

Douglas County Board of County Commissioners (BOCC) Report

Meeting Date: April 04, 2025

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Meeting Overview

The April 03, 2025 meeting of the Douglas County Board of County Commissioners began with the Pledge of Allegiance and preliminary remarks from the Chair concerning the agenda's structure. Due to expected high public turnout surrounding proposed cell tower installations in Minden, the Board announced a mid-meeting adjustment. Agenda Items 6 and 7—both concerning the towers—would be heard at 1:00 PM to accommodate greater public participation. While the intention to optimize community access was noted, it remains troubling that such a critical issue was deferred rather than prioritized in the morning, when public energy is typically highest.

The Board then opened general public comment for matters not on the agenda, which quickly evolved into a revealing commentary on rising frustration from residents regarding the county's direction, responsiveness, and transparency.

The cell tower issue dominated public comment despite its later placement on the agenda. Residents adjacent to proposed sites described the towers as not only aesthetic blights but existential threats to their property values, quality of life, and health and safety. Though the Chair alleged that the Commission could not take health into account under law, the sheer volume and emotional intensity of these health-based concerns cannot be dismissed as mere misinformation. The underlying issue here is that, regardless of federal constraints, residents are demanding precaution, accountability, and an acknowledgment of risk that they feel is being deliberately ignored.

Concerns extended beyond the towers. Truck traffic along Johnson Lane and Fremont was sharply criticized, with residents reporting unsafe speeds and unregulated heavy hauls. The proposed four-way stop at Fremont and Johnson was met with concern over inadequate traffic studies. Citizens noted that car counters had been placed far from the actual intersection in question, potentially invalidating the county's traffic data. While some residents praised the professionalism of truck drivers from the Knox company, they emphasized the sheer mass and danger of the vehicles, particularly in an area where impatient drivers make poor decisions at unregulated intersections. The call was clear: Douglas County residents are asking for preemptive solutions before fatalities—not after.

Public commenter Julie Goodell introduced the term "*hoodwinked*" to describe a pattern of deceptive governance. She cited a proposed gas tax increase to be hidden under the guise of fluctuating fuel prices, trash fee hikes being redirected toward road maintenance without transparency, and deceptive framing of cost increases in dollars instead of percentages. Whether one agrees with the terminology or not, the examples reflect a pervasive distrust of county leadership and a perceived pattern of indirect taxation and strategic obfuscation. That this sentiment is so widely felt, and so bluntly expressed, should concern any government that claims to represent its constituents.

The final public comments focused again on the towers—with increasing urgency. One speaker warned of litigation, expressing frustration over the lack of due diligence regarding tower siting near homes and schools. Others cited historical examples, such as asbestos and tobacco, arguing that science often lags the interests of powerful corporations and government bodies eager to approve lucrative contracts. Speakers questioned the ethical framework guiding county decisions and raised the specter of future liability for property value loss, community health impacts, and environmental degradation.

The agenda, minutes from the previous BOCC meeting, and consent calendar were all approved unanimously.

Chairwoman Hales gave a presentation in honor of Child Abuse Prevention Month, the Board cited troubling figures—435 referrals of suspected abuse to Child Protective Services from Douglas County alone in the past fiscal year. Deputies responded to 44 reports of child abuse, neglect, or endangerment. Emphasis on the responsibility that child welfare agencies, schools, law enforcement, healthcare providers, and faith-based organizations have in protecting vulnerable youth.

The Autism Awareness Month proclamation was similarly emotional and well received. Several members of the public spoke in support, many of them parents, clinicians, and program directors. One speaker, a mother preparing for her autistic son's graduation, gave powerful testimony about the gaps in Nevada's behavioral healthcare system. She cited a U.S. Department of Justice investigation into the state's violation of the Americans with Disabilities Act, as well as the grim ranking of Nevada as last in the nation for behavioral health infrastructure. The state needs 235 more behavioral health practitioners just to meet minimum federal standards. Currently, only eight specialists exist per 100,000 children, leaving nearly 30% of children without the care they need.

Organizations such as the Family Support Council, CASA, Moxie Up!, Expandable Horizons, and others were commended for stepping in to fill gaps the state and county have yet to close. Several presenters also highlighted Douglas County's Autism Recognition Program, a partnership between law enforcement and support networks to help first responders better assist individuals with autism in moments of crisis.

