

# STOREY COUNTY COMMISSION MEETING MINUTES

TUESDAY, OCTOBER 3<sup>RD</sup>, 2006 2:00 P.M.

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

JOHN FLANAGAN  
CHAIRMAN

HAROLD SWAFFORD  
DISTRICT ATTORNEY

GREG HESS  
VICE-CHAIRMAN

JAMES G. MILLER  
SHERIFF

BOB KERSHAW  
COMMISSIONER

DOREEN BACUS  
CLERK/TREASURER

MAGGIE LOWTHER  
RECORDER/AUDITOR

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## CALL TO ORDER 2:00 P.M.

**Present:** Chairman Flanagan, Vice-Chairman Hess, Commissioner Kershaw, Sheriff Miller, District Attorney Harold Swafford, Pat Whitten, Recorder/Auditor Maggie Lowther, Clerk/Treasurer Doreen Bacus, and Marilou Walling.

**Absent:** Dean Haymore, and Chief Hames

## PLEDGE OF ALLEGIANCE

## PUBLIC COMMENT

Barbara Smith informed that board that the Cemetery Committee would be dissolving. Candice Miller would like to keep a liaison with the County, her hopes is that will be Lorraine DuFresne.

Pierce Powell inquired about the progress of his sewer line. The County is responsible for the sewer line being run to the property per a prior agreement. Vice Chairman Hess said he would look into the issue.

## CONSENT AGENDA

**(All matters listed under the consent agenda are considered routine, and maybe 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 OCTOBER 3<sup>RD</sup>, 2006  
APPROVAL OF MINUTES FOR SEPTEMBER 19<sup>TH</sup>, 2006  
-CORRESPONDENCE  
NONE

**DISCUSSION/ACTION:** Map approval for maps to be recorded NONE

**DISCUSSION/ACTION:** Approval of Planning Commission minutes for September 7<sup>th</sup>, 2006

**UNOFFICIAL MINUTES OF SEPTEMBER 7, 2006**

**Members Present:** Chairman Douglas Walling, Vice-Chairman Virgil Bucchianeri, Lydia Hammack, Lee Letts, Austin Osborne, Larry Prater and Bret Tyler.

**Members Absent:** None

Building Official and Planning Administrator Dean Haymore was present. County Commissioner John Flanagan was present.

**Call to Order:** With a full quorum present, Chairman Douglas Walling called the meeting to order at the Storey County Courthouse, Virginia City, Nevada, at 7:00 p.m.

**Pledge of Allegiance.**

**Approval of Agenda for September 7, 2006 :** As parties Purcel were not present, pending the receipt of their vellums, it was decided that item 2006-075 would be tabled for action until the September 21, 2006 meeting, and there would be discussion only permitted on the item at this meeting. Lydia Hammack made a motion to approve the September 7, 2006 Agenda with that provision. Bret Tyler seconded the motion. All voted aye and the motion was carried.

**Approval of Unofficial Minutes for August 17, 2006.** Austin Osborne made a motion to approve the August 17, 2006 Minutes. Lee Letts seconded the motion. With Larry Prater abstaining, the remaining voted aye and the motion was carried.

**HEIL, Roger, Robert & Judith 2007-008 Variance – Request to build a 16' X 50' 2-story building (1<sup>st</sup> floor Commercial – 2<sup>nd</sup> floor Residential – 800 sq feet each floor. New structure will abut building on left with 4' undisturbed on right to allow access to utilities without moving them. Two designated off-street parking spaces will be provided on 'D' Street. Deck on front and rear.** Roger Heil was present, and corrected that there is no "Robert" or "Judith" involved. Dean Haymore opened the discussion by reminding those present that the C St. property in question is commercially zoned with zero setback, and a minimum required property width of 25 feet. This property, however, is only 20 feet wide, and is located between one historic and one new building. There had been a previous request for a variance on this lot and it had been denied for the applicant's negligence in addressing the possible effects on neighboring property, which this applicant was being proactive in considering. The owner of the new neighboring building, Druscilla Thyssen, was present.

