

STOREY COUNTY COMMISSION MEETING  
TUESDAY, SEPTEMBER 4<sup>TH</sup>, 2007 2:00 P.M.

DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

JOHN FLANAGAN  
*CHAIRMAN*

HAROLD SWAFFORD  
*DISTRICT ATTORNEY*

GREG "BUM" HESS  
*VICE-CHAIRMAN*

JAMES G. MILLER  
*SHERIFF*

BOB KERSHAW  
*COMMISSIONER*

LORRAINE DuFRESNE  
*CLERK-TREASURER*

SARAH S. JENSEN  
*RECORDER-AUDITOR*

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Roll Call.

Present: Administrative Officer Marilou Walling Chairman John Flanagan, Commissioner Bob Kershaw, County Manager Pat Whitten, Director of Building and Planning Dean Haymore, Director of Public Works Mike Nevin, District Attorney Harold Swafford, Sheriff James Miller.

Absent/Excused: Vice-Chairman Greg Hess

CALL TO ORDER AT 2:08P.M.

PLEDGE OF ALLEGIANCE

Chairman Flanagan led those present in the pledge of allegiance.

PUBLIC COMMENT

County Manager Pat Whitten informed the Board that he spoke with Vice Chairman Hess and that he will be late or may miss the meeting.

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. If a member of the public wishes to comment on an item, please complete a "Request to Speak" form. The Commission Chair reserves the right to limit the time allotted for each individual to speak).

Approval of Agenda for September 4<sup>th</sup>, 2007

Approval of Minutes for August 21<sup>st</sup>, 2007

Chairman Flanagan stated that the minutes are not ready and asked that this item needs to be continued.

Motion: Approval of August 21<sup>st</sup>, 2007 Minutes, Action: Postpone, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

Correspondence

Chairman Flanagan stated that a letter was received from Charlie Bolle regarding the speed limit on Six Mile Canyon Road.

Approval of Maps to be Recorder

Director of Building and Planning Dean Haymore covered the latest progress on the storage units being built in TRI by Osborn Development.

Mr. Haymore presented four maps:

- 1) Location: Peru and Denmark, East of Peru, So. Of Denmark From: 2007-89= 14.48 Ac To: 2007-112= 4.46 Ac, 2007-113= 3.00 Ac, and 2007-114= 7.02 Ac
- 2) Location: Between Peru and USA Parkway/Denmark and West Sydney From: 2007-29= 20.59 Ac and 2007-88= 68.10 Ac To: 2007-103= 68.73 Ac and 2007-104= 19.97 Ac
- 3) Location: North East corner of London Drive to USA Parkway From: 2006-44= 24.79 Ac To: 2007-121= 9.95 Ac and 2007-122= 14.84 Ac
- 4) Location: Southeast corner or Megabyte, West of Waltham Way From: 2006-501= 2.96 Ac To: 2007-115= .59 Ac, 2007-116= .65 Ac, 2007-117= .49 Ac, and 2007-118= 1.22 Ac

Approval of Planning Commission Minutes for August 2<sup>nd</sup>, 2007

2007-078 – VARIANCE – BY Walter and Melanie Wolf

*A Variance for setback change from 30' to 15' which will position the residence closer to Crestview Road due to terrain.*

Walter Wolf explained by the need for the setback variance due to the terrain and the report from Pezonella Associates on the septic system and that the leach fields position could not be changed which would mean changing the position of the house and carport.

Lydia Hammack asked about the surrounding property and lot sizes. Walter Wolf answered that all were in the one to 2.5 acre size and vacant at this which would not present any problems since it was just the corner of the house that would be 15' from the property line.

Dean Haymore mentioned that he had had one of the inspectors walk the proposed layout and they found no problems with it.

Larry Prater questioned the width of the road and was informed that it would not be a problem with this property.

Austin Osborne wanted to know about the positioning of the carport. Walter Wolf answered that because of the grade of the property and location of the well, that location was the best.

Jed Margolin was concerned about the underground utilities along the road.

With no further questions, Larry Prater made a motion to approve the variance. The motion was seconded by Bret Tyler, and with no further discussion, all voted aye and the motion carried.

#### 2008-001 SPECIAL USE PERMIT – by Osborn Development

*A Special Use Permit to have 260 storage units ranging from 600sf to 750sf with each unit being owned separately and the common areas maintained by a common owner's association. The project is located at the corner of Venice Drive and Denmark Drive in TRI.*

John Bailey of Wood Rodgers presented the project for Osborn Development. He had a map that showed the location of the project along with the many features including detention pond for 100 year flood control, small office, dump station and fire hydrant layout.

Dean Haymore explained that since these storage units are to be individually owned that the county is requiring one hour fire walls between each unit and a two hour firewall between every 4<sup>th</sup> unit.

Bret Tyler inquired about the detention pond and requirements. Dean Haymore replied that all developments within TRI where they had large areas that were covered had to put in detention ponds for the 100 year flood control.

Lydia Hammack was interested in the construction which will be steel buildings with very low sloping roofing. They will have 14' clearance and 16' doors.

