

**FINAL APPROVED MINUTES  
INDIAN SPRINGS TOWN ADVISORY BOARD  
THURSDAY, MAY 12, 2011**

7:30 p.m.

715 W. GRETTA LANE  
INDIAN SPRINGS, NV 89018

**BOARD MEMBERS PRESENT:**

Jayme Brown, Vice-Chair

Scott Bradley

Ann Brauer

Lisa Crow

**BOARD MEMBER (S) ABSENT:**

James Fisher, Chairman -**RESIGNED**

**OTHERS PRESENT:**

Approximately 10 others present

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**I. CALL TO ORDER**

A. This meeting was legally noted and posted in conformance with the Nevada Open Meeting Law.

B. Vice-chair, Jayme Brown, called the meeting to order at approximately 7:30 p.m. The pledge of allegiance was recited.

**II. ORGANIZATIONAL ITEMS**

A. The May 12, 2011 agenda was unanimously approved as written.

*Motion by Brauer; second by Crow. Vote 4-0. Resigned 1.*

B. The March 10, 2011 minutes were unanimously approved as written.

*Motion by Brauer; second by Bradley. Vote 4-0. Resigned 1.*

C. The April 14, 2011 minutes were corrected. Item VI. Town Advisory Board Member Reports A. Senate Bill 2312 was corrected to Senate Bill 232. The minutes were then unanimously approved as written, with the above correction.

*Motion by Brauer; second by Bradley. Vote 4-0. Resigned 1.*

**III. PROCEDURES AND CONDUCT**

A. Conduct: Please turn off or mute all cell phones, pagers, and other electronic devices.

B. Please take all private conversations outside the room.

**IV. ANNOUNCEMENTS AND CORRESPONDENCE**

A. **Announcements:** **1.** Chair, James Fisher has resigned from the ISTAB, as of May 11, 2011. Secretary, Michelle McClary, has received his letter of resignation. **2.** On Wednesday, April 27<sup>th</sup>, Creech AFB did an exercise on the base "giant voice" speaker system. It was a drill and not a real scenario. During the exercise, the base gate was closed for a few minutes. Personnel monitored the gate traffic, to ensure that it did not back up onto Highway 95 and cause a safety hazard. This was reported to the ISTAB, via-e-mail prior to the exercise, by Lt. Col. Trychon (except James Fisher). **3.** Residents of the Indian Springs RV Park were notified that they must be out of the park by the end of November 2011. They have been offered some assistance in moving to a new location.

B. **Correspondence:** **1. Department of Business License-Jacqueline Holloway, Director-**correspondence dated April 15, 2011. **Notification of proposed ordinance to amend Title 6, Chapter 6.12, Section 6.12.840 "Real Estate Salesperson"**. This ordinance will eliminate the inspection requirements for real estate salespersons conducting business from the premises of a licensed real estate broker or licensed real state developer. Since it is the real estate broker or real estate developer that is responsible for the business location, as well as the related land use approvals and inspections, there is no need to require the approvals/inspections in conjunction with the issuance of business licenses to real state salespersons. The Department believes this ordinance will remove existing operational redundancies, improve Department efficiency, and result in a more responsive, business-friendly licensing process. This ordinance is available for review and downloads at

[www.clarkcountynv.gov/Depts/business\\_license/Pages/ProposedAmendmentstoClarkCountyCode.aspx](http://www.clarkcountynv.gov/Depts/business_license/Pages/ProposedAmendmentstoClarkCountyCode.aspx)

. Please send comments in writing to the Department of Business License in care of Terri Stevenson or by email to [PublicCommentsCCBL@clarkcountynv.gov](mailto:PublicCommentsCCBL@clarkcountynv.gov). All comments and information must be received by the Department on or before **May 9, 2011** to be considered by the BCC at a future adoption hearing. **2.**

**Department of Business License-Jacqueline Holloway, Director-**correspondence dated April 15, 2011.

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**Notification of proposed ordinance to amend Title 6, Chapter 6.04** of the Clark County code to streamline the business license regulatory approval and public safety inspection process. The ordinance will reduce redundancy in the current licensing process, provide for greater efficiency throughout various County agencies, and reduce the regulatory/compliance requirements for many licensees and applicants. As such, it is anticipated that the ordinance will result in timelier, responsive customer service and overall improved customer satisfaction. This ordinance is available for review at

[www.clarkcountynv.gov/Depts/business\\_license/Pages/ProposedAmendmentstoClarkCountyCode.aspx](http://www.clarkcountynv.gov/Depts/business_license/Pages/ProposedAmendmentstoClarkCountyCode.aspx)

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**Department of Business License**-Jacqueline Holloway, Director-correspondence dated April 15, 2011.

