

**STOREY COUNTY
COMMISSION MEETING
MINUTES**

TUESDAY, JULY 19, 2005, 2:00 P.M.

DISTRICT COURTROOM, COURTHOUSE 26 SOUTH B STREET
VIRGINIA CITY, NEVADA

BOB KERSHAW, CHAIRMAN
JOHN FLANAGAN, VICE CHAIRMAN
GREG HESS, COMMISSIONER

DISTRICT ATTORNEY
HAROLD SWAFFORD

SHERIFF
JAMES G. MILLER

RECORDER/AUDITOR
MAGGIE LOWTHER

CLERK/TREASURER
DOREEN BACUS

The meeting was called to order at 2:00 p.m. by Chairman Kershaw.

PRESENT: Chairman Kershaw, Vice Chairman John Flanagan, Commissioner Hess, District Attorney Harold Swafford, Recorder/Auditor Maggie Lowther, Clerk/Treasurer Doreen Bacus, Pat Whitten, Marilou Walling, Dean Haymore.

ABSENT: Rich Bacus, Public Works Director, Gary Hames, Fire Chief

- PLEDGE OF ALLEGIANCE
- PUBLIC COMMENT

Dennis Miller of Rainbow Bend informed the board, the weeds at Lots 92 and 93 at Rainbow Bend are real fire hazards and the property is listed as belonging to Storey County and requested that some action be taken to abate the problem.

Dean explained to the board that the property in question belonged to Hoy, they had submitted deeds and Kathy Weeks, County Assessor had not accepted the deeds the problems have never been straightened out.

Chairman Kershaw said he would talk to Rich and Dean after the meeting and see what could be done to correct the problem.

Dennis further advised the board that he and Connie Butts have been appointed to the water board, and there will be an open house to appoint a director to the water board.

CONSENT AGENDA

(All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.)

APPROVAL OF AGENDA FOR JULY 19, 2005. Commissioner Hess moved that the matter of the appeal from the Planning Commission regarding Stewart Street abandonment is moved to right after Staff Review and Abandonment of Streets be moved to after the Appeal.

APPROVAL OF MINUTES FOR JULY 7, 2005. Corrected to show the meeting was held July 5, 2005.

CORRESPONDENCE: A letter was received from Nancy Dykstra indicating her willingness to serve on the Library Board.

Marilou explained that Nancy had previously served on the Library Board, and recommended that she be reappointed. Commissioner Flanagan so moved, seconded by Hess and carried.

DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED

Dean presented two record of survey maps for TRI. David A. Imburgia a division of lots 2001-25 D1 into two 2+ acres each. Record of survey map for Tahoe Reno Industrial a merger and re subdivision of lot 2001-25d3 and lot 2005-10. (More detailed information on file in file in Clerk's Office.)

A boundary line adjustment, approved by the Planning Commission at their June 16, 2005 meeting, Lots 21 & 22, Block H of VCH, both property owners are in agreement with the adjustment and it will allow for a septic system to be properly placed on the property.

DISCUSSION/ACTION: SPECIAL EVENTS

1. VC Chamber, Maxine Nietz, Virginia city International Camel Races at Rodeo Arena, September 9, 2005 to September 11, 2005 11:00 a.m. to 5:00 p.m. Camel, Ostrich, Emu races, parade, entertainment, petting zoo, vendors, food portable toilets & dumpster will be on site. Reserved Parking Permit September 9, from 8:00 a.m. to September 11, from 8:00 a.m.

Ms. Nietz informed the board they are working with the same people as before on this 46th year of the races. They have contacted Rich Bacus, Gary Hames and Sheriff Miller regarding the event.

Pat advised the board there is an agreement with Gary for EMT service at a charge of \$75.00 per day for EMT services with the Fire Department, said fees to be paid 14 days prior to the event.

Pat further suggested that in the future the board should consider additional charges for reserve deputies, portable toilets and dumpsters for special events requiring such

services.

Ms. Nietz informed the board they have the necessary insurance through the chamber, and a paid crew to come in after the event to clean up the area.