Mr. Heil took the floor to explain his intention to build an even narrower building than the lot size in order to leave 4 feet alongside the historical building to avoid interfering with it at all, and his intent to abut the building to the newer one on the other side and front the building with a façade that made the buildings *appear* to form a complete row. Lydia Hammack read into the record the list of five (5) stipulations that Mr. Haymore had outlined to Mr. Heil, and the latter explained his intentions to comply with those, being 1)

provide pre-construction sealant to neighboring buildings; 2) ensure emergency egress abutting buildings; 3) construct building to ensure water drains directly to D Street; 4) cap and seal structure's walls on both sides against water drainage to neighbors; and 5) ensure a minimum of one-hour fire rating in the north and south walls. After a brief further discussion of construction details and considerations, Mr. Haymore added a sixth (6<sup>th</sup>) stipulation: that the entire structure be engineered.

Ms. Thyssen was granted the opportunity to express any particular concerns, but stated that hers were of a general nature and she just wanted to make sure the buildings abutting the proposed structure would not be compromised in any way. With everything being satisfactory to the board and no further input from the public, Virgil Bucchianeri made a motion that Request 2007-08 be approved. Austin Osborne seconded the motion, with the six (6) stipulations. All voted aye and the motion was carried.

- \* **PURSEL, Loren M & Sue A 2006-075 Parcel Map – Lot 11A1, BLK 'G' of the Virginia City Highlands to Lots 11A1A and 11A1B, BLK 'G' of the Virginia City Highlands.** Parties Purcel being absent as their vellums had been delayed by the surveyor, it was decided that the item would be under discussion only at this meeting and tabled for action until the next meeting.

Dean Haymore stated his concerns to those present that the reason for ease of consolidation, but difficulty in separation for land plots, was the result of a concerted effort toward lessened density in the Highlands. He reminded that in the past, numerous requests for plot divisions had been denied. There was general concern of a precedent being set which would facilitate future divisions, and Mr. Haymore cited examples of divorce cases where each party wishes to retain part of the parcel, but well/septic/etc. may be inequitably distributed, and said he does know of others who will follow with land-division requests if this precedent is set. The District Attorney had, however, according to Mr. Haymore, brought up the process of requests being heard before the Planning Commission. Lydia Hammack stated that she will not be in attendance at the next meeting, but will, as representation of the Highlands, write a letter in opposition, detailing her concerns and reminding that lot consolidations are to be deemed permanent.

Virgil Bucchianeri made a motion to officially continue the discussion and consider it for action at the September 21, 2006 Planning Commission meeting. Larry Prater seconded the motion. All voted aye and it was carried.

**DETERMINATION OF NEXT PLANNING COMMISSION MEETING:** Bret Tyler made a motion that the next meeting be held at the Storey County Courthouse in Virginia City on September 21, 2006, at 7:00 p.m. Lydia Hammack seconded the motion; all voted aye and it was carried.

**STAFF:** None

**APPROVAL OF CLAIMS:** None

**CORRESPONDENCE:** None

**PUBLIC COMMENT:** None

**ADJOURNMENT:** Chairman Douglas Walling adjourned the meeting at 7:35 pm.

## FIRST READING

### BUSINESS LICENSES

1. **K2 ENVIRONMENTAL – Environmental Consulting/ Out of County**
2. **CAMPBELL'S CARPETS of NV – Contract Floor Coverings / Out of County**

3. **EMERGENCY MANAGEMENT PROFESSIONALS – Consulting / VCH**
4. **LCD REDI-MIX – Concrete, Sale & Delivery / LKWD**
5. **QUINTON CONSTRUCTION – Contractor / Out of County**
6. **PROPAK LOGISTICS – Pallet Handling & Shipping for WalMart / TRI**

**END OF CONSENT AGENDA**

The Consent Agenda was approved upon a motion by Commissioner Kershaw and seconded by Vice-Chairman Hess.

**DISCUSSION/ACTION:** Staff Review/Committee Reports

Marilou Walling was asked by Richard Bacus to get an update on the possible extension of his retirement. The item is to be placed on the next agenda.

Pat Whitten has been looking into the issue of a lobbyist for the county. Storey County is behind on the issue. Pat will look into the different options available to the county and have it put on a future agenda.

**DISCUSSION/ACTION:** Approval of Claims Warrants \$240,656.22 plus Payroll \$327,402.84 for a total of \$568,059.06.

Claims were approved upon a motion by Vice-Chairman Hess, seconded by Commissioner Kershaw and carried.