**Notification of proposed ordinance to repeal Title 6, Chapter 6.12, Section 6.12.966 "Tobacco Permit"**.

This ordinance will eliminate the Tobacco Permit for retailers of tobacco products. This change is intended to reduce the existing redundancy in the current business licensing process. It should be noted that this ordinance would have no impact on the gross licensing requirement for tobacco retailers. Tobacco retailers will still be required to report and pay fees on the gross revenue earned from the sale of tobacco products. This ordinance is available for review and downloads at

[www.clarkcountynv.gov/Depts/business\\_license/Pages/ProposedAmendmentstoClarkCountyCode.aspx](http://www.clarkcountynv.gov/Depts/business_license/Pages/ProposedAmendmentstoClarkCountyCode.aspx)

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**County Zoning Commission**-via email dated April 21, 2011. One ORDINANCE was **ADOPTED (ORD-**

**0261-11 Extended Stay)** April 20, 2011 (Agenda item 24). At its February 2, 2011 meeting the BCC

approved a text amendment requesting a new use in the development code for Lodging, Long/Short Term subject to conditions. Staff proposes the use be allowed within the following zoning districts by special use permit approval: C-2, M-D, M-1, U-V, AND H-1. **5. Clark County Zoning Commission**-via email dated

April 21, 2011. One ORDINANCE was **INTRODUCED (ORD-0335-11 Separations)** April 20, 2011

(Agenda item 22). At its February 15, 2011 business meeting the BCC, sitting as the Liquor and Gaming

Board, directed staff to introduce an ordinance to amend Title 30 to place distance restriction requirements for alcohol and gaming related uses in Title 30. **6. Clark County Zoning Commission**-via email dated April 29,

2011. One ORDINANCE was scheduled for **PUBLIC HEARNG (ORD-0335-11 Separations)** May 4, 2011

(Agenda item 32). At its February 15, 2011 business meeting the BCC, sitting as the Liquor and Gaming

Board, directed staff to introduce an ordinance to amend Title 30 to place distance restriction requirements for alcohol and gaming related uses in Title 30. **7. Clark County Zoning Commission**-via email dated April 29,

2011. One ORDINANCE was scheduled for **INTRODUCTION (ORD-0406-11 SOSA Overlay District)**

May 4, 2011 (Agenda item 31). In November 2008, the BCC adopted an ordinance (ORD-970-08) to

establish the SOSA Redevelopment Area Overlay District, as well as adopt by reference the "SOSA Design Standards and Guidelines" document. All development within this area was expected to conform to those

standards and guidelines, with oversight from the Clark County Redevelopment Agency. Subsequently the Redevelopment Agency has been eliminated; therefore, the procedure established by the ordinance is

obsolete. This ordinance will adopt many design and development standards from the document into Title 30. Projects will also be reevaluated on conformance to the additional guidelines described in the document and

staff recommendations will be formed based on the project's design meeting the intent of the SOSA Design Overlay District. Staff recommends introduction of the ordinance May 4, 2011 and public hearing scheduled

May 18, 2011.

**V. ZONING AND PLANNING**

**A.** Clark County Comprehensive Planning Director, Nancy Lipski, reported on Application Time Limits, Commencement, and Studies. This discussion item is a result of the commissioner's concern of why projects are not commencing when they should. No commencement, results in granting extended time on permits. The 1<sup>st</sup> extension is automatically given. The BCC is considering an annual review of permits for projects that have not commenced as planned. The County will work with developers to discuss why projects are not commencing. After further discussion and suggestions given, it was commented that a one-year review is a good idea. The developers need to be accountable for their need for an extension of time.

