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Douglas County Nevada
Citizen Opposition to Trails Plan on Private Property
March 24, 2003

For the past few months the Douglas County, Nevada government has been planning a design for Trails within the entire County. Their use of Trails Activist groups and the attempt of planning staff desire to write a plan with the intent to obtain private property without the will or approval of the property owners has been persistent.

The Bill of Rights of the United States of America assures citizens that property will not be taken by any government without just compensation, and The Constitution on Nevada states the same thing. These "Collective" thinking staff members have been willing to take some proposed trails off the Master Plan map, however they persist to write text in their Trails Plan to achieve their goal of taking private land.

In March 2003, at a regular scheduled Planning Commission meeting, the Planners collectively had problems with the text and the Chairman stated her "problem with the legality of some of the text". After a very long public input, as well as a very long commission discussion session, a motion to approve was made with the attempt in the motion to re-write the text. It was amazing to me that a second was offered. Needing a two-thirds majority, the motion failed. Staff was instructed to take the comments of the failed motion under advisement, and to re-write the text. I took this to mean that it is possible to achieve a plan to Take Private Land. The Trails Plan is to be taken to the Douglas County Commission for further review, without recommendations.

At this time our President George Bush is taking steps to protect our freedom and protect our rights; at a time of war, to defeat those that would destroy our freedom, it is amazing that Douglas County Nevada Staff is asking our elected officials to take away one of our most precious rights, the right to own property. Acting as a "collective", Douglas County Staff is promoting the taking of private property without compensation.

I believe the Douglas County Commission should not follow the lead of its Staff in the subject of Trails. It would be, in my opinion, not too harsh to dismiss those that entertained the subject and procedure of the Taking of Private Property no matter how high their position.

My opinion is that it is time for serious thought!

The Trails Plan is on the Douglas County Commissioners meeting April 3, 2003, at the end of all other business. Time ??? All interested parties should attend. It is possible a vote will be made. No guarantee.

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ASSEMBLY GOVERNMENT AFFAIRS
DATE: 4/1/03 ROOM: 3143 EXHIBIT F
SUBMITTED BY: Vic Buron

When the "Proposed Trails Plan" is heard again I would like to bring to light the following:

1. Trails are viable to recreation – walking, biking, horseback riding, etc.
2. Promote Trails on Public Lands – BLM, Forestry, Parks
3. Where Trail Heads only are needed on private property ask the property owner for their input and either achieve the land by donation or purchase (do not extort).
4. Conservancy Land and Receivership Properties are still private land, and should have the same respect as Private Property. Liability for public trails crossing private property MUST belong to the County. Any Public leaving trails become trespassers.
5. Do Not allow your staff to write Trails Plans that cross private property. Planning on roadways could be allowed for trails, where it will not take from a property right.
6. Do be aware that matching money is just that, and Taxpayers in Douglas County should NOT be subject to trails expense, especially or until the road system itself is affordable and not lacking for money.
7. Be cautious of unjust or untested mandates passed down by the State or Federal authorities when it creates unaffordable expense. Some times JUST SAY NO!
8. At this time in 2003 keep your trails exclusively to Public Property. Delete all previous trails from MAPS and TEXT. When it is time to expand trails from Public to Private lands ASK THE PROPERTY OWNER FIRST ! I do mean instruct your staff to ask, not extort.
9. As an example of staff arrogance; at an early Planning Commission meeting, Douglas County Manager Dan Holler was asked by the Chairman "If a property owner fills out the form provided by staff to identify trails on a Master Plan map to remove a trail, will that trail be removed?" County manager reply was "No not necessarily". ----- Staff Planner Mimi Moss at one time volunteered that staff needs trails identified on the Master Plan. So that when a property is to be improved by a property owner, staff can revert to their plan and "Negotiate"(implied extortion?) for the land to allow a trail. -----
----- At another Planning Commission meeting, Staff Planner Mimi Moss explained some of the text, going as far as that trails are necessary to the point that when a private property comes before them for improvement, staff will be able to demand land for trails, AND demand the cost of the trail from the Land Owner. Is a trail as important as ingress and egress, easements, or utility easements. I THINK NOT.
10. If small property owners allow taking portions of large property holdings now, abuses in the future will in some way get to all of us. It is right to work within government, however, government must adhere to Property Owner Rights.