



## MOUNTAIN SPRINGS CITIZENS ADVISORY COUNCIL

### REVISED FINAL MEETING MINUTES

Wednesday, February 09, 2011  
7:00 p.m.

MOUNTAIN SPRINGS FIRE DEPARTMENT  
State Highway 160  
Mountain Springs, NV 89161

MEMBERS PRESENT: David Berg, Chair  
Bob Monaco, Vice-Chair  
Richard Draper  
Paul Whissel  
Tanya Harrah  
  
Carol Hignite, Secretary

#### I. CALL TO ORDER

- A. This meeting was legally noticed and posted in conformance with the Nevada Open Meeting Law.
- B. The meeting was called to order at approximately 7:02 p.m. by Berg. The pledge of allegiance was recited.

#### II. ORGANIZATIONAL ITEMS

- A. The February 09, 2011 agenda was unanimously approved as written. Motion by Draper; second by Whissel.
- B. The Draft meeting minutes for January 12, 2011 were unanimously approved as written and are now final. Motion by Whissel; second by Monaco.

**BOARD OF COUNTY COMMISSIONERS**  
SUSAN BRAGER, Chair – STEVE SISOLAK, Vice Chair  
LAWRENCE L. BROWN, III – TOM COLLINS – LAWRENCE WEEKLY – CHRIS GIUNCHIGLIANI – MARY BETH SCOW  
DONALD G. BURNETTE, County Manager

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Meeting Location: Mountain Springs Fire Station      State Route 160      Mountain Springs, NV 89161

MTNSPRINGS02092011MINUTES

### III. COMMUNITY CONCERNS

The following representatives were present to discuss the Communication Tower Project (CC Public Works #CL2010-422):

Stephanie Phillips, Deputy Forest Supervisor, U.S. Forest Service  
Chuck James, Manager of Design & Construction, Clark County Real Property Management  
Lester Lewis, Clark County Network/Telecommunications Manager  
Grant Hewitt, Transition Director for Congressman Joe Heck, District 3, Nevada  
Pete Bicsanszky, Metro Police Officer II and Metro Lt. Tad Dodds.

The Communication Tower Project (CC Public Works project #CL2010-422) is just north of SR160, near the old supper club site. The project was funded with Homeland Security grant money and is intended to provide better radio communications throughout the rural areas. The new communications tower will send/receive signals from the communications equipment on top of Mt. Potosi.

Paul Whissel took the lead in the discussion over the Communication Tower Project:

The County informed us that what was supposed to be a compatible land use, what was a 12' pole (with a dish slightly larger and thicker than a satellite dish) is now a 13' x 13' x 70' scaffolding structure, a 12'x12'x12' separate concrete building with a generator, a propane tank, some cyclone fencing with razor wiring surrounding the tower, and air conditioners that will run during the hot times and that will be buzzing during operation, and it is an intrusive object.

We are a community that is surrounded by forest, national wilderness, and a national recreation. The wilderness boundaries, in many cases, touch private property and allow for no buffer for the residents. Construction of the communications tower trampled the wilderness areas and gave no regard to disturbing the area or keeping it free of motorized vehicles and equipment. This communication tower project has offended many residents, especially those that live adjacent to the tower. It is unsightly and destroys the views for all.

The construction project has created a wider, compacted road to the site. The road is now more accessible to other vehicles, encouraging more use and the potential for vandalism and other mischief at the site. One of our biggest concerns is, why were we as a community not informed prior to this project so that we could discuss, have input and consider alternatives? Why didn't the County or the Forest Service consult the community? In the environmental review, significant concerns were expressed regarding flora, lizards, many species of bats, snakes, cacti, beetles, but the only mention of the community was that we would benefit from better communication. The tower also has a light that burns most of the day and all night that is very intrusive. We were also told that, because of the height, FAA is going to require strobe lights. The towers in town get the look of a palm tree or pine tree, yet we do not have that look on our tower. Why is that?

Chuck James, Lester Lewis, and Stephanie Phillips were very apologetic to the board and residents for not communicating prior to the project implementation. They admitted that not coming to us first was not the best way to conduct business. They explained that they are connecting 8,559 sq area of County for better a better communications network system, including Indian Springs, Sandy Valley, Moapa, Coyote Springs and Mt. Potosí. The tower on the ridge in Mtn. Springs is critical to that network, improving communications with various agencies to better respond to emergencies here and elsewhere in the network area.

The following includes questions posed from the board members and some residents, as well as various answers from the representatives present.

Why couldn't this tower have been installed in a less intrusive location? Answer: This location is an approved communications site that provides a clear, line of sight signal to the equipment on Mt. Potosi. The tower needed to include communication capabilities for BLM, NDF, USFS, Metro Police, Clark County Fire, so a larger tower was needed. The initial site for the tower was to be at the fire station's water tank location. That site was turned down per the Forest Service, who suggested the current site as an approved site already in use. The height of the tower is determined by the engineering, and had to be at 50' in order to work, which is why the tower is 70' (the separate structures are in 20' increments and a 10' structural cap is needed). Additional antennas, dishes, or satellites can be added onto this tower in the future by other entities. Once Clark County adds their microwave, Metro Police and Clark County Fire Department antennas are anticipated to be added immediately, with other agencies coming on board as funding permits.

