

STOREY COUNTY COMMISSION MEETING AGENDA

TUESDAY, JULY 5, 2006, 1:00 P.M.

COURTHOUSE, DISTRICT COURT ROOM 26 SOUTH B STREET
VIRGINIA CITY, NEVADA

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

HAROLD SWAFFORD
DISTRICT ATTORNEY

SHERIFF
JAMES G. MILLER

RECORDER/AUDITOR
MAGGIE LOWTHER

CLERK/TREASURER
DOREEN BACUS

***1:00 P.M. CLOSED SESSION:** Pursuant to NRS 288.220 (4) for the purpose of conferring with county's management regarding labor negotiations with Association/Operating Engineers Local union No. 3.

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

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 5, 2006.**

***APPROVAL OF MINUTES FOR JUNE 20, 2006 & MAY 24, 2006.**

-CORRESPONDENCE

***DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED**

*PLANNING COMMISSION MINUTES OF JUNE 15, 2006.

UNOFFICIAL MINUTES OF JUNE 15, 2006

Members Present Vice-Chairman Virgil Bucchianeri; Bret Tyler, Austin Osborne, Lydia Hammack
Sitting-Secretary C. M. Louis.

Members Absent: Chairman Douglas Walling, Larry Prater. Secretary Eileen Herrington. Also absent was Noble Brookins, whom it was advised has been removed from the Planning Commission and whose open position has been posted for applicants.

Building Official and Planning Administrator Dean Haymore was present. County Commissioners John Flanagan and Bob Keshaw were also present.

Call to Order. With a quorum present, Vice-Chairman Virgil Bucchianeri called the meeting to order at the Rainbow Bend Clubhouse, Lockwood, Nevada, at 7:00 p.m.

Pledge of Allegiance

Approval of Agenda for June 15, 2006: Lydia Hammack made a motion to approve the June 15, 2006 Agenda. Bret Tyler seconded the motion. All voted aye and the motion was carried.

Approval of Unofficial Minutes for June 1, 2006. An updated version was distributed to reflect spelling corrections to the names Mountsier and Tebeau, and to correct the meeting location noted in the Call to Order to the Rainbow Bend Clubhouse in Lockwood. Lydia Hammack also noted that there was an errant "L" at the end of paragraph 9 on page 1.

With the changes so noted, Austin Osborne made a motion that the June 1, 2006 Minutes be approved. Lydia Hammack seconded the motion. All voted aye and the motion was carried.

YEE, Mildred – 2006-066 Boundary Line Adjustment/Record of Survey – Lot 53S, Division of Land Map #40621 & Lot 227, Highland Ranches SW1/4 SW ¼ Section 21 & Portion North Half Section 29, T 18 N, R 20 E, M.D.B. & M creating new Lot 53SA being 65.4 +/- acres and 227-A being 35.78 +/- acres. Dean Haymore advised the board that the properties in question had been surveyed, a checklist of technical corrections submitted, and that Kathy Weeks and the Planning Department had signed off on the corrections.

After a discussion clarifying the details of the proposed adjustment, it was established that the improved property, including the house, well, and driveway, would be in the Virginia City Ranches, and the unimproved lot would remain in the Highland Ranches. Dean Haymore noted that the applicant would remain responsible to the Homeowners Association for dues and regulations on the 10-acre side, as well as the CC&Rs, but that all minimum acres would still be met for both parcels.

Lydia Hammack made a motion that 2006-066 Boundary Line Adjustment/Record of Survey be approved and referred to the Commissioners at their next regular meeting prior to Planning approving these Minutes. Bret Tyler seconded the motion. With no further discussion, all voted aye and the motion carried.

Prior to discussion on Master Plan Amendment 2006-061 being continued from the last meeting, Dean Haymore recommended that all three Painted Rock Partners LP items again be consolidated for follow-up discussion, but reminded the board that the items would need to be voted on individually.

PAINTED ROCK PARTNERS, LP – 2006-061 Master Plan Amendment – Request by applicant from "Forestry" to "Planned Unit Development" on 2,010 +/- acres owned by Tahoe Reno Industrial Park and 160 +/- acres owned by Smith R. Trustees.

PAINTED ROCK PARTNERS, LP – 2006-062 Zone Change – Request by applicant from “Forestry” to “Planned Unit Development” on 2,010 +/- acres owned by Tahoe Reno Industrial Park.

PAINTED ROCK PARTNERS, LP – 2006-063 Zone Change – Request by applicant from “Forestry” to “Planned Unit Development” on 160 +/- acres owned by Smith R. Trustees.