The Board of County Commissioners next considered Ordinance 2025-1653, a proposal to amend Douglas County Code Title 3, Chapter 3.50 by increasing the monthly surcharge for emergency telephone systems. The ordinance raises the fee from \$0.75 to \$1.00 per access or mobile line, and from \$7.50 to \$10.00 per trunk line. It also proposes a reduction of the allowable uncommitted balance in the 9-1-1 Surcharge Special Revenue Fund from \$1,000,000 to \$500,000. According to the County's staff presentation, these adjustments are designed to enhance or improve the county's 9-1-1 telephone infrastructure, aligning with evolving technology and service demands.

Deputy District Attorney Zach Wadlé stated that no responses were received from the business community during the public notification period required under NRS 237.080. As such, the staff recommended a finding that the ordinance would not impose a direct or significant economic burden on businesses, nor would it restrict business formation or growth. The ordinance includes a formal objection process should any affected businesses wish to contest the fee changes.

Commissioner Gardner moved to accept the Business Impact Statement and adopt the ordinance under the staff's findings. Commissioner Rice seconded the motion. The Board voted unanimously in favor.

The Board unanimously approved co-sponsorship of a local version of the national America250 student contest, which invites students to express what America means to them through essays or art. The contest, aligned with the 250th anniversary of the United States in 2026, carries no financial burden for the County, requiring only the use of the county logo and symbolic partnership.

Chairwoman Hales introduced the item, describing her intent to engage Douglas County youth in patriotic expression while giving local visibility to their contributions beyond the national contest pool. The initiative was well received, with comments from Chamber of Commerce representative Alicia Main highlighting the Chamber's broader youth engagement efforts, including a proposed "student signing day" for vocational and academic achievements. The Board passed the motion without discussion or dissent.

The Board considered the proposal to divide a 4.45-acre parcel into 29 individually owned, single-story townhome units and one common space parcel, located directly behind Gardnerville Elementary School.

In a marked departure from the heated and divided deliberations of the March 06, 2025 meeting, this item advanced swiftly and unanimously—with no dissent and little public engagement. It is worth noting that at the prior BOCC meeting, commissioners had requested that the developer return with documentation showing cooperation with the Douglas County School District, due to the project's proximity to the school and shared access concerns.

Rob Anderson, representing R.O. Anderson Engineering returned to report that such a meeting had taken place. He described a positive and productive meeting with Superintendent Alvarado, Buildings and Grounds Director Phil Demas, and the school principal. A follow-up letter summarizing the agreement was submitted into the record.

Highlights of the agreement included:

- Installation of flashers at the school entrance for student safety
- Coordination for an emergency access gate with a lock Box system to allow first responders secured entry
- General assurances of mutual cooperation regarding fencing and future site boundaries

While Anderson stated that a formal response from Superintendent Alvarado had not yet been received, he assured the Board that the school district had been fully engaged and that the developer was amenable to incorporating reasonable accommodations.

Commissioner discussion was largely complimentary, with particular appreciation expressed for the developer's willingness to delay the approval process to ensure cooperation with the school district. Commissioner Rice, who had previously expressed concern over public safety and access logistics, praised the "cooperative effort." Commissioners raised a procedural clarification, noting that the Board's original intent was not to require formal school district approval, but merely

confirmation that coordination had occurred. Staff confirmed that the inclusion of the March 27, 2025 letter summarizing the agreement would suffice for documentation purposes.

Chairwoman Hales offered a motion to approve the tentative subdivision map based on the staff report, the Planning Commission's recommendation, and compliance with the terms set forth in the March 27 letter from R.O. Anderson Engineering. The motion passed unanimously.

The Board reviewed several legislative items during its regularly scheduled bill tracking segment, providing formal positions on three proposed state bills with potential implications for Douglas County operations and policy.

County Manager Jenifer Davidson introduced the discussion and confirmed that it was both appropriate and timely for the Board to take positions on these matters. The bills under consideration were:

- SB324 – A bill prohibiting the sale or distribution of disposable plastic water bottles within communities abutting the Lake Tahoe Watershed.
- AB127 – A bill appropriating funds to the Office for New Americans for county and city-level implementation of language access plans.
- AB152 – A bill exempting governmental entities from fulfilling public records requests when those records are scheduled for legal disposal under a retention schedule..