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**VI. COMMUNITY CONCERNS**

**A.** Creech AFB representative, Lt. Col. Tammy Trychon, was in attendance to report on the Creech AFB activities for the last time. She will be moving on to her next assignment in Washington, D.C. Her replacement, Lt. Col. Crisley, was in attendance and introduced. **1.** Four copies of "The Five Pillars of TQM" written by Bill Creech were donated to Indian Springs, for public use. The library has one copy. The rest are in the ISTAB office. **2.** Due to budget cuts, it was announced that the contract, with Bluebird Cable, ended and no new bids were being accepted for Creech/Nellis AFB. The AFB now has limited Internet service and Dish Network is installed in the dining area only. **3.** Will an ambulance come back to Creech AFB? There is no attraction to get one back yet. This has been brought up several times. There will be new leadership coming this summer and the ambulance issue was passed on.

**B.** A LVMPD representative was NOT present to report on community concerns.

**C.** A ISVFD representative was NOT present to report on community concerns, activities, and upcoming events.

**D.** Parks and Recreation representative, Lisa Crow, reported on upcoming events. She reported that **1. Safekey** is held Monday – Friday at the elementary school for 2:15 pm – 5 pm. The cost is \$20 per week, per child. \$25 per week, for additional child in the same family. There is a \$5 daily rate. **2. Open Rec** is open each week on Friday, from 5-9 p.m. **3. Movie night** will be held Friday, May 24th, during Open Rec. **4. Tai Chi** is held on Monday, Wednesday, and Saturday mornings at 9:00 a.m. in the community center. **5. Swimming Pool** will be open on Friday and Saturday from 5p.m. – 8 p.m. for Memorial Weekend. The pool will be open on Monday, Wednesday, Friday, and Saturday from 5p.m. – 8 p.m. for the summer. **6. The Theater Program** has been cut at the school. Parks and Rec is working with the school to continue the program, but on a community involvement level.

**E.** ISTPO representative, Michelle McClary, reported on upcoming events for the ISPTO. **1.** The ISPTO held their **last meeting** for the school year on May 10, 2011. **2. New officers** for the ISPTO 2011-2012 were announced. Colleen Thomas, President. Lisa Crow, Vice-president. Judy Thormahlen, secretary. Teresa Hazel, Treasurer. **3.** The ISPTO **scholarship** was awarded to Teri Leavitt (Veach) in the amount of \$1,150.00. **4.** It was officially announced that Ms. Christensen would be **retiring** at the end of summer school. Mrs. Larsen, elementary special education teacher, is retiring. Dr. Dvorak and his wife, elementary early childhood, are retiring.

**F.** Representative, Scott Bradley, from the ART reported that there was no activity with Clark County Code Enforcement in Indian Springs recently. No problems have been reported.

**VII. TOWN ADVISORY BOARD MEMBER REPORTS**

**A.** **Ann Brauer** reported that the legislature passed the redistricting bill and it was then sent to the governor. It places Indian Springs into Assembly District #36. Ann showed a map to indicate the Senate District and The House of Representatives District. The governor has five days to sign the bill, but he will most likely veto it. From there, it will be sent to the courts to be resolved. We still do not know what district that Indian Springs will be in, but we will be in the same district and not be split by the highway. Why was there a split to begin with? Because of two different census tract areas.

**VIII. COMMITTEE REPORTS**

**A. Community development/infrastructure- 1.** Jim Brauer asked Phil Frank to discuss the issue of using the transfer station (APEX). Phil reported that the physical address, of a resident, is needing to match their ID (drivers license). Most Indian Springs IDs have a POB for their address. The name, the mailing and the physical address are on the bill. When the bill is paid, the part of the bill, that has the mailing address on it, is sent with the payment. The bill needs to be presented in order to dump. If the portion of what is left of the bill does not match the ID, policy says you cannot dump. Phil spoke with Mr. Coyle, at Republic Services, and was told that they will review policy procedures. Another issue is that Republic has an old database, which has incorrect physical addresses for Indian Springs. Indian Springs went through redistricting in 1996 (?), which changed many addresses. Chris will look into both matters and report on it later. **2.** Readdressed the problems with getting dumpsters back, when they have been given up for a period of time. Especially for agricultural residence. **3.** AT&T cellular services have a recognition problem of physical addresses. There is no recognition. **4.** How long until the cones in the middle of the highway will be removed? They seem to be impeding traffic unnecessarily.

