

**STOREY COUNTY
COMMISSION MEETING
MINUTES
TUESDAY, OCTOBER 18, 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

*CALL TO ORDER. The meeting was called to order at 2:00 p.m. by Chairman Kershaw
PRESENT: Bob Kershaw, John Flanagan, Greg Hess, Maggie Lowther, Doreen Bacus,
Marilou Walling, Pat Whitten, Rich Bacus, Dean Haymore, and Virgil Bucchianeri for District
Attorney Harold Swafford.

ABSENT: Gary Hames

•PLEDGE OF ALLEGIANCE

•PUBLIC COMMENT: Virgil Bucchianeri let the record show that he is present for Harold Swafford.

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 OCTOBER 18, 2005. Commissioner Hess moved that the item regarding clarification of regulations pertaining to dual hookups for the water ordinance be continued to November 1, 2005. Bacus advised the board that three years ago he had

given Swafford a draft of the water ordinance with changes the water department thought needed to be changed and as of this date he has not seen it.

The board directed the commissioner's office to send a memo to Swafford to get the updated water/sewer ordinance drafted.

Bacus went on to say that one of the conflicting things in the present water ordinance relates to water hookups for multiple connecting buildings on the same piece of property, his department gave Harold the definition for this and it needs to be addressed.

APPROVAL OF MINUTES FOR OCTOBER 4, 2005

CORRESPONDENCE Chairman Kershaw read in part a letter from Let'em Run Foundation, Inc. regarding their winter schedule for the Comstock Wild Horse & Mining Museum.

Commissioner Flanagan referred to correspondence from NACO requesting funding from the county for the 2006 interim assistance in the deliberation of local government finance issues by Hobbs, Ong and Associates.

DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED

Maggie addressed the board with the TRI Maps problem, the operating agreement between the county and TRI does not require approval by the Board of Commission for record of survey maps, they may review them if they wish, but according to the agreement the board is not required to approve them. They bring maps into the Recorder's Office and want them recorded within twenty-four hours, if there is something wrong with the map, and 90% of the time there is, then the map needs to be corrected before it can be recorded. She recommended changing the procedure to have the maps directly delivered to the Recorder's Office once they have been signed off by Assessor Kathy Weeks, then onto Dean's office. She can prepare a list of the buyers and the number of acres in each parcel and present it to the Board, then if they have concerns regarding the maps they can go over the maps in Maggie's office, otherwise they will be recorded if correct thereby expediting the process for TRI. The maps will be dated when submitted to the Recorder's Office and if they are not recorded within a specific time frame they will go off to storage, there is not enough room in her office to keep maps on hold.

Dean advised the board right now he has thirty-seven TRI maps in his office waiting to be processed.

Maggie will write up a procedure for the map process and submit it to the board at the November 1, 2005 meeting.

Dean presented a parcel map submitted by Hugh Marshall for blocks 33, Range K between Carson and North Streets and blocks 51, 52, and 53 between H and L Streets and between Mill and Carson Streets, advising the board this map has already been approved but block 33 had been inadvertently omitted from both the Planning Commission's and the County Commission's approval. Dean further advised the board that he had met with Commissioner Hess and Rich Bacus and they recommended that the sewer/water and streets must be engineered by Hugh Marshall prior to installation of streets, water and sewer facilities.

Commissioner Hess moved to approve the map with the stipulation that streets, sewer and water will be engineered prior to installation, seconded by Flanagan and carried.

DISCUSSION/ACTION: SPECIAL EVENTS: (NONE)

**LICENSING BOARD:
FIRST READINGS**

1. Simas Floor Lo. Inc., submitted by Gail Ward of Shingle Springs furnish and install flooring, carpet, vinyl, hardwood.
2. Custom 32 Inc. Submitted by James G. Littlewood of Reno, cabinet maker.
3. Baker Trucking, submitted by Randy Baker of VC Highlands, ten wheel truck & backhoe service hauling only (no trucks on VCH property).
4. Donald Keith, of Carson City, general contractor - home building.
5. Low Temp Insulations, Inc. submitted by Robert J. foster, cold storage construction.
6. T & L Investments, Inc submitted by Charles T. Eikelberger, of Reno, window coverings, exterior and interior, retail and contract sales, repairs of canvas products, installation.
7. Universal Environmental Nevada, Inc., submitted by Jason Benson of Benicia, CA, environmental and demolition contractor.
8. Quality Tile and Marble Co., Inc., submitted by Wes L. Tews of Fallon, NV, tile and marble installation.
9. Jensen Enterprises, Inc. Submitted by Roger Wright of Sparks, precast concrete.
10. Paramount iron & Handrails, Inc., submitted by James M. Edmonds of Carson City, fabricate and install handrails, gates & misc. steel.
11. M. Novak Construction, submitted by Mark A. Novak of Chilcoot, CA. Building contractor.
12. Sierra Ornamental Landscape, Inc., submitted by Roy Bordenkircher of Reno, landscape contractor.
13. Jackson-Thomas, Inc., submitted by Larry A..Thomas of San Mateo, CA, lath, plaster & drywall.
14. Castle Peak Concepts, LLC, submitted by Warren R. Lutzow, of VC Highlands, program development/education training/consulting (home business)
15. Sierra Waterproofing, submitted by James T Fleisher of Las Vegas, waterproofing contractor.
16. Menlo Logistics, Inc., submitted by Jennifer Boe, of Portland, Or., four employees on a loading dock loading trailers with a third party's product, we do not own or lease this facility, this is the third party's facility/business.
17. Sierra Insulation Company submitted by Linda Nawetto of Grass Valley, CA insulation installation.
18. Alpine Signs, Inc., submitted by Cathy Deitch of Carson City, sign making, wood, metal, plastic, and vinyl.
19. PRO CLEAN MAINT. INC., submitted by J. Russell Zito of Sparks, janitorial and