The motion to formally oppose SB324 was made by Commissioner Rice and seconded without hesitation. It passed unanimously with no further public comment.

Commissioner Gardner made it clear that he did not ideologically support the Office for New Americans, he also acknowledged that the office's creation was a *fait accompli*. AB127, they noted, presents a rare opportunity to recoup funding for what has effectively become an unfunded mandate at the county level. AB152, likewise, was received favorably as a practical administrative reform that reduces unnecessary obligations tied to records already scheduled for destruction.

Commissioners stressed a shared frustration with the legislature's routine imposition of mandates without corresponding funding. In this case, however, they viewed supporting AB127 and AB152 as a strategic move to mitigate those very impacts. The combined motion to support both bills passed unanimously.

Commissioner Tolbert spoke regarding his attendance at the University of Nevada Cooperative Extension Conference and expressed appreciation for the role youth agriculture and public speaking programs play in civic life.

Commissioner Hales reflected on the intensity of the Board's recent budget hearings, thanking department heads for their transparency and thoughtful presentations. She also highlighted regional transportation updates, noting a positive trend in Tahoe Transportation District ridership and cost efficiency under new permanent Executive Director Jim Romero.

The Board laid bare a contentious clash over Agenda Item 6, an appeal of the Planning Commission's denial of Development Application DP24-0169—a Verizon Wireless proposal to erect an 80-foot monopole cell tower at 1699 County Road, Minden, within the Public Facility (PF) zoning

district. The BOCC's handling of the issue, marked by indecision and deference to corporate interests, exposed a troubling disconnect from the community's vehement opposition, while Verizon's representative, Chris Hatch, displayed a dismissive and mocking attitude toward residents' legitimate concerns. The agenda described a design review for a tower with a 15x25-foot fenced area housing network cabinets and a diesel generator, with Verizon Wireless (appellant Ginbar Ketema) and Epic Wireless (Chris Hatch) pushing the appeal (DP24-0204) against the Planning Commission's September 2024 rejection. Assistant Planner Linda Doherty's presentation was perfunctory, merely reiterating the project's scope and the appeal's timeline without grappling with the substantive issues that fueled community outrage. Her deferral of questions and vague reference to a "Calder" presentation that never materialized underscored the county's lack of preparedness, leaving the BOCC ill-equipped to challenge Verizon's narrative.

Verizon's team, led by Chris Hatch, mounted an aggressive case that prioritized corporate objectives over community welfare, with Hatch's condescending tone toward residents' concerns—openly mocking their fears about aesthetics and property values—casting a shadow over the proceedings. Hatch introduced the project as a solution to FCC-identified coverage gaps, claiming the tower at Fire Station 14 would serve Douglas High School, Highway 395/28, and emergency operations. He described the 80-foot monopole as designed to accommodate emergency equipment, meet structural, wind speed, flood, and fire safety standards, and require no variances, with equipment confined to a 15x25-foot fenced area. Accompanied by Yvonne Penta (Municipal Engagement Team), Makar Zayana (Radio Frequency Engineer), Paul Halperin (Outside Counsel), Ron Cash (PeerCon Solutions), and David Witkowski (OCU Solutions), Hatch claimed Verizon reviewed 27 alternative sites, rejecting them for inadequate coverage, lack of space, access, property availability, or zoning conflicts. He argued Fire Station 14 was optimal, citing its PF zoning and minimal visual impact, while alternatives like Minden Gateway, Bentley property, and county-owned sites were dismissed as less effective or more intrusive. Hatch's coverage maps painted a dire picture: green for existing service, yellow for unreliable in-home calls, and gray for near-nonexistent coverage, spanning 8.4 square miles, including Douglas High School. Yet, his reliance on a skewed October 2024 text survey—167 supporters vs. 13 opponents—reeked of manipulation, ignoring the broader community's opposition.

Hatch's technical claims, delivered with a patronizing air, leaned heavily on data from the Gardnerville tower (1.1 miles southeast), which he said operated at 80-100% capacity, with data speeds plummeting below 5.5 Mbps at 70% utilization, and the Minden tower (4.7 miles north), obstructed by trees and buildings. He insisted the new tower would offload capacity, ensuring reliable in-building coverage. When pressed on property values, Hatch sidestepped, citing studies suggesting towers boost value through connectivity, a claim that rang hollow against the daycare's fears of closure. Hatch held that he believed Verizon had met all the county codes and that denial of the appeal would be unjustified.

