Mr. Moellendorf reiterated that every event will be evaluated by a department team prior to being allowed. He described the Parks and Recreation Department's reservation system as "basically a permit system and, when you're given a reservation to use an area, that, in effect, is ... a permit, permission to use that facility." In response to a previous question, he advised that ultimate responsibility for management of the area is Carson City through the Parks and Recreation Department and the Open Space Program. "But we know that we've got valuable partners out there, Friends of Silver Saddle being the chief among them that we are going to be counting on to be participants and partners in the management of that area as well as maybe some other organizations that we can possibly recruit ... through the course of time to help us not only give advice to the management of the area but maybe even some hands-on tasks that could help us ..." Ms. Scott advised that FOSSR has a mission statement, the provisions of which would have to be operated within. Chairperson Jacquet thanked Ms. Scott, noting that the draft management plan is still in the process of being developed.

Chairperson Jacquet called for additional public comment and provided direction with regard to the same. (7:38:48) Cathy Sylvia expressed appreciation for the effort invested in the draft management plan. She inquired as to hours of operation in consideration of light lasting until close to 9:00 p.m. during the summer. A brief discussion ensued, and Chairperson Jacquet thanked Ms. Sylvia for her attendance and participation.

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(7:41:07) Historic Resources Commission Chair and FOSSR Member Mike Drews suggested remembering the ranch complex as an important cultural resource “as well as a lot of other features around there. There’s some old mining properties. There’s an old ditch tender’s cabin that’s part of that ranch property.” He noted the importance of considering impacts “to all those types of resources” in developing a management plan “and manage it in such a way that we don’t accrue impacts with the use out there.” He advised of having worked with Chairperson Jacquet and Mr. Guzman on the baseline conditions assessment. He noted the good fortune that “Carson City is a certified local government and, generally, in terms of cultural resources protocols in this state, we’re transferring the responsibility to maintain those resources from the federal government to the City and it’s pretty seamless as a CLG. A lot of other cities can’t do that.”

Chairperson Jacquet entertained additional public comment and, when none was forthcoming, thanked the citizens for their input.

3-E. ACTION TO ADOPT A RESOLUTION THANKING DR. MICHAEL FISCHER FOR HIS YEARS OF SERVICE AS A MEMBER OF THE OPEN SPACE ADVISORY COMMITTEE (8:27:35) - Chairperson Jacquet introduced this item. Mr. Guzman provided background information and reviewed the agenda materials. **Vice Chairperson Scott moved to adopt a resolution thanking Dr. Michael Fischer for his years of service as a member of the Open Space Advisory Committee. Member Lincoln seconded the motion.** Chairperson Jacquet entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.** Chairperson Jacquet thanked Dr. Fischer for his years of service.

3-F. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS ACCEPTANCE OF A MONITORING REPORT FOR THE HORSE CREEK RANCH CONSERVATION EASEMENT (8:29:37) - Chairperson Jacquet introduced this item. Ms. Bollinger provided background information and reviewed the agenda materials. She acknowledged that Mr. Fagen is open to working with the Carson Valley Conservation District, the Natural Resources Conservation Service, and other agencies / organizations on best management practices. In response to a further question, she expressed the belief that the purpose of the stewardship account was to help pay for property maintenance and management. Vice Chairperson Scott noted that the City is the owner of “a pretty significant amount of land” to the north and west of the Horse Creek Ranch. He expressed concern over fire, and emphasized the importance of continued monitoring, enforcement, and patrol.

Chairperson Jacquet entertained public comment and, when none was forthcoming, a motion. **Member Lincoln moved to recommend to the Board of Supervisors to accept the monitoring report for the Horse Creek Ranch Conservation Easement. Vice Chairperson Scott seconded the motion. Motion carried 4-0.**

3-G. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS SUBMITTAL OF AN APPLICATION TO THE SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT (“SNPLMA”) TO REQUEST GRANT FUNDING FOR A NON-MOTORIZED BRIDGE ACROSS EAGLE CREEK, LINKING THE EMPIRE RANCH TRAIL WITH THE VIDLER-DONATED PARCEL AND RIVERVIEW PARK (8:38:49) - Chairperson Jacquet introduced this item, and Mr. Guzman reviewed the agenda materials. Vice Chairperson Scott noted the importance of the connectivity in the trail system, and commended Lumos & Associates on their “leadership in some of the engineering offerings.” **Vice Chairperson Scott moved to recommend to the Board of Supervisors that a submittal**

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of an application to SNPLMA be made to request grant funding for a non-motorized bridge across Eagle Creek, linking the Empire Ranch Trail with the Vidler-donated parcel and Riverview Park.

Chairperson Jacquet entertained public comment. (8:41:00) Monique Bittner expressed excitement over the link, and concern over the wild horses which congregate in the area of the trail and the bridge. Chairperson Jacquet advised that safety is a number one consideration, and expressed appreciation for Ms. Bittner's comments. In response to a question, Mr. Moellendorf advised that the City does not have a current policy regarding wild horse management; that it has been deferred to the BLM. As a property owner, he clarified that the City will be "involved to the extent that if horses become a problem ... either to the safety of the public that's using our properties or if there's a ... present safety danger to the horses themselves or if they're causing resource damage, then we'll work with BLM to remediate the problem. The last resort would be having the horses removed from our property." Mr. Moellendorf acknowledged that the City needs to do a better job of providing public information and education about the danger of wild horses. Vice Chairperson Scott noted the importance of also educating people against feeding the wild horses. Ms. Scully expressed appreciation for the useful discussion in consideration of addressing liability issues "before they ensue." Chairperson Jacquet noted the previously-stated motion and called for a second. **Member Green-Preston seconded the motion. Motion carried 4-0.**

4. NON-ACTION ITEMS

STATUS REPORTS AND ANNOUNCEMENTS FROM STAFF (8:51:02) - Mr. Guzman reviewed the "FYI" items included in the agenda materials, and a brief discussion ensued.

MEMBERS' ANNOUNCEMENTS AND REQUESTS FOR INFORMATION (8:53:02) - Vice Chairperson Scott inquired as to the possibility of constructing a trail adjacent to the waterline being installed along Edmonds Drive. He suggested to Ms. Bollinger that someone take photographs while the water is high in Eagle Creek. He reported a great deal of tall white top on the north and west sides of the golf course.

5. FUTURE AGENDA ITEMS (8:52:55) - Previously covered.

6. ACTION ON ADJOURNMENT (8:53:43) - Member Lincoln moved to adjourn the meeting at 8:53 p.m. Vice Chairperson Scott seconded the motion. Motion carried 4-0.

The Minutes of the June 20, 2011 Carson City Open Space Advisory Committee meeting are so approved this 26th day of September, 2011.

DANIEL JACQUET, Chair