**IX. REPORT BY STAFF**

**A.** Chris Munhall reported on County items. **1.** It was reported that there is no activity on the Harvey

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property (apartment complex). In reference to the development agreement, the County has their part done. They are still awaiting a response from the developer. **2.** Water Reclamation-Phase II will begin. Bids went out in the second quarter of 2011. It is not known if the contract has been awarded or not. **3.** A community slurry seal will be done some time soon. Chris does not know for sure when. **4.** In reference to the Welcome signs/town monument, NDOT is firm in staying with the traditional welcome sign. NDOT will provide the framework and the templates. The community will need to get the templates completed and then back to NDOT. NDOT is willing to work with the community to apply for a grant of easement for a non-traditional welcome sign (ex: welcome monument). The County will work within the easement for placement. **5.** In reference to the retaining wall, there are basically two options: First option: County issue a building citation, which will end up in court and the owners will be ordered to build the wall or be fined. Second option: The County issues a citation through Code Enforcement and then go through an abatement. An abatement requires the property to be an imminent danger to the public, to justify use of abatement funds. The property was declared unsafe and a public safety issue, by the Building Department and Code Enforcement, but it was not declared an imminent danger. Because of this, there is some resistance. The County needs to be convinced that there is imminent danger. It was reported that someone has been hurt because of the current condition of the property damage. Chris will keep on this. **6.** It was reported that the Assembly heard Senate Bill 232. It was received well and it will eventually be put to a vote. **7.** The distance for mileage reimbursement was changed to 25 miles or more from either the city boundary or from City Center. It has not been determined yet. A request for the ISTAB boundaries was made. Chris will get it. **8.** In reference to the collection of old cans etc. at the old dump, the site is mostly on private property (Mason Harvey). It becomes a private property issue and not a County issue. **9.** In reference to the mile markers, NDOT's reply was confusing, so Chris read the reply to the public. **10.** When will the bumps be gone? The project has been started. It is not certain when it will get to Indian Springs. Chris will ask.

**X. DISCUSSION ITEMS**

**A.** The United States Air force is in the process of preparing an Environmental Assessment (EA) examining potential environmental impacts that could result in the acquisition of private property in Indian Springs, whether through a purchase, lease or easement. The property is located on the north side of Highway 95, adjacent to Creech Air Force Base. The purpose of the proposed acquisition is to increase the security buffer along the boundary of the installation. Nellis Air Force Base requests the assistance of the community of Indian Springs, through its Town Advisory Board, in identifying potential areas of environmental impact that should be addressed in the EA. Nellis AFB representatives, Charles Ramey (Public Affairs), Victor Rodriguez (Community Planner), and Tod Oppenborn (Asset Manager) were present for this discussion item. Charles reported that the USAF Real Property Agency is handling the EA. He reported that the DRAFT EA is not completed yet. It is still in the review stage. When the draft is completed, the DRAFT EA will be brought before the ISTAB for review and comments. Victor then presented five possible alternatives for the acquisition of real property in Indian Springs (Indian Springs Casino/Resort). **First alternative: No action** alternative must be examined per National Environmental Policy Act (NEPA) regulations to protect the environment. What would happen if USAF maintained current conditions? Could the purpose, to secure the USAF mission at Creech AFB by removing potential security threats to facilities and personnel in accordance with Anti-Terrorism/Force Protection (AT/FP) guidelines, be met? **Second alternative: Reinforce existing wall** by increasing the height, width, strength of existing wall, add barriers, etc. It could mean taking down the existing wall and rebuilding a new one. Is the current wall, which was reinforced not too long ago, insufficient? Yes, standards have changed. The current reinforced wall does not meet current Force Protection Standards. With whichever alternative that is chosen, the perimeter wall will be bigger and stronger. The terms of the placement of the reinforced wall will be negotiated. **Third alternative: Partial stand-off easement** of 3.2 acres, extending the easement 125' on the west end of the property and extending the easement 65' on the north end of the property. Only buildings/structures within this easement would be removed/demolished. **Fourth alternative: Partial lease** of 11.75 acres, including a stand-off of 175' on the north end of the property. This would exclude the motel, Chevron, and Casino/restaurant. There is potential building demolition, abatement, and restoration (possible 1.75 acre park). There will be a construction of a new boundary fence. The wall will go around the back of the park and around the Indian Springs Resort. The park will be for public use, facing US95. **Fifth alternative: Acquisition of the entire Indian Springs Resort property** either by a lease or purchase. The property is 16.9 acres. This alternative would eliminate any potential threats. It would also include the removal/demolition of all existing buildings.