Paul Halperin, Verizon's outside counsel, argued the tower's compatibility with PF zoning and its synergy with Fire Station 14's emergency role gave evidence to the value the tower would bring. He contested the Planning Commission's "visual nuisance" finding, claiming it aligned with zoning character, and brushed off daycare concerns as non-code issues, like odor or noise. On property values, Halperin argued aesthetics was secondary to RF exposure fears, which he noted were off-limits per FCC rules, citing Witkowski's studies suggesting towers increase values—a dubious

claim given community testimony. His legal argument rested on the Ninth Circuit test: proving a significant gap (via maps and drive tests showing over 80% of the area had worse-than-street service) and demonstrating Fire Station 14 as the least intrusive option after reviewing 27 sites, plus 7 more post-December 2024. Halperin's insistence that denial could violate FCC's effective prohibition rule felt like a veiled threat. He referenced community needs—complaints since 2002, school IT requests, and a firefighter's letter—but these were overshadowed by his alignment with Hatch's dismissive attitude, particularly when floating alternatives like the Rand property (requiring a 100-foot pole) or Ironwood (needing height beyond 60 feet) as afterthoughts to preserve Fire Station 14.

Ron Cash of PeerCon Solutions presented drive test data from February 2025, confirming a 1.5-square-mile gap affecting ~2,000 people, with signal strength below -95 dBm over 0.7 square miles and poor signal-to-noise ratios. Testing low-band (700-800 MHz) and mid-band frequencies, he found 83% of low-band areas below threshold, with Gardnerville contributing 64% (low-band) and 63% (mid-band) but plagued by drop call rates exceeding 1% over 90 days (Nov 2024-Feb 2025). Utilization at 70% reduced throughput below 5.5 Mbps, reinforcing capacity issues. Cash concluded upgrades to existing towers wouldn't suffice, positioning Fire Station 14's tower as covering 61% of the in-building gap.

David Witkowski of OCU Solutions addressed EMF concerns, asserting compliance with FCC's C95 standard (OEP65), with predicted levels at 0.14 mW/cm^2 (13.94% of the 1 mW/cm^2 limit), likely 5-10x lower in reality. He contextualized EMF against sunlight (1 kW/cm^2), dismissing public fears as overblown, and derided consumer EMF meters as "toys" compared to his \$13,000 calibrated equipment. His claim that towers could increase property values by meeting connectivity demands (e.g., Gen Z priorities) ignored the daycare's petition and seemed tailored to placate Verizon's agenda.

Chance McCullough, representing Minden for Safe Technology, offered a sharp rebuke to Verizon's case. He argued Verizon appealed only Finding B (community character), not Findings A, E, G, or H, meaning county code 20.614.040 required affirmative findings for all, barring approval even if B were reversed. McCullough challenged the "significant gap," citing dropped calls but questioning their severity under Ninth Circuit standards, and criticized PeerCon's 20 dB in-building loss as baseless—ITU's 10-15 dB would show adequate coverage. He accused Verizon of prioritizing in-home internet over cellular service, noting internet isn't protected under FCC's "personal wireless service" rules, and the tower's LTE focus (not true 5G) and macro design excluded small cell order applicability. McCullough urged denial with robust findings to survive litigation.

The Planning Commission's perspective, voiced by Chair Tarkanian, underscored the tower's aesthetic flaws, labeling it "ugly" despite PF zoning and acknowledging coverage needs. The denial centered on Findings B (incompatibility) and E (visual impact). Public comments were a raw outpouring of frustration, met with Hatch's mockery and the BOCC's inertia. Fred Simon criticized Verizon's survey (167 vs. 180 parents opposing) and proposed T-Mobile, AT&T, Starlink, or underground solutions, slamming corporate irresponsibility. Residents accused Verizon of negligence, citing a South Lake Tahoe case where a tower devalued property, and called Hatch's team on prioritizing profit over children's safety. Others disputed Verizon's EMF claims, alleging 7,000 microwatts at a Reno tower vs. Verizon's 100, and argued the tower targeted internet, not

calls, suggesting remote sites. Residents raised health fears (5G-linked seizures, environmental harm), dismissed by Verizon, while Greg Goldson questioned Verizon's maps, advocating fiber or small cells. Lisa, from Valley and Friends Daycare (250 feet away), warned of closure—85/105 parents petitioned against—citing childcare shortages and fire risks.