Commissioner Hess moved to approve the Camel Races, seconded by Flanagan and carried.

LICENSING BOARD:

***FIRST READINGS:**

1. Gary's 24 Hour Plumbing LLC, submitted by Gary D. Smith of Reno, repair install or service plumbing fixtures and pipes including gas lines to plumbing fixtures.

2. Matton Co. Handyman, submitted by Charles H. Matton, of Dayton, light home maintenance and repair, and sale of home maintenance products.

3. Lars W. Sterner, general contractor submitted by Lars W. Sterner of Carson City.

4. Pezonella Assoc., Inc. submitted by Raymond M. Pezonella, of Reno, geotechnical engineers and materials testing.

5. Security 1, submitted by Antonio Sisneros of Las Vegas, contract security/alarm response.

6. ATB Excavating submitted by Ann V. Brown of Reno, excavation, site prep, underground construction.

7. Converse consultants, submitted by Dan R. Stamphill of Reno, engineering consulting. 8. Castle Land Surveying, submitted by Gilbert Patterson of Reno, land surveying.

9. The Brass Rail Restaurant, submitted by Frank Nigro, of Reno, family restaurant.

10. Peas and Carrots Day Care, submitted by Mary E. Rocha of 280 Wagon Wheel, MTE, daycare 6-12 children per state statute. Attached to application is a memo from Lisa Roberts, Child Care Surveyor of Division of Child and Family Services, indicating the applicant has completed background checks, health inspection, and is waiting for fire inspection verification.

11. B and C Electric, submitted by Robert M. Nelson of Sparks, electrical contractor, residential and small commercial.

12. Web-Wide Creations, submitted by Robert G. Musgrove, 720 Sutro Springs Rd. MTE, home business internet only consulting.

13. D & S Electric, submitted by Dennis Williams of Reno, electrical contracting.

14. Walnut Investment Co., LLC, submitted by Emad Boutros of Santa Fe Springs, CA wholesale construction material suppliers.

15. Ames Construction Inc. submitted by Richard Ames, of West Valley City, UT, construction.

16. Shade Concepts, Inc., submitted by William H. Pattison of Minden, construction patio covers, decks, sunrooms.

PLANNING COMMISSION MINUTES FROM JUNE 2, 2005.

CONTINUED FROM JULY 7, 2005.

Brenda Shell, et al # 2005-391 Street Abandonment-Request for abandonment of an unimproved portion of platted Stewart Street between Carson and North Streets

between Blocks 21 and 22, approximately 453' +/- feet long and 60' +/- wide, Virginia City.

Brenda Shell and John Bullock presented the application on behalf of abutting property owners. After much discussion, Prater moved to approve with the following stipulations a) Any easements required by the Public Works Dept. stay with the roadway; b) abutting property owners will not construct any buildings on subject right-of-way; e) stipulations are incorporated on the deeds of land being reverted back to the property owners. Prater stated his reason for voting in favor is because it will increase the property values (i.e., increase tax base) Bucchianeri seconded the motion, with further discussion the final vote was Prater and Bucchianeri in favor and Tyler, Brookins and Osborne against the abandonment requested denied. **OVERTURNED BY BOARD OF COMMISSIONERS 071905 (SEE APPEAL AGENDA ITEM THIS MEETING)**

PLANNING COMMISSION MINUTES JUNE 16, 2005:

Donald C. Naylor & Steven R. Hall # 2005-392 Boundary Line Adjustment:

Request for Record of survey of a Boundary Line Adjustment between Lots 21 & 22, Block H of the Virginia City Highlands lying within a portion of the SE 1/4 SE 1/4 Section 29 & NE 1/4 NE 1/4 Section 32; T. 18N., R. 21E., M.D.M, Storey County. Steven Hall explained due to limited access and poor terrain, there is a problem with septic system placement. By adjusting the boundary line the system can be placed at the bottom of the hill. This will not interfere with Mr. Hall's well, both lots will remain one acre in size, and both property owners are in agreement. Dean Haymore recommended approval. Hammack moved to approve the boundary line adjustment, seconded by Prater and carried.