Dean Haymore went on to say that it would be built in phases depending on demand. The property is completely fenced with automated security and an extra gate for fire protection. Because of the entrance being off of Venice, there would be less traffic conflicts with PetsMart.

Dean Haymore went on to say that because the units would be individually owned that a Tentative and Final Subdivision Map would be required. There would be common areas with CC&R's for the owners to maintain and all of this would be reviewed and approved by the county. Each of the Planning Commissioners were given a copy of the Tentative Subdivision Map for review for the next meeting when the Tentative Subdivision Map would be heard for approval at the August 16<sup>th</sup> meeting if the Special Use Permit was approved tonight.

Lydia Hammack asked if the subdivision would fall under the requirements of NRS116. Since it is a commercial subdivision, it does not and they will have to get sign-offs from the various agencies to that effect.

Austin Osborne made the motion to approve the Special Use Permit for Osborn Development. The motion was seconded by Lydia Hammack, with no further discussion, all voted aye and the motion carried.

#### 2008-009 SPECIAL USE PERMIT – by US Ordnance

*A Special Use Permit to allow storage of ammunition and the required testing of the on site manufacturer of machine guns in their approved A.T.F. indoor firing range. The project is located at Sydney Drive and Peru Drive in TRI.*

Mark Rasmussen of Tech Design Group, and Norman Justice and Curtis DeBord of US Ordnance were there as representatives for the applicant.

Mark Rasmussen what the Special Use Permit would be for in allowing for the storage of ammunition for the testing of the M60 Machine Guns that were manufactured at the plant.

Dean Haymore explained that US Ordnance currently had a facility in Reno but were looking for to build a larger one and one where they could do the testing on sight.

They had picked this 7 ½ acre site as it will also give them the opportunity for expansion in the future.

Curtis told the Commissioners that all their guns were made and sold to the US Government and that they delivered the bullets that had to be stored for a couple of days before they came in to test the guns in the A.T.F. approved indoor firing range. They would also have three addresses to make a Foreign Trade Zone for repairs on guns sold by the US Government to foreign countries.

Lydia Hammack was interested in the security and possibility of breakins. Curtis said that there were security cameras that worked 24 hours a day and that they were currently working two shifts and only about 3 hours when no one was on the premises. Dean Haymore mentioned that both the Fire and Sheriff's Departments had looked over the plans and were comfortable with the layout including a small area at the entrance for them to be able to monitor any situations.

Austin Osborne asked about the disposal of the lead and was informed that it was put into drums and Safety Clean currently hauled off to their hazardous waste site. Dean Haymore also mentioned that US Ordnance did a lot recycling in their tooling of aluminum.

Jed Margolin wanted to be reassured that they were not using uranium in the bullets and that they would be adhering to the DOD requirements. Curtis informed Jed that bullets of this size do not use uranium and they were not being made at this location but delivered by the US Government. Dean Haymore commented on the DOD requirements and that if there ever was any problems that the county would call on any and every agency that could help.

Bret Tyler made a motion approve the Special Use Permit. The motion was seconded by Virgil Bucchianeri, with no further discussion, all voted aye and the motion carried.

Bradley Bryant asked Mr. Haymore for an explanation on US Ordnance.

Mr. Haymore gave a description of the facility and the type of testing that will be performed. A special use permit is required to store ammunition at the facility. The US Government will be shipping ammunition to the site for testing of the guns. Mr. Haymore stated that he has toured the current facility in Washoe County. The company is under strict regulations from the US Government.

Sheriff Miller asked what size of fire arms this company produces. Mr. Haymore stated that the guns are firing .50 caliber ammunition.

Motion: Approval of Special Use Permit with the stipulation that the Sheriff is fully aware of the situation, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

**LICENSING BOARD:**

**FIRST READINGS:**

1. **ASPHALT CONCRETE RECYCLING CENTER, LLC** – Processing / Mustang Rd, Sparks NV
2. **STEVE’s ARMY SURPLUS**– General Retail / Virginia City NV
3. **GORE CUSTOM COATINGS, Inc.** – Contractor / Reno NV
4. **MSE ELECTRICAL CONTRACTORS** – Contractor / Reno NV
5. **PEGASUS TOO!** – Out of County / Washoe Valley NV
6. **A ROOTER MAN PLUMBING SEWER & DRAIN**– Contractor / Verdi NV
7. **E J MAHONEY**– Contractor / Gardnerville NV
8. **BEN BOLZ MASONRY**– Contractor / Reno NV
9. **KEMPCO CONSTRUCTION COMPANY**– Contractor / Sparks NV
10. **INSTANT SIGN CENTERS of NEVADA, Inc.**– Contractor / Reno NV
11. **5 C’s ELECTRIC, LLC** – Contractor / Dayton NV

DISCUSSION/ACTION: Treasurer’s Report

None presented

**END OF CONSENT AGENDA**

Motion: Consent Agenda, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman Flanagan.

DISCUSSION/ACTION: Staff Review/Committee Reports

Public Works Director Mike Nevin:

1. Mr. Nevin stated that the Virginia City water tank has been filled. There are still a couple of minor issues to work out with SNC Construction.
2. The Courthouse roof repairs have been completed, Mr. Nevin explained, there should be no leaks this winter.
3. Last month his Department was busy with some paving projects and is currently in the process of completing the water and sewer on Union Street. At this time the sewer is done and the crew has moved onto the water.