Ms. Wilson, a nurse, highlighted the daycare's proximity (225 feet), predicting business loss and health risks (calcium channel disruption), decrying Verizon's internet focus and the BOCC's inability to address safety. Katrina French opposed the "eyesore" near children, urging alternative sites.. Residents challenged gap claims, proposing Sheriff's station placement, and exposed Verizon's 101K report emphasizing "in-building" (internet) coverage across multiple pages, accusing deception.

The BOCC's discussion revealed a fractured, overly cautious approach, dodging decisive action. Commissioner Gardner, the lone dissenter, rejected the appeal, citing unmet Findings B, E, and H, and questioned internet motives, but his push for denial was undercut by colleagues' timidity. Tolbert supported continuance, affirming Planning Commission findings but avoiding confrontation with Verizon. Hales criticized aesthetics, suggesting innovative designs, but wavered, admitting Verizon met code. Rice backed continuance to avoid lawsuits, prioritizing cost over principle, while Tarkanian acknowledged gaps but doubted Fire Station 14's necessity, criticizing Verizon's biased survey. The Chair's praise for both sides felt hollow, failing to address Hatch's disrespect. The 4-1 vote for a one-year continuance (Gardner opposed due to his desire to deny Verizon altogether) kept Fire Station 14 viable, directing staff to explore alternatives (RAM, Ironwood, Sheriff's station) with a shot clock extension, a weak compromise that dodged accountability and left residents vulnerable to Verizon's return.

Technical details—80-foot monopole, 15x25-foot footprint, PF zoning, no variances, 8.4-square-mile gap (1.5 per PeerCon), -95 dBm signal, 1% drop call rates, 0.14 mW/cm² EMF, 27 rejected sites—were wielded by Verizon to dazzle, not inform, while the BOCC failed to scrutinize. Hatch's mockery, unanswered by commissioners, and their reluctance to challenge Verizon's motives or defend residents' dignity painted a grim picture of governance beholden to corporate pressure.

Agenda Item 7, an appeal of the Planning Commission's approval of Development Application DP24-0170, which proposed replacing a 60-foot, non-operational monopole cell tower with a new 80-foot monopole at 1450 Stephanie Way in the Johnson Lane community, within the Public Facility (PF) zoning district. The agenda detailed a design review for a tower with a 30-foot by 30-foot fenced area containing network cabinets and a standby diesel generator, with appellants Brian and Yvonne Stevens and David Magnotta, represented by W. Scott McCullough, Esq., challenging the decision. Assistant Planner Linda Doherty opened the meeting, offering a cursory overview that the Planning Commission approved the project on September 10, 2024, and an appeal was filed, initially set for December 5, 2024, but delayed due to excessive "ranting" and standing issues resolved then. Doherty provided no technical additional technical information as the cell tower was similar to the one discussed in agenda 6. Verizon Wireless was again represented by Chris Hatch of Epic Wireless. The Chair allocated ~15 minutes for McCullough, ~5 for Magnotta, and ~10 for Hatch, with public comment following, noting the Stevens' earlier testimony was sufficient due to Yvonne's medical appointment.