Prater commented about the earthmoving around home sites in the Highlands, particularly the Cartwright Road area. He stated the dirt left behind is unsightly and presents a drainage problem. Haymore responded by stating that he is aware of the problem and is tightening up the permit requirements for grading, adding that the homeowners are responsible for correcting the drainage.

APPROVED BY BOARD OF COMMISSIONERS 071905

Tyler informed the board LCC has put together a grant program for residents more than 62 and low income. This grant allows \$7000.00 for home repairs.

Prater talked about construction debris and slash remaining on new home sites. Dean advised him that Lorraine DuFresne is the new officer in charge of nuisance issues and that complaints should be forwarded to her attention. He also stated that he will not issue certificates of occupancy before a building site is cleared.

END OF CONSENT AGENDA

Commissioner Flanagan moved to approve the consent agenda, seconded by Hess and carried.

STAFF REVIEW/COMMITTEE REPORTS

Dean informed the board the grant for street enhancement has been approved, there will be

\$672,333 available to complete the lights, stairs at the Sharon House, lights and benches at the Washington Street Stairs, Public Restrooms and information center at the North end of town. The county's in kind match will be \$33,000 +/- which will be from his department, public works and Marilou for management of the grant.

Pat advised the board there needs to be a budget item for maintenance of the

restrooms.

Kathy Weeks advised the board that the county deeded a portion of E Street to the State for the Engine and now the street is going to be put straight through from Union to Mill Street.

Dean advised the board that Hugh Marshall will do the work under the supervision of Rich Bacus.

Pat informed the board that SBC will be removing the pay phone from downstairs, if there is a need to keep it they will leave it in and the county could pay \$50.00 a month for the service.

Pat said the bid process at the WalMart kick off with the contractors this morning was exciting, Commissioner Hess led it off and explained the sales tax and permitting process. They are looking at a May 6, 2006-date for opening the distribution center.

Marilou explained that the Planning Commission has been having a difficult time keeping a secretary and that Eileen Herrington has volunteered to do the job. The board had no objections to Eileen holding the position of Planning Commission secretary.

Lorraine requested an update from the lobbyist on bills affecting all departments from this session of the legislature.

Pat added that the unfunded mandates on web site information will create a fiscal problem.

The board directed Pat to contact Shawn Gamble for an update.

DISCUSSION/ACTION: Regarding the moratorium on street abandonments Virginia City/Gold Hill.

Commissioner Hess recommended lifting the moratorium and form a committee of one commissioner, Rich Bacus and Lorraine DuFresne to work on street abandonments and document what has been done and where.

Chairman Kershaw said at this time they are looking at them on a case by case basis.

Commissioner Hess moved the moratorium be lifted and a committee be formed as recommended, seconded by Flanagan and carried.

DISCUSSION/ACTION: Appeal of Planning Commission decision denying street abandonment request by Brenda Shell and John Bullock for 453' +/- x 60 feet of Stewart Street between Blocks 21 and 22 between Carson and North Street.

Commissioner Hess informed the board that this portion of Stewart Street poses an erosion problem and that the property owners are allowed to plant the slope to control the erosion with the understanding those abutting property owners will not be allowed to build on the street and that the counties maintain easements and rights-of-way and if the need arises that the county will regain control of the street.

DA Swafford asked if that meant the street would not really be abandoned? There was considerable discussion regarding deeds, abandonments, and recommendations by Prater on the Planning Commission.

Commissioner Hess moved to abandon the unimproved portion of Stewart Street between Blocks 21 and 22 between Carson and North Streets, with deed restrictions as noted, 1) any easements required by Public Works Department stay with the roadway; 2)

abutting property owners will not construct any buildings on subject right-of-way; 3) if in the future the county needs the street opened it will do so; 4) stipulations and/or restrictions are incorporated into the deeds of land being deeded to the property owners, seconded by Flanagan and carried.

