

**EUREKA COUNTY BOARD OF COMMISSIONERS**  
**SPECIAL MEETING – MASTER PLAN**  
**January 11, 2010**

STATE OF NEVADA            )  
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COUNTY OF EUREKA        )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on January 11, 2010, for a joint meeting with the Eureka County Planning Commission. Present were Chairman Leonard Fiorenzi, Vice Chair Jim Ithurralde, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. Commissioner Mike Page joined the meeting at 11:20 a.m. Present for the Planning Commission were Chairwoman Ellen Rand, Ron Rankin, Philip Brown, Beverly Conley, and Cecil Wright. Also in attendance were contracted professionals, Floyd Rathbun and Jeannette Dahl.

The meeting was called to order at 9:09 a.m. and began with the Pledge of Allegiance. The interactive video conference system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

Commissioner Ithurralde motioned to approve the agenda as posted; Chairman Fiorenzi seconded the motion; motion carried 2-0.

**PUBLIC COMMENT**

The Chairman called for public comments; there were none.

**EUREKA COUNTY MASTER PLAN**

Chairman Fiorenzi thanked the Planning Commission and the contractors for the time and effort put into the Master Plan update, commenting that he had read the document twice – once from the perspective of a citizen and once as a County Commissioner. As a citizen, he liked what the document had to say, but as a Commissioner he felt some of the ideals would be hard to enforce without some level of zoning.

Commissioner Ithurralde felt the document gave mixed messages, and like the Chairman, wondered how some of the items would be accomplished. Commissioner Ithurralde said he would address these in more detail as each element was reviewed.

In updating the Master Plan, the contractors had utilized the existing Master Plan, direction from the Planning Commission, direction from the Commissioners, existing ordinances and resolutions, and results of a citizen survey.

In answer to the questions on how certain ideals in the overall Master Plan could be enforced, Mr. Rankin felt that land use could be directed to some degree by requiring more of the land developers, and providing incentives that would channel development closer to existing infrastructure. Ms. Conley felt that the approach for managing land use should be twofold: by providing both incentives and restrictions. Philip Brown agreed that economics could be a motivator, by making it more feasible and cost-effective to develop housing areas close to existing infrastructure.

Before moving too far into a page by page review of each element, Chairman Fiorenzi felt it was important for the Board to make a statement to act as a guide in providing continuity throughout the entire document, and motioned that the Board of Commissioners recognizes private property rights as the most important right and directs that this should be recognized in

and throughout the Eureka County Master Plan; Commissioner Ithurralde seconded the motion; motion carried 2-0.

Ellen Rand felt that there comes a time when the elected officials must do the unpopular thing for the protection of land uses that are an integral part of the community; otherwise the County was simply at the mercy of the 'good will' of developers.

The Commissioners proceeded to review each element of the Master Plan in detail with the Planning Commission and the contractors, providing edits, clarification, and input where necessary. Items discussed included: whether the plan would be County-wide or specific to different areas (districts); pros and cons of zoning; possible creation of a Board of Adjustment; private property rights versus restrictions and regulations; enforcement of County map policies; requirements for developers; protection of agriculture; growth management; state requirements; encouraging 'in-fill' in already populated areas; impact fees; minimum parcel sizes; protection of groundwater; water quality; capital improvements; inclusion of County's relationship with Nevada Division of Forestry; modifications to Title 8 of the Eureka County Code; preservation of rural character of the County; current services (water, sewer, etc.) will be brought up to standard before new infrastructure will be addressed; rangeland and impacts of wild horses; and mining.

In reviewing policy 2 (beginning at 2.3.5 on page 10 of the draft), the Commissioners asked that all references of 'will' or 'shall' be changed to 'may'; with the exception of policy 2.5.1 and 2.5.6, which Commissioner Ithurralde motioned that the word 'will' was to remain in those two references; Commissioner Page seconded the motion; motion carried 2-1, with Chairman Fiorenzi voting against the motion. After further discussion, Commissioner Ithurralde amended his motion that the word 'will' would remain in the following sections: 2.5.1, 2.5.6, 2.5.10, and 2.5.12; Chairman Fiorenzi seconded the motion; motion carried 3-0.

### **RECESS FOR LUNCH**

The meeting recessed for lunch at 11:53 a.m.

### **BACK TO ORDER**

Chairman Fiorenzi called the meeting back to order at 12:47 p.m. The page by page discussion continued, with discussion regarding the following items: federal agencies; renewable and non-renewable resources; wildlife; County goals and objectives; rangeland health and utilization; coordination with federal agencies; water rights; wilderness areas; RS 2477 roads; statement of preferred land use; and housing.

On page 18 of the draft, lines 26-28, the plan makes reference that Eureka County 'will' support property right issues, and Chairman Fiorenzi motioned that it be changed to 'may' so that Eureka County wasn't obligated to participate in litigation on every property right issue; Commissioner Ithurralde seconded the motion; motion carried 3-0. Chairman Fiorenzi also requested that the document be shortened up where possible.

The water resource element of the plan will be addressed as a separate project. The Planning Commission explained that it was not feasible to complete this section with the rest of the Master Plan update, due to the time and cost that will be involved. Natural Resource Manager, Jake Tibbitts, informed that the previous Natural Resource Manager had gone before a previous board of Commissioners for approval of \$100,000.00 specifically for the purpose of updating the water resource element. Mr. Tibbitts further suggested that water resource plans from other counties could be used as a valuable resource in drafting a thorough plan.

The Planning Commission decided to meet on January 19<sup>th</sup> to finalize the changes, in order to present the final draft to the Board of Commissioners at their regular meeting on January 20, 2010. Public hearing dates will be set once the Commissioners are satisfied with the final draft.

**PUBLIC COMMENT**

Chairman Fiorenzi opened the floor to public comments. District Attorney, Ted Beutel, cautioned the Board that their interpretation that citizens of Eureka County did not wish to have zoning, was probably better interpreted that the citizens did not want to see change. Until the County suffers the consequences of uncontrolled growth, they will probably continue with the attitude that zoning is a negative concept. Unfortunately, to protect the agriculture and rural lifestyle of the County, some regulations will likely be necessary.

Commissioner Ithurralde commented that the contractors had more than fulfilled their time obligation, and stated the Commissioners would consider release of the \$10,000.00 retention, or a portion of the retention, at their January 20<sup>th</sup> meeting.

**ADJOURNMENT**

Commissioner Ithurralde motioned to adjourn the meeting at 2:53 p.m.; Commissioner Page seconded the motion; motion carried 3-0.

Approved this 20<sup>th</sup> day of January, 2010.

/s/ Leonard Fiorenzi

Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg

Jackie Berg, Clerk