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**Questions/comments:** Will there be a preferred alternative listed in the EA? No, but it will be listed in the DRAFT EA. What is the time table for the EA? The DRAFT EA will be brought to the ISTAB, for input and comments. After the comment period has ended, a final EA will go to the Hill and then to the USAF for a final decision. Then an agreement will be made between the AF leadership and the property owner. Why is the Indian Springs Resort RV being cleared out by November 11<sup>th</sup>? That is the Marshall Group's decision. The USAF is not telling them to do that. The USAF does not yet know what direction they will be taking. Chris Munhall reported that, per Todd Marshall, the Marshall Group has decided to go out of the mobile home/RV park business. The RV Park has been struggling and it is not feasible to continue, so they have begun to go through the mobile home/RV park closure procedures. Why is the USAF not going to a full Environmental Impact Statement (EIS), which is an outcome of an EA, if there is a significant human environmental impact in the community? (Tod Oppenborn) An EIS is an environmental document of the physical environment of the property itself. Per Federal regulations (32 CFR 989), they do not trigger an EIS. Then it was requested that the comment period be extended to a 60-day comment period, so that the ISTAB could have adequate time to take action on the DRAFT EA and have time to submit comments. The 30-day comment period is not enough time to do that. Tod will forward the request. Is the human impact (no employment) included in the EA? Is the tax impact included in the EA, since this is the major commercial property in Indian Springs? All comments that are submitted in writing will be included in the EA. Past experiences with an EA was related (unnecessary APZ, gas station spillage concerns of water contamination, Giant Voice, depleted uranium, no ambulance, back up for VFD, etc.). Again, a full EIS was requested, for the human environmental impacts. Were water rights purchased? Not known at this time. After more discussion, a motion was made to request a 60-day comment period for the DRAFT EA.

*Motion by Brauer; second by Bradley. Vote 4-0. Resigned 1.*

**XI. PUBLIC COMMENT**

**A.** Phil Frank commented that he does not want to see jobs lost, due to the sale of the commercial property. If it does happen, hopefully placements can be found.

**B.** It was also commented that when military families were taken out, community use of the base was cut off. When they closed the softball field, the ISTAB requested in writing for the their lights. The community needed them for the baseball field, but they were cut in half and sent to Nellis AFB. The base bowling alley took the pin setters out and sent them to Nellis too. When military housing was stopped, the community requested that the trees be maintained for a noise barrier. The base reluctantly agreed and said that there would be someone hired to water them, etc. The trees did not get watered, etc. and all of the trees died and were taken out. It was commented that the base did not consider the community's requests.

**C.** Tom Seaver commented that he is not convinced that the MacFarland Estates investors are bankrupt or that this investment is what made them bankrupt. The County is convinced that they are, by evidence of bank statements and mortgage company, etc. Tom has no proof, but after a conversation with investor Bob Day, he believes otherwise. It was implied that the investors lost a lot of money with MacFarland Estates, but it was only one of their investments.

**D.** Chris will work with Tom to prove imminent danger. Someone has been injured and possible documentation can be obtained to prove it. In order to cut the cost of the wall, it was suggested that it be 3' instead of a 6'.

**XII. NEXT PRIMARY MEETING**

**A.** The next primary meeting will be held on Thursday, June 16, 2011. It will be held at 7:30 p.m., at the Civic Center.

**B.** Agenda items, for the next primary meeting, are due to Michelle McClary by 5:00 p.m., Tuesday, June 7<sup>th</sup>. She can be reached at the TAB office 879-3004 or at her home 879-3526.

**XIII. ADJOURNMENT**

The meeting was unanimously adjourned at approximately 9:30 p.m.

*Motion by Brown; second by Crow. Vote 4-0. Resigned 1.*

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