Director of Building and Planning Dean Haymore:

1. Mr. Haymore is working hard on infrastructure in the TRI area. The number of single family dwelling permits has severally dropped off.

Mr. Nevin added that progress on replacement of the old sewer lines is slowly being made. He stated that George Jorgensen has been working on it heavily. Also, the auger monster should arrive in a couple of weeks.

**DISCUSSION/ACTION: Approval of Claims and Statement of Activities**

Chairman Flanagan read the claims into the record as follows: Warrants: \$207,449.07 Payroll: \$360,754.79 TOTAL: \$568,203.86

Motion: Claims and Statement of Activities, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

**DISCUSSION/ACTION: Approval of Resolution 07-253: Speed Limit for DSR79 (Six Mile Canyon Road) in Storey County**

District Attorney Harold Swafford read the resolution into the record.

Commissioner Kershaw asked who initiated this resolution. Mr. Whitten explained that the resolution has come from staff. It was decided that raising the speed limit was a needed change on the road. Sheriff Miller added that to follow the current speed limit a driver has to ride their brakes for much of the road.

Motion: Resolution 07-253, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

**DISCUSSION/ACTION: Larie Trippet with the Northern Nevada Development Authority presenting an application for economic incentives from U.S. Ordnance.**

Mr. Trippet, Business Development Manager, asked for an "acknowledgment of request" from the Board. He stated that U.S. Ordnance will pay additional taxes that will recover the abated amount in .7 years. The business is currently in Washoe County but will be moving to Storey County. During the move U.S. Ordnance will be creating 7 new jobs bringing 30 jobs total to the County.

Motion: Request for Acknowledgment, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

**DISCUSSION/ACTION: Storey County - Access and utility easement to APN 004-041-08 in the River District**

Mr. Haymore explained that this is an application to the Bureau of Reclamation by the County to obtain a 120 foot wide road access/utility easement to a 160 acre parcel in Painted Rock. The easement will be owned by the County but maintained by an association of future development.

Commissioner Kershaw addresses his concern in a home owners association being established. He stated that a GID is the only way to go.

Motion: Access and utility easement, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

DISCUSSION/ACTION: Approval of the Painted Rock Zoning Map #9 for county zoning of 2155.074 ± AC consisting of APN04-011-08 (PR-2007-5) being 1003.72 ± AC, APN 04-011-09 (PR-2007-6) being 991.12 ± AC and APN 004041-09 being 160.0 ± acres from Forestry to Planned Unit Development.

Mr. Haymore stated that the Planning Commission has approved this change as well as the Board. The Assessor has agreed to change the zoning. This map is necessary to complete that change.

Motion: Painted rock Zoning Map #9, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

DISCUSSION/ACTION: Clarification of street abandonments

Mr. Haymore discussed the ongoing issue with street abandonments. He explained that these abandonments being requested are necessary and have been left incomplete for a long time.

Mr. Whitten added that many of these abandonments or trades benefit the County. He recommended that any moratorium be removed.

Motion: Remove any moratorium, treated on a case of case business, can place a moratorium at any time, staff to review first and then come to the Board, with in one year all paperwork must be complete Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

DISCUSSION/ACTION: Special Event: 40<sup>th</sup> Annual Virginia City 100 Mile Equestrian Endurance Ride, September 14-16, 2007

Sheriff Miller stated that he recommended approval of the event.

Motion: 40<sup>th</sup> Annual Virginia City 100 Mile Equestrian Endurance Ride, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

## LICENSING BOARD

### SECOND READINGS

1. **ELIZABETH SWIFT CONSTRUCTION** – Contractor / Carson City NV
2. **JP CONSTRUCTION COMPANY, LLC** – Contractor / Sparks NV
3. **WASHOE ELECTRIC CO, Inc.** – Contractor / Reno NV
4. **CRAZY CHOCOLATE TEAR** – General / McCarran NV (TRI)
5. **PPG ARCHITECTURAL FINISHES, Inc.** – General / TRI - McCarran NV

Mr. Haymore asked that the Board continue item #4 and #5 and approve items #1-#3.

Motion: Items #1-#3, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

Motion: Items #4 and #5, Action: Postpone, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan.

PUBLIC COMMENT

Bradley Bryant asked the Board for an update on the home that burned down in Rainbow Bend and the house with mold issues.

Mr. Haymore explained that the fire damaged home will take 30-45 days to remove and he doesn't have an update on the mold home.

BOARD COMMENT

Commissioner Kershaw stated that considering all the changes taking place in the County he would like the department heads and elected officials to review the ordinances that are currently in place. We need to plan ahead.

Chairman Flanagan asked about the Army Surplus Store listed under business licenses. Mr. Haymore said that he will look into it.

ADJOURNMENT

The meeting was adjourned by the call of the Chair at 3:05 p.m.

Respectfully Submitted,

By \_\_\_\_\_  
Deputy Clerk/Treasurer