construction cleanup.

20. Gore Acoustics & Drywall Systems, Inc., submitted by Richard Kelly, of Sparks.

**Planning Commission Minutes for September 15, 2005. October 6, 2005
Planning
Commission Minutes will not be approved by them until October 20, 2005.**

Dean Haymore noted a correction on the 2006-016 (should be 2006-17) variance, noting that the item had been placed on the agenda incorrectly. He recommended discussion only on this item with no action being taken.

William Konopisos #2006-016 Variance - 1455 - A & B Main Street - Gold Hill,

NV

Requesting approval of existing side yard setbacks. Dean offered an explanation that 1455 A & B Main Street in Gold Hill must go by residential setbacks. William Konopisos stated that he had thought there were adequate setbacks. Dean explained this was due to the required setbacks for septics and that the county commissioners had placed moratoriums on septics. Further discussion revealed that Joe Curtis' property is Lot 14 and is about eight thousand square feet; however, it will eventually be a viable building site.

Mat Konopisos, William Konopisos' son, stated that they can reduce the side of the building to adjust to the setbacks. The plans, however, have already been prepared. Bret Tyler suggested that they decrease the size of the building, also noting that several options are available.

There were two letters opposing the request read into the minutes: 090705 letter from Joe Curtis and a letter from Tom and Nancy Hinds of Tunnel Road in Gold Hill, dated 091505. Haymore also acknowledged that the Konopisos are required to provide two parking spaces and the setback can be no closer than three feet. Mat Konopisos stated that they can retrofit by cutting into the hill more.

Chairman Doug Walling asked for comments from Joe Curtis. Two things concerned Mr. Curtis; the first being that our county has ordinances in place for a reason and they should be followed. Second he was concerned that this situation will pose a problem to him some day should he want to sell his lot. He also stated that there should be a caveat on the property to the historical monument to which Bert Beadeaux reminded everyone that the Historical Commission would protect the monument. Joe Curtis concluded his comments by saying that he personally could live with the 2 ½ foot setbacks, but, again, ordinances are in place for a reason. Dean Haymore stated that his department would only charge a plan check fee if the Konopisos' were willing to simply reconfigure the building. Another option would be to move the building to the south and keep eight feet; however, the size of the buildings may prevent a view of the monument.

Bert Beadeaux encouraged Mr. Konopisos to touch base with him regarding any amendments to their plans.

There being no further discussion on this item, Larry Prater moved to deny the William Konopisos #2006-016 (which is really 2006-017) variance request and

recommended that the Building Department only charge a plan check fee. The motion was seconded by Lydia Hammack. All in favor.

WILLIAM KONOPISOS # 2006-017(2006-016) VARIANCE - 226 North A Street, Virginia City, NV. Permission to convert a newly built single-family residence to a duplex as he is unable to sell the 3,170 sq ft 2 story house + 2 furnaces + 2-car garage + extra parking.

DISCUSSION ONLY: Pictures of the house were distributed by Konopisos. Haymore stated that a duplex is considered a single-family dwelling. Both Konopisos's talked about how the house could easily be transformed into a duplex. They also remarked that the house on the corner of Carson and A Streets is a multi-family dwelling. This building, however, had been grand fathered in and is currently up for sale. Osborne has concerns because this area is zoned R1. He stated that allowing a duplex in this neighborhood would be setting a precedent. It is zoned R1 which means only one family per home. Lydia Hammack concurred. The commission's secretary commented that she, as a neighbor, would be against a duplex and that access along the north end of A Street is already a problem, especially during the snow season.

Chairman Doug Walling requested that the #2006-017 (016) variance request be continued.