Dan Mountsier of Painted Rock Partners LP reintroduced himself and his core team again present: George Georgeson, Mark Amodei, Marvin Tebeau, and a James from Cathexes Architects Vice-Chairman Virgil Bucchianeri opened the floor to continue the discussion begun last meeting. Pursuant to previous discussions with area residents (some not present), Dean Haymore shared their expressed wish that Canal Road not be tied in with the new access way from Orchard. Mr. Haymore voiced his opinion that emergency access and safety dictates a need for a Canal Road connection at the new Orchard interchange. If necessary, a controlled gate could be placed on Canal road to deter nonresidents. Area residents also wish to protect the already poor dirt road from further wear. Mr. Haymore recommended that Painted Rock not be a primary access, but a controlled secondary access restricted to emergency and official use. Dean Haymore also noted that even with the stated concerns, the area residents had expressed preference for this kind of development over other recent proposals.

Dean Haymore presented continued neighborhood concerns about sewers, water and roads in general, and reiterated from last meeting that negotiations regarding infrastructure, cost, impact, etc. would continue before the board as they arise in connection to the applicable county, state and federal regulations. Further, he reminded all present that this is the first step of determining suitability, Master Plan amendment and Zone change. Lydia Hammack inquired when the board might expect to address questions of lot size, buffers and layout in consideration of area residents’ quality of life. Dean Haymore responded that such issues would arise with the presentation of tentative mappings at future meetings.

Mr. Haymore reminded all present that the property is under ownership of TRI and that the applicants have the option to buy and wish to close on the property. Dan Mountsier requested that attention to the matter reflect the sense of immediacy, and Dean Haymore explained to the board that a new fiscal year is imminent and that there are multiple taxation issues to be resolved and paid before parcel maps can be submitted for consideration. Dean Haymore reminded the board that the current application defines the open space, school, interchange, emergency and public services planned which will become part of the record and will necessitate followthrough on the part of the developers.

With the absence of further discussion, Lydia Hammack recommended that the Minutes from this meeting be reviewed by the Planning Commission prior to being forwarded to the County Commissioners for their consideration at their next regular meeting.

Bret Tyler made a motion that 2006-061 Master Plan Amendment be approved, with the aforementioned stipulation. Lydia Hammack seconded the motion. With no further discussion, all voted aye and the motion was carried.

Prior to the voting on 2006-062 Zone Change, Dan Mountsier brought up the purchase of an additional-9 acre parcel by Vandenberg Development from Tony Christensen’s property along the river. Storey County would need to apply for the easement from Bureau of Reclamation to cross the TCID canal. Dean Haymore explained that only the County can apply for the easement. Further negotiation will be defined by the County Commissioners. He also explained that he had advised the developers that a park and access to it would be required at their proposed site, but that the County would neither fund nor maintain it. Similarly, they would need to assume responsibility for a bridge crossing the railroad and the river, as well as its upkeep.

Representing Eagle Picher, Skylar Burdette was present to confirm that they had been informed of the development projected for their “backyard,” that issues of dust and wind tunnel effects are being addressed and mitigated, and that they intend to remain at their location and continue mining for the long foreseeable future.

At this point, Lydia Hammack called attention to the letter from area resident attorney Lois V. McKenna Tolles which had been distributed to the board. Dean Haymore suggested she read the letter aloud into record, and she did. The board agreed to keep Ms. McKenna Tolles informed as to further developments with the project, as the letter requested. Mr. Haymore confirmed he will keep all concerned parties apprised of further progress.

Vice-Chairman Virgil Bucchianeri asked for further questions. There being none, Bret Tyler moved that **2006-062** Zone Change be **approved**, with the same stipulation as mentioned for the Master Plan Amendment. Austin Osborne seconded. With no further discussion, all voted aye and the motion was carried.

There again being no additional input, Austin Osborne moved that **2006-063** Zone Change also be **approved**, again with the same stipulation. Lydia Hammack seconded. With no further discussion, all voted aye and the motion was carried.

DETERMINATION OF NEXT PLANNING COMMISSION MEETING: Dean Haymore alerted the board that slated for the next meeting are issues involving a concrete batch plant across from Rainbow Bend, and variance requests for signage for the new Ramada Inn in Virginia City. Bret Tyler made a motion that the next meeting once again be held at the Rainbow Bend Clubhouse on July 6, 2006, at 7:00 p.m. Lydia Hammack seconded the motion; all voted aye and it was carried.

STAFF: None

APPROVAL OF CLAIMS: 1) Comstock Chronicle legal advertisement for Painted Rock Partners, \$109.26. Lydia Hammack moved to approve, Bret Tyler seconded, all voted aye, and it was carried. 2) A second ad for Painted Rock Partners at the same amount, \$109.26. Austin Osborne moved to approve, Lydia Hammack seconded, all voted aye, and it was carried. 3) Legal advertisement for the Painted Rock Master Plan in the amount of \$5750. Bret Tyler moved to approve, Lydia Hammack seconded, all voted aye, and it was carried.

CORRESPONDENCE: June 11, 2006 letter from Lois V. McKenna Tolles, Attorney at Law, expressing desire to receive Planning Commission meeting Minutes for this and other projects involving the Painted Rock area.

PUBLIC COMMENT: Vice-Chairman Virgil Bucchianeri mentioned that he has received numerous communications from clients surprised to have been issued foreclosure notices on properties in the highlands "S Lots" which they thought they owned outright. He will find out more about this and will advise more on the topic next meeting.