W. Scott McCullough, speaking from Texas, began by praising Johnson Lane's scenic beauty and its residents, framing the tower as a threat to their homes—their “most valuable investment.” Without “fancy PowerPoints” or extensive experts, he urged reversal of the Planning Commission's approval, arguing the tower fails county code findings (A, B, E, H) for compatibility with the Johnson Lane Community Plan's rural character and property protection finding that the BOCC found reason to deny the cell tower at fire station 14. He criticized the Planning Commission's decision as “deficient,” lacking clear rationale, and demanded better findings if the BOCC upheld it. McCullough highlighted the tower's proximity to houses and an elementary school, calling it incompatible, and noted an alternative 300-foot shift to the northwest corner would harm another resident's property. He disputed Verizon's coverage gap, insisting it must be “significant” per the Ninth Circuit's Sprint case (969 F.3d at 1042), and cited an engineer's view that mid-band/low-band signals (2-4 miles range) should suffice, suggesting dropped calls don't justify the tower. McCullough alleged the tower targets in-home internet, not cellular service, as Verizon's “in-building coverage” focus implies data, not voice. He challenged Verizon's rejection of 16 alternative sites, noting over half were dismissed for data-driven metrics, and proposed upgrading existing towers like Minden North (4.6 miles away) through sectoring or frequency adjustments to reduce interference, which Verizon admitted causes issues. McCullough rejected Verizon's reliance on the FCC small cell order, inapplicable to this 80-foot LTE-based macro tower (mid/low-band, not millimeter waves), and cited Ninth Circuit precedent allowing zoning regulations to preserve neighborhood character. He raised concerns about building, electrical, and fire code compliance, alleging the Planning Commission deferred these to a “ministerial” process, and requested Minden for Safe Technology's inclusion in future reviews. McCullough concluded by urging denial to protect constituents.

David Magnotta, a nine-year Johnson Lane resident from New Jersey, spoke emotionally, explaining he chose his Borden Lane home for its mountain views, now endangered by an 80-foot “toilet brush” near his property. He described living “in its shadow,” visible from his porch and the park where he takes his granddaughter daily, disrupting his rural sanctuary. Living with B-cell leukemia, Magnotta said the stress of fighting Verizon harms his health, predicting property value loss and potential relocation if approved. A 25-year Verizon customer, he reported “perfect cell service” at home, questioning the gap, and recounted a Verizon call offering home internet and TV, suggesting data motives. Magnotta emphasized Johnson Lane's rural character—horses, ATVs, playgrounds—arguing the tower would create a “junkyard.” He appealed to the BOCC's elected duty, urging relocation to preserve “we the people's” quality of life, not Verizon's interests.

Chris Hatch, representing Verizon with Yvonne Penta, David Rutowski, and Ron Hupesh, thanked the BOCC and framed the three-year project as addressing FCC-identified coverage gaps, distinct from Agenda Item 6. He proposed replacing a 60-foot, non-operational Clearwire tower (~10 years inactive, painted white) with an 80-foot light tan monopole at Fire Station 6, within a 30x30-foot fenced area, including network cabinets and a diesel generator. The tower supports co-location for emergency services, meets TIA-222 seismic code, and awaits building department approval, with no county concerns raised. Positioned ~100 feet from the existing pole near the back fence, it optimizes fire department space. Hatch's slides showed minimal visual difference (20 feet taller), dismissing a 300-foot northwest shift as ineffective for visibility or EMF reduction and lacking fire department support for radio equipment. He cited a 5.9-square-mile gap (green: existing; yellow:

in-vehicle; gray: no in-building), obstructed by Johnson Lane's rising terrain, with Minden North (4.6 miles) and a 2-mile-south tower inadequate. The tower would ensure in-building coverage for homes, schools, and Highway 395 redundancy. Minden North data showed 100% capacity, with speeds below degradation, requiring offloading. Hatch explained sectorization avoids interference, but capacity limits necessitate new towers. He reviewed 16 rejected sites (e.g., wastewater creek, BLM land) for coverage, structural, or regulatory issues, deeming Fire Station 6 optimal (PF zoning, no variances). Addressing concerns, he confirmed flood zone X compliance, T-Mobile co-location potential, and dismissed upgrading a 90-foot industrial tower due to topography. Hatch cited case law claiming federal preemption if service is prohibited, noting community demand via an unspecified text survey.

Public comment was impassioned, reflecting deep opposition. Magnotta clarified Fire Station 6's volunteer status, with old trucks, questioning Verizon's collaboration claims and funds' use, noting no equipment for ~10 years. George DeBoer, RML Properties manager (1440 Stephanie Way), alleged RF exposure above FCC limits (0.08 W/kg), criticizing Waterford Consultants' report, calculating 1.6 W (child) and 7.2 W (adult) exposure within 8 feet. An unnamed resident opposite the site, with a 4- and 6-year-old, reported no coverage issues with Verizon/AT&T, fearing value loss. Greg Olson warned of \$500,000 school funding loss from enrollment drops, accusing Verizon of uncooperative site rejections. A 14-year resident cited realtor Tia Elgin's warning of million-dollar home devaluation, urging relocation. Ron Connolly feared escalating tower sizes, proposing Signal Hill or county land, praising Starlink. Susan McLean, a realtor and 1440 Stephanie owner, called the site "most intrusive" near 25 planned homes, suggesting Linden tower upgrades. Casey Rogers cited 30 parents' emails, wildfire risks, and pacemaker interference, urging denial. Cindy Trigo questioned capacity needs given stable population (3,140 to 3,335, 2020-2025), alleging internet-driven "exhaustion" and advocating community involvement. Bill Cerritos claimed 100 homes face \$20M in damages, offering legal support for denial. Michael Summers (East Fork Fire) confirmed Station 6's volunteer role, supporting the tower for communication safety post-fires (Springs, Tamarack).