Bret Tyler moved to continue, seconded by Bucchianeri, and carried. Haymore stated that the item will be placed on the agenda correctly.

Dean advised the board that the Planning Commission had denied both requests by Konopisos.

COMSTOCK HISTORIC CENTER O# 2006-19 VARIANCE 20 North E Street, Virginia City, NV Requesting approval of signage size and quantity variance to effectively identify both the center and Historic Commission Office.

Tyler moved to approve, seconded by Osborne and carried.

HESS CONSTRUCTION, INC., #2006-020 PARCEL MAP - Parcel 243-B Map #100311, 829 South A Street, Virginia City, NV creating lots 1,2, and 3.

Greg (Bum) Hess presented a map to the board. All lots are larger than 50 x 100, being a little over ½ acre each. Water and sewer are available; with the sewer being close in proximity.

Larry Prater asked if Hess Construction will be improving the A Street access. Hess stated that there will be access from Howard Street and they will improve Howard Street a little.

Bret Tyler asked if the sewer system will handle it. Bum advised that it would, and he has the hookups. (It was noted at this time that there is an 8-year waiting list for sewer/water hookups.)

Austin Osborne moved to approve Parcel Map #2006-020, seconded by Bucchianeri and carried.

Commissioner Flanagan moved to approve the parcel map #100311 submitted by Hess Construction, Commissioner Kershaw seconded and the motion carried with Commissioner Hess abstaining for obvious reasons.

There was discussion regarding an individual in the industrial area who has an old van that he wants to convert into a type of restaurant. Prater commented he will need to

apply for a business license; WalMart and the amount of growth in the industrial area; three applications for street abandonments, street abandonments referred to the committee.

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

END OF CONSENT AGENDA

STAFF REVIEW/COMMITTEE REPORTS

Rich Bacus reported that his crew will be down on the River at Waltham Way patching cracks in the road to Alcoa. He further reminded the board no money is being generated down there for road maintenance.

Dean remarked that each time a cut is made in the road to accommodate another business there goes the road.

Rich advised the board that if he would have to resurface the road out there it would take his entire road budget to do the job, leaving nothing for the rest of the county. The patching that will be done is a temporary fix, perhaps save the road through the winter, but that something should be put in place to pay for upkeep on the roads.

Kershaw suggested TRI GID should take care of the roads.

Dean asked Rich to request some highway signs from NDOT for I-80 to show the exits for McCarran, USA Parkway and the Landfill.

Bacus informed the Board it appears BLM owns the property around the Six Mile Canyon sewer plant, not the county so there is no room for necessary expansion without going through all the hoops with BLM, adding this could take longer than the expansion can wait, adding there are eighty-nine hook up applications on the list.

Bacus asked if he should have the area surveyed, adding that Donovan is the only local surveyor, as Greg Hess, Sr. has retired from surveying.

Maggie advised the board that she and Marilou went through all of the old records relating to the original sewer grant and never could find a map or proof of ownership in those records.

It was the unanimous decision of the board that staff will continue to search for ownership and any other documentation needed and the board will meet with BLM to discuss the problem, but first the area needs to be surveyed.

Rich informed the board that George Georgeson has not finished the engineering on the water tanks, if it does not get finished the county could lose the one million dollars of AB198 money for the installation of the new tanks.

The board will contact Mr. Georgeson and see if they can get things done.

Rich requested that water and sewer hookup rates be placed on the agenda for an increase for the meeting of November 1, 2005.

Marilou advised the board that she will be attending meetings in Eureka November 2nd through the 4th and again from the 8th through the 9th.

Pat reported to the board that he has received complaints regarding the lack of handicap parking spots in Virginia City. He asked if the board wanted to reactivate the RTC board or have staff take a look at the problem and make recommendations where these

parking spots would best serve those needing them? The board advised him to proceed with staff on designating these parking spaces. He suggested one at the north end of town by the Masonic Lodge and one at the south end of town by the Presbyterian Church, adding that the Delta Parking lot has over twenty-five spaces and is therefore required under ADA to provide one handicap parking space. Pat said it would be better to go ahead and finalize parking spaces instead of waiting for the government to come in and tell us where and why. With two additional parking spaces that would be a total of four spaces on public streets and one in the Delta parking lot. Staff will meet with property owners at the specific locations for their input for the parking spaces.

Lorraine asked for clarification regarding water/sewer hookups if they are for the lot specified on the application or are they transferable to another lot? Rich explained that once an application is made for a specific location that hookup stays with that location, it is not transferrable to another location. The property owner is able to sell the lot with the water/sewer connection but cannot move it from one location to another. He further explained that the water ordinance should be specific on this. Commissioner Hess explained that the reason connections are not transferrable is that someone could come in and buy the hookups and hold onto them tying up the number available to other people and eventually selling the hookups at an inflated price to a property owner.