Why didn't the Forest Service (Stephanie) contact the community? Why weren't we involved in this decision? Answer: The decision required an expedited approval process, we were dealing with an already approved communications site, replacing an existing tower and we just didn't anticipate the community concerns that arose from this project. For that, we are very sorry and apologize.

What was the cost of the project? Answer: The accepted bid was \$332,837.

Where was Commissioner Brager during this whole project? Answer: This project did not come across her desk, did not require her (the BCC) approval and she was not informed about the project prior to it commencing. She is very disappointed that the County process did not include bringing this project to the CAC and community for their feedback.

Why wasn't this tower implemented at the existing cell tower site west of SR160, on the north side of the road? Answer: The cell tower site is located on private property is a for-profit enterprise. The new communications site needed to be located on public lands.

Was there an engineering feasibility study done? Answer: There was a study done, and a network of communication points was mapped out that showed the connecting dots to interlink for the most efficient point to point benefit.

Can you find out if the FAA light needs to be on the tower? Answer: Yes, we can and will.

Can you bring the tower down to 50' if only 50' is required? Answer: Per the engineer, the dish cannot sit on top of the 50' mark.

Who is going to be responsible for maintaining this road, the County? Answer: That has not been determined. It is a Forest Service road. If the road is open, then the Forest Service maintains the road. They would maintain the road to the access gate.

What is the effect going to be on the endangered species, such as bats? We feel a more intensive study/survey on the endangered species should be completed, and regarding the bats, that the survey should be done at nighttime when they are more prevalent.

Residents believe the tower will reduce the value of their properties.

In the initial environmental study, why wasn't a Visual Impact Analysis done? Answer: It was not required.

Were other rural communities contacted prior to tower projects? Answer: No, locations and sites were determined by what the pathway search revealed for necessary communication. The pathway allows for communication to and from Mountain Springs to the dispatch and any other necessary agencies required for emergency situations, rather than relaying information back and forth only to the dispatch.

Concern over construction vehicles driving over the wilderness area was brought to Stephanie. She will look into this issue.

What was the reason for the switch on the location from the water tower? Answer: There was already an existing designated communication site at the current location.

How thorough was the 'scope of work' for the decision to locate the tower at the present site? Answer: On federal land, the County's permitting and approval process does not require that the CAC or community be consulted with. Indian Springs and Sandy Valley were not notified either for similar towers in their communities. Commissioner Brager made it clear to us this should never happen again.

Grant Hewitt, representative from Congressman Heck's office, addressed the board and requested to be cc'd on all information/correspondence to any agencies that we want them to be aware of. He handed out his business card.

Metro Police and Clark County Fire Department are currently on board for antennas on the new tower.

After a lengthy discussion, with questions and answers from the representatives present, it was decided to send an email to Stephanie Phillips, Commissioner Susan Brager, and Clark County to address the following items:

- Determine if there are other suitable, less intrusive locations for the tower
- Re-evaluate the height of the tower and lower it if possible
- Preventing unnecessary noises from the air conditioners and generator on site
- Refilling and access to the existing propane tank
- Preventative measures from theft, trespassing, vandalism of all equipment
- FAA regulated, and/or required lights
- Any and all area lighting
- Moving the gate to the bottom of the road
- Maintenance of the road leading to the tower
- Protecting the surrounding wilderness area
- Determine if the contractor encroached into Wilderness Area, and if so, what the consequences are
- A more complete survey of any sensitive, threatened, and endangered species impacted by this project
- Would Commissioner Brager be willing to take steps to adopt a new policy whereby all projects of this nature, whether on private property, county property, or federal property, all follow the same guidelines to include public outreach and a town board recommendation?

As a community which has been greatly affected by this project, we would like to know what Clark County and the Forest Service, is going to do regarding these concerns.

#### IV. PLANNING AND ZONING

**TA-0007-11 – SIEGEL COMPANIES, INC.:**

**TEXT AMENDMENT:** to amend Title 30, Chapter 30.08, Table 30.44-1 (Chapter 30.44) to create a new development code category for extended stay units in certain zoning districts subject to a minimum one-week stay and complete kitchens being provided.

**Motion by Berg; second by Harrah, MEMBERS APPROVED 4-0,  
SUBJECT TO STAFF CONDITIONS** (Richard Draper, Fire Chief, was called out for an emergency during the meeting).

V. DISCUSSION ITEMS

None

VI. CORRESPONDENCE

None

VII. COMMITTEE REPORTS

None

VIII. REPORTS BY STAFF

Chris Munhall, Rural Town Liaison

A) The C.A.C. member training was held Saturday, February 5, 2011, and there will be a make-up session TBA, for those members, Tanya Harrah and Paul Whissel, that were not present.

B) Members can locate the TAB/CAC Resource Manual at [http://www.clarkcountynv.gov/depts/admin\\_services/tlservices/Pages/2011TABCACResourceManual.aspx](http://www.clarkcountynv.gov/depts/admin_services/tlservices/Pages/2011TABCACResourceManual.aspx)

IX. PUBLIC COMMENTS

None

X. NEXT MEETING DATE

Wednesday, March 09, 2011 at 7:00 p.m.  
Mountain Springs Volunteer Fire Department

XI. ADJOURNMENT

The meeting was adjourned at approximately 8:59 p.m.