Commissioner Tarkanian probed distances (~723-800 feet from school, further if shifted), noting impacts on planned homes west of the site, and suggested county land access via a dirt road, though fire department radio concerns persisted. He remained ambivalent, citing the existing tower but questioning Verizon's environmental objections. Commissioner Gardner, opposing approval, celebrated BOCC jurisdiction, empathizing with 13 homes approved ~1 year ago, citing personal aversion to power lines, and argued Findings B, E, and H were unmet, surprised by the Planning Commission's approval. A free enterprise advocate, he prioritized aesthetics, urging creative designs. Commissioner Tolbert, reluctantly supporting approval, found no "undeniable" evidence to overturn, noting realtors' views that towers limit buyers, not values, and struggled with Finding B given the existing tower. Commissioner Rice saw it as a minor swap (20 feet, ~100 feet back), supporting fire department use, dismissing deeper scrutiny. Commissioner Hales aligned with Tolbert, citing the existing tower and equal community support for service, finding no Planning Commission error.

Rice moved to deny the appeal, upholding approval, seconded by Tolbert. The 4-1 vote (Gardner opposed) approved the 80-foot tower, ignoring calls for alternatives or code reviews. Technical details included an 80-foot monopole (vs. 60-foot), 30x30-foot area, PF zoning, 5.9-square-mile gap, and Minden North's 100% capacity. The decision prioritized Verizon's claims over residents' pleas, risking community trust and economic harm.

During closing public comment session residents expressed lingering frustrations, particularly from the Johnson Lane community, and highlighted ongoing concerns unrelated to the cell tower appeals. A resident, delivered a pointed critique, focusing on the BOCC's decisions and perceived neglect of Johnson Lane. He acknowledged Commissioner Tolbert's honesty in explaining his tough decision-making process on the cell tower appeals, appreciating the transparency, but lamented Commissioner Gardner's opposition vote, wishing it had been cast similarly during prior Johnson Lane issues. Jackson expressed disappointment, noting the BOCC went "0 for 3" on resident priorities, and reiterated his belief that Verizon's tower at Station 6 (Agenda Item 7) targets in-home internet, not cellular service, citing personal solicitations from Verizon and his preference for Starlink. He accused the BOCC of consistently "sticking it to" Johnson Lane, referencing a website comment he submitted earlier (one of many, limited by paper copies) reflecting widespread resident discontent. Jackson raised broader concerns about increased truck traffic in Johnson Lane, particularly from private contractors ignoring speed limits, contrasting them with Knox's compliant drivers. He criticized the sheriff's department for prioritizing unspecified tasks over enforcing traffic rules agreed upon with the county, warning of potential accidents (e.g., two trucks running one off the road) and escalating tensions as construction activity rises in April

The Chair, before adjourning, addressed Jackson's concerns, emphasizing the BOCC's shared frustration over lacking jurisdiction on issues like the Painted Rock Mine, controlled by the Bureau of Indian Affairs (BIA) and Bureau of Land Management (BLM). She stated that, if possible, the BOCC would have denied the mine, reflecting a unified stance among current and former commissioners. Responding to an earlier query from Mr. Conway about traffic counters, the Chair invited County Manager Jennifer Davidson to clarify. Davidson explained that traffic monitoring strips were installed on Fremont and East Valley following a resident's complaint about speeding, with data collection underway to inform potential county action. She also updated the status of delayed license plate readers for Johnson Lane and Sunrise Pass, noting supply chain issues with engineered poles but confirming imminent installation.

The BOCC meeting was adjourned. The next BOCC regular meeting is set for April 17, 2025