The board recommended that staff meet with D.A. Swafford and get the water/sewer ordinance re-written.

Pat advised the board staff is more than willing to meet with Harold but so far he has written requests for opinions and has not gotten any answers.

Chairman Kershaw suggested a meeting with staff and Harold be held to discuss the water/sewer ordinance.

Bacus reported that he and his crew were out paving the first mile on Cartwright and they were going to do a little more but Granite Construction backed out at the last minute and they were unable to continue.

Keith Judson of the Highlands informed the board people are very pleased with the results of the paving and impressed with the traffic flow during the paving.

Bacus informed the board that next year that first mile will have to be resurfaced.

Dean reported that three out of four contractors do not want to touch the Senior Center at the river but he should have some numbers by this afternoon.

Kershaw said we will have to get the building together and water tight before winter or there wont be any building to work on.

Dean advised the board he will be on vacation October 26th through November 4th.

DISCUSSION/ACTION: Resolution 05-211 A RESOLUTION REGARDING PERPETUATION OF RURAL ROADS AFFECTED BY THE RECONSTRUCTION OF THE VIRGINIA & TRUCKEE RAILROAD IN AMERICAN FLAT; TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.

Commissioner Flanagan moved to continue this resolution to November 1, 2005 and request Mr. Roe attend the meeting if possible, seconded by Hess and carried.

DISCUSSION/ACTION: Approval of Claims: Warrants in the amount of \$118,429.30 and Payroll in the amount of \$219,637.03 were approved upon motion by Flanagan seconded by Hess and carried.

DISCUSSION/ACTION: TREASURER’S RETURN OF SALE OF REAL PROPERTY

APN 003-351-13 lot 313 10S, 3130 Sheridan Road, Highland Ranches, amount of sale \$61,900.00, buyers Keith and Nancy Judson.

Commissioner Flanagan moved to approve the Treasurer’s Return of Sale, seconded by Commissioner Hess and carried.

LICENSING BOARD:

Pat Whitten presented the second readings of the business license applications and made

recommendations for approval and/or continuance following earlier review by the Building, Fire and Sheriff’s Departments..

SECOND READINGS:

1. **CONTINUED** Comstock Real Estate Services, change in location to 476 North B Street, Virginia City submitted by Stephen and Alexandra Musser of Virginia City. **PENDING STATE FIRE MARSHALL REVIEW.**

2. **APPROVED** Nancy’s Interiors, submitted by Nancy L. Kilian, 2220 Musket Rd. VCH, home business retail sales of window treatments, bedspreads, pillows, etc. Applicant has acknowledged the Building and Fire Department home occupation requirements. **WITH THE STIPULATION THERE BE NO INVENTORY STORED ON THE PREMISES.**

3. **APPROVED** Wolf Investments, submitted by Aaron J. Turnage of Reno, contractors license, electrical contracting.

4. **APPROVED** Summit Manufactured Home Services, submitted by Joe Mizger of Sparks, manufactured home set up and services.

5. **APPROVED** Kearney Electric Inc. submitted by Greg Frost of Mesa, AZ, electrical contracting.

6. **APPROVED** STI Northwest Inc. Submitted by Jay C. Martin of Spokane Valley WA, construction materials inspection and testing services for a specific construction project; Wal-mart.

7. **APPROVED** Advanced Plumbing Systems, INC , submitted by David L. Denninger of Reno, commercial and residential plumbing construction.

8. **APPROVED** Golden Spread Redi-Mix, INC submitted by Bill Williamson of Pampa, TX, manufacture, transport and delivery only of redi-mix concrete.

9. **APPROVED** Anyaya Construction, INC submitted by Ildefonso of Las Vegas, concrete contractors.

10. **CONTINUED** Mahogany Red’s Catering and Bar-B-Q, submitted by Jamie S. Killeen of Reno, mobile catering, Washoe County health permit to operate with application. **PENDING STATE HEALTH DEPARTMENT APPROVAL.**

11. **APPROVED** Palmarosa, submitted by Loren M. Pursel of 2366 Lousetown, VCH, home business, dive instruction and dive equipment wholesale, Building and Fire

Department Home Occupation Requirements acknowledged by the applicant.

Commissioner Flanagan moved to continue those applications as noted above and approve those as noted, seconded by Hess and carried.

PUBLIC COMMENT (none)

BOARD COMMENTS: Chairman Kershaw requested reports from the budget office to see where we are financially.

Pat explained that he has the expense reports but is waiting for the revenue reports and as soon as they are completed they will be submitted, adding that he has planned on a quarterly report for the board.

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There being no further business before the board the meeting was adjourned at the call of the Chair at 3:40 p.m.

Respectfully submitted

Lorraine DuFresne,
Clerk to the Board