DA Swafford advised the board the area will need to be surveyed with descriptions prior to the order and deeds being drawn up.

DISCUSSION/ACTION: Tahoe-Pyramid Bikeway Resolution of county support for one mile of trail located in Storey County, more or less between the two railroad trestles, and the proposed bridge west of Lockwood. This resolution of support is necessary for them to qualify for a Q1 grant from the state.

Janet Carson representing Tahoe-Pyramid Bikeway thanked the board for their support adding the adoption of this resolution will qualify them for Q1 grant monies.

Commissioner Flanagan moved to approved Resolution 05-208, seconded by Commissioner Hess and carried.

DISCUSSION/ACTION: First reading of Ordinance 05-198 amending the technology ordinance by adding Assessor to collect 2% of the personal property tax for the technology fund.

Chairman Kershaw read the summary and title of Ordinance No. 05-198. This will be on the agenda for a second reading August 2, 2005.

DISCUSSION/ACTION: Second Reading of Ordinance #05-196 Business License Ordinance to provide for a fee schedule to be set by resolution instead of amendments to the ordinance.

Commissioner Flanagan moved to adopt Ordinance #05-196, seconded by Hess and carried.

DISCUSSION/ACTION: Resolution #05-209 regarding fees for business licenses.

Lorraine corrected the resolution number from 05-029 to 05-209.

Commissioner Flanagan moved to approved Resolution #05-209, seconded by Hess and carried.

DISCUSSION/ACTION: Second Reading of Amendment to Ordinance #136 CGID adding broadband services.

Commissioner Hess moved to approve the amendment to Ordinance #136, seconded by Flanagan and carried.

DISCUSSION/ACTION: Approval of Claims

Warrants in the amount of \$162, 186.76 and Payroll in the amount of \$237,038.36 were approved upon motion by Flanagan seconded by Hess and carried.

LICENSING BOARD:

SECOND READINGS:

1. Tahoe Activities, Delta Saloon, sale vacations and presentations. **APPROVED**

2. O'Rilley's Discount Leather of Virginia City Inc. submitted by Randy Hoit for a retail sales of motorcycle leather apparel and gifts. **APPROVED**

3. Mark Twain Book Store submitted by Joseph L. Curtis, Name Change. **APPROVED**

4. Fox Roofing LLC, submitted by David Fox of Carson City, roofing and carpentry. **APPROVED**

5. OLETRIC submitted by Richard P. Qivas of Reno, electrical contracting. **APPROVED**

6. BRYANT-NEVADA submitted by Robert K. Bryant, geologist consulting, home business at 340 Prospector Road MTE. **APPROVED**

7. Shooters Shack, retail business located at 54 N C Street, Virginia City, submitted by Rick Jeffrey retail antique guns/knives, sporting goods, building will be secure with bars and alarms. **CONTINUED**

8. Roofing Inc. submitted by Dave Newell of Carson City, installation of concrete tile, and composition shingle roofs. **APPROVED**

9. Road Call, submitted by Mark A. Frey of Stage Coach, mobile truck and car repair. **APPROVED**

Commissioner Hess moved to continue the business license application as noted and Commissioner Flanagan moved to approve those as noted, being duly seconded the motions carried.

PUBLIC COMMENT

Nick Nicosia advised the board he is now a resident of Virginia City residing at 271 N B Street.

BOARD COMMENTS

Commissioner Hess asked where we are with the clean up, Lorraine advised him that she is

waiting for a reply from Bent Kolvet regarding liability of the county for removal of junk cars and so forth but asked what the pleasure of the board was.

Chairman Kershaw advised her to give the violators 48 hours notice and have the places cleaned up by public works and if they can't get to it have it done by some company that deals with that.

Lorraine asked where the money was to come from to pay for privately owned clean up companies.

Commissioner Hess said he would check with Rich Bacus and see if there was something in his budget to cover the costs.

There being no further business before the board the meeting was adjourned at 3:15 p.m. at the call of the chair.

Respectfully submitted

By _____

Lorraine DuFresne, Clerk to the Board