ADJOURNMENT: Vice-Chairman Virgil Bucchianeri, adjourned the meeting at 7:50 p.m.

Respectfully Submitted,

C.M. Louis, Sitting Secretary

Virgil Bucchianeri, Vice Chairman

FIRST READINGS BUSINESS LICENSE APPLICATIONS:

1. HARLES REILLY – VC Mall - Retail

2. **WEEDS B GONE - Mobile Weed Service / Out of County**
3. **HIGH SIERRA ALARM– Contractor / Out of County**
4. **ALL AUTO, Inc.– Auto Sales / Gold Hill**
5. **VALLEY CONCRETE CO. Inc.– Contractor / Out of County**
6. **CONCRETE FLOORING & Interior Services, Inc.– Contractor / Out of County**
7. **LACY J DALTON PRODUCTION, LLC– Highlands Home Business / No Traffic**

END OF CONSENT AGENDA

***DISCUSSION/ACTION:** Gary Longaker/Nevada Rural Housing Authority. Consideration and possible action ; transfer of Storey County’s private activity bond cap allocation and certification of cap.

***DISCUSSION/ACTION:** Nevada Department of Transportation to discuss/approve the proposed 2007 work program for Storey County found in the 2007-2016 Transportation System Projects.

***DISCUSSION/ACTION:** First Reading of Ordinance 06-202 Amendment to Chapter 8.10 of the Storey County Code for facilities that obtain a Special Use Permit and do not dispose of any waste on the land at the facility.

STAFF REVIEW/COMMITTEE REPORTS

***DISCUSSION/ACTION:** Gary Hames, approval of Storey County Fire Department and Sierra Fire Protection District Mutual Operating Agreement Change Commission meeting date from July 4, 2006 to July 5, 2006.

***DISCUSSION/ACTION:** Contract with Storey County Sheriff employees Association Operating Engineers Local Union No. 3.

***DISCUSSION/ACTION:** First reading of Ordinance #06-203 amending S.C.C. 5.04.200 and 5.08.020 requirements for fortuneteller, astrologer, clairvoyant, medium, palmist and phrenologist business licenses.

***DISCUSSION/ACTION:** Appoint member to vacancy on the Storey County Planning Commission.

***DISCUSSION/ACTION:** Bids for furnace fuel, diesel fuel & propane. Bids for paving materials/hot mix and transportation costs.

***DISCUSSION/ACTION:** Resolution 06-225 requested by District Attorney Swafford request to Attorney General to prosecute Criminal Matter.

***DISCUSSION/ACTION:** Resolution 06-226 approval certifying tax rate for 2006-2007.

***DISCUSSION/ACTION:** Approval of Claims

LICENSING BOARD:

***SECOND READINGS:**

1. CIRCLE TECHNOLOGIES- Out of County
2. DIG FOR YOU- Contractor/Out of County
3. GUIDENBY, INC.- Contractor/Out of County
4. HARRIS REBAR CARSON CITY- Contractor/Out of County
5. K.G. WALTER’S CONSTRUCTION- Contractor/Out of County
6. LYNN’S COLLECTIBLES - General Business/Retail
7. R.L. MECHANICAL- Contractor/Out of County
8. RENO SPARKS PLUMBING, LLC- Contractor/Out of County
9. ROLL ENTERPRISES - Contractor/Out of County
10. SAUSAGE FACTORY - Out of County Vendor
11. SUTRO TUNNEL MINE TOURS- General Business License
12. Firdous Ahmad - Kashmir American Enterprises - Retail (Arts & Crafts)
13. Leonard’s Airport Café’ (Wal-Mart Food Service) - TRI
14. Horsin’ Around – Woodworking - Virginia City

PUBLIC COMMENT

BOARD COMMENTS

ADJOURNMENT

ALL ITEMS MARKED WITH AN * WILL BE ACTED UPON BY THE BOARD

NOTICE: Anyone interested may request personal notice of the meetings. Agenda items must be received by 12:00 noon on the Monday of the week preceding the regular meeting. For placement call 847 -0969. Items may not necessarily be heard in the order they appear. Time limits for Public Comment will be at the discretion of the Chairman of the Board. Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, sex, disability, family status, or national origin. Notice to persons with disabilities: Members of the Public who are disabled and require special assistance or accommodations at the meetings are requested to notify the Commissioners Office in writing at Drawer ‘D,’ Virginia City, Nevada, 89440.

CERTIFICATION OF POSTING

I, Lorraine DuFresne, Clerk of the Board of Commissioners, does hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before June 29, 2006, Virginia City Post Office, Storey County Courthouse, Virginia City Fire Department, Virginia City RV Park Market, Six Mile Canyon Fire Department, Rainbow Bend Clubhouse, Virginia City Highlands Fire Department, and the Lockwood Fire Department.

By _____
Lorraine DuFresne