**DISCUSSION/ACTION:** August 2006 Treasurer Report

The Treasure report was presented and approved upon a motion by Vice-Chairman Hess and seconded by Commissioner Kershaw.

**DISCUSSION/ACTION:** Special Event: Outhouse Races to be held October 6<sup>th</sup>-8<sup>th</sup>, 2006. Event begins at 8:00 a.m. and ends at 9:00 p.m.

Event was approved upon a motion by Vice-Chairman Hess, seconded by Commissioner Kershaw and carried.

**DISCUSSION/ACTION:** Renew Courthouse parking lot lease agreement with Marshall McBride.

Pat Whitten was present on behalf of Mr. McBride. Pat asked the Harold Swafford draw up a contract between the two parties. He asked that the contract include that there be no payments until July 2007 and the County be allowed to expand the parking lot.

Vice-Chairman Hess moved to direct Harold Swafford to draw up a new contract, the motion was seconded by Commissioner Kershaw and carried.

**DISCUSSION/ACTION:** Repair work on Mustang Road.

Commissioner Kershaw explained the project is scheduled to begin next week. He is currently working on an agreement with Washoe County for some assistants with the project. Storey County is going to do the work with some help from Washoe County.

It was moved by Commissioner Kershaw that repair work to begin on Mustang Road, the motion was seconded by Vice -Chairman Hess and carried.

**DISCUSSION/ACTION:** Richard Bacus request for action to be taken regarding the Washington Street steps.

It was moved that the stairs be fixed so that they are safe for the winter and be looked at again in the spring. The motion was made by Commissioner Kershaw, seconded by Vice -Chairman Hess and carried.

**DISCUSSION/ACTION:** Second reading: Business license for Protection Devices, Inc. Installation, service, and monitoring of security, fire alarms, and CCTV. Protection Devices, Inc. has obtained a license from the State fire Marshall.

The license was approved along with items 1 -8 from the below second readings upon a motion by Commissioner Kershaw, seconded by Vice -Chairman Hess and carried.

**DISCUSSION/ACTION:** Second reading: Business license for Comstock Park Co.; management of the food and beverage for the Ramada Hotel.

It was asked that this item be moved into second readings for the next meeting. The license was continued along with items 9 and 10 from below second readings upon a motion by Commissioner Kershaw, seconded by Vice -Chairman Hess and carried.

#### **LICENSING BOARD:**

##### **SECOND READINGS**

1. JAMES M ELLETT CONSTRUCTION- Contractor/Out of County APPROVED
2. UNITED SITE SERVICES of NV, Inc-Portable Toilet service/Out of County APPROVED
3. REDHAWK HANDYMAN SERVICE- General Handyman- 158 S. B St. VC APPROVED
4. STURGEON ELECTRIC CO.- Contractor/Out Of County APPROVED
5. VAUGHN MATERIALS CO- Retail Sales/Out of County APPROVED
6. JRA CONSTRUCTION- Contractor/Out of County APPROVED
7. ODYSSEY ENGINEERING Civil Engineering & Survey/Out of County APPROVED
8. CB CONCRETE, Inc.- Contractor/Out of county APPROVED
9. ABLE WEST, LLC- Electro polishing , etc/TRI CONTINUED
10. COOL CAT CIGARS & SALOON- Cigars/Accessories/Saloon-VC CONTINUED

#### **PUBLIC COMMENT**

NONE

#### **BOARD COMMENTS**

Harold Swafford informed the board of a possible upcoming issue with John Bennetts. His brother purchased property from the county in a property tax auction and feels he was sold property that didn't have any back taxes and shouldn't of been sold .

Harold has discussed the issue with Sarah Jensen and the required steps were taken before the property was put up for auction. Harold explained that there are several options on how to pursue the issue and would update the board at a later date.

Vice-Chairman Hess would like to look into the issue of Street Abandonment's further. Commissioner Hess will meet with Lorraine DuFresne and go through the records and past commission minutes.

**ADJOURNMENT**

The meeting was adjourned by Chairman Flanagan at 2:45 p.m.

Respectfully submitted,

By \_\_\_\_\_  
Vanessa Dixon