



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, MAY 6TH, 2014 10:00 A.M.

DISTRICT COURTROOM

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN

BILL MADDOX
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

BILL SJOVANGEN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Roll Call: Chairman McBride, Vice-Chairman Gilman, Commissioner Sjovangen, Deputy District Attorney Anne Langer, County Manager Pat Whitten, Clerk & Treasurer Vanessa Stephens, Tourism Director Deny Dotson, Outside Counsel Robert Morris, Comptroller Hugh Gallagher, Public Works Director Mike Nevin, Community Services Director Cherie Nevin, Sheriff Gerald Antinoro, Planner Dessie Redmond and Fire Chief Gary Hames.

1. **CALL TO ORDER AT 10:00 A.M.**

The meeting was called to order by the Chair at 10:00a.m.

2. **PLEDGE OF ALLEGIANCE**

The Chair led those present in the Pledge of Allegiance

3. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for May 6, 2014

Mark Joseph Phillips: Item #15 – as it was continued from last meeting when Commissioner Gilman left, he would like it included in the agenda. Item #16 – is listed as a possible action, but it is unclear what action will be taken.

Pat Whitten – on item #15 – It is not unusual for local state or federal elected officials and staff to occasionally leave a meeting for other critical duties. This particular item, while routine, has been challenged before under conflict of interest because there is a Bucket of Blood parking payment on there. So that is why it is back on this agenda.

(Item #11) DISCUSSION/POSSIBLE ACTION: Appeal from Ardagh regarding the Storey County Building Officials determination for building permit fees.

Motion: Continue appeal to an indefinite date, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (summary: Yes=3)

Motion: Approve agenda for May 6, 2014, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (summary: Yes=3)

4. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for April 15, 2014

Motion: Approve minutes of April 15, 2014, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (summary: Yes=3)

CONSENT AGENDA

5. For possible action approval of the First Judicial District Court proposed budgets for fiscal year 2015 in the amount of \$29,045.48 and fiscal year 2016 in the amount of \$29,814.03 for reimbursement from the State Child Support Enforcement Program.
6. For possible approval first reading of Liquor License for Philly's NV located at 420 USA Parkway
7. For possible action approval of Licensing Board First Reading:
 - a. Idea Drilling- General/1997 9th Ave, Virginia, MN (mining contractor)
 - b. Summerwinds Resort Services, LLC - General/164A C Street, VC (timeshare sales)
 - c. Streamline Construction, INC - Contractor/8445 Sierra College Blvd, Granite Bay, CA (contractor)
 - d. Gold Hill Printers - Home Business/1230 Main Street, Gold Hill (printing novelties)
 - e. Intelligrated Systems, LLC - Contractor/7901 Innovation Way, Mason OH

END OF CONSENT AGENDA

Motion: Approve consent agenda for May 6, 2014, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (summary: Yes=3)

8. **DISCUSSION (No Action - No Public Comment):** Committee/Staff Reports

Adam Robello, Chairman Mark Twain Community Center:

- Attendance has been increasing.
- Calendar is filling up.
- Becoming regular participants in the VC parades.
- Mustang Cares Food Program has a new committee leader, Maggie Mahan.
- We will be getting assistance from the USDA with food boxes for the low-income seniors in our community starting today.
- The library is up and running with many books.
- Our bank account is still the same with \$600.
- We are still waiting on repairs. I spoke with Mr. Nevin and he said that as soon as they have free time they will send Jason down to complete them so we may get our permit.

- Neighborhood watch is starting and their meeting is tomorrow at 6pm.
- We've had several political meetings and candidates utilizing the building. Girl Scouts and 4H have shown interest as well.
- Mother's Day tea will be on the 10th at 1:30 and all are invited.
- Our public board meetings are on the third Wednesday of each month.
- Still waiting on the Federal side to hear on the 501c3. It has been submitted and fees have been paid.

Deny Dotson, VCTC:

- Thanks to Suzie Loyer and Hugh Roy Marshall for working with the county on the few things we had with the Grand Prix as well as the other events; Fourth of July, and the Camel Races. We are also working with them on a long term plan to secure a smoother transition on the application process for all of our events.
- It's the 31st year of Chili on the Comstock. It has grown to quite an event. We will be looking at closing the street for two days from Taylor to Union Street. Some merchants enjoy that, and some have questions. Unfortunately, it is one of those things where it is too big for our parking lots and too small to extend to the whole street so we have to find a happy medium.
- Jim Collins saved us a considerable amount of money with a local bid on restoring our billboard at the north end of town. We should have a design for the Comstock History center to approve here in the next couple weeks and we'll get that up.
- This last weekend was our first Flashback Fridays. We put through about four hundred people on Friday that picked up a map, walked through town, went through all of our museums. Some of the early feedback I had was that it was their best day for donations came from Saint Mary's church that they have had in a long time. The Way it Was Museum reported that it was their best merchandise day. Some other folks had some other things that we need to work through, but for our first run, which was kind of a blind run, I was pretty happy with the turnout.

County Manager Pat Whitten asked Mr. Dotson to share details about the three bids they received on the billboard repair. Mr. Dotson reported that there was a bid for about \$90k with all the bells and whistles (very elaborate). Another bid came in at about \$60k to do a board that was dual sided and had some extra stuff on it. Jim Collins was able to completely restore the board with high grade panels, redo the framework with suspension and tie-wires and what-not and some new foundations for \$9960. So it saved us a considerable amount of money to just have a local person do it and hopefully it will be there to outlast us all.

Grants and Emergency Management Coordinator, Cherie Nevin:

- Highlands evacuation drill will take place on May 17th. The evacuation center will be at the VC Middle School. We will also be offering pet micro-chipping and dog licensing open to all Storey County residents from 12-3pm.
- October 18th - we are in the planning stages for the next Storey County Health Fair to be held at Piper's Opera House.
- Thank you to the Fire Department and their fuels crew for the help they gave us a couple weeks ago down at the Lockwood Community Garden removing some weeds and other debris. The volunteers are getting the beds filled up and ready for the summer growing season. Hillside Elementary School is also getting involved now doing some projects. We

have closed the grant for this project and we have one of the best looking gardens around. I've toured a couple of the community gardens in the surrounding area and out of state and ours looks pretty good so thank you to the folks in Lockwood that are working to keep that up and running.

- Thank you to Community Chest and the local 4H club for their help this past week with a couple of seniors and helping them remove a couple of items during the community cleanup event.
- As Adam mentioned, we are starting a commodity senior food program for the Mark Twain community. This is for seniors over the age of sixty that meet certain income guidelines. USDA was out two weeks ago at the food pantry and we signed up three folks then. They'll be delivering those items to Community Chest in Virginia City which is their normal drop on Tuesdays until we get fifteen signed up and then they'll deliver right to their center. USDA will be out again at the next food pantry date to hopefully get some more sign-ups.
- Last week I met with the Nevada Rock Art Foundation and we are working with them on some access issues they are having.
- Dessie, in planning, and I have been working to submit an application which is due tonight at 9pm. It is called the Citizens Institute for Rural Design Grant Program. It is the first time we have ever applied for anything like this. It is a program that provides communities under 50k with access to resources they need to convert ideas into reality. They offer small grants to rural communities to come in and host a 2 ½ day workshop with our staff. They bring in professional designers. The grant award would be for \$7k and we would have to come up with a \$7k in kind match. We have been very successful in getting I think up to 10 letters of support from both our county officials, USDA, the Historic Commission, Tom Grey at the Railroad, and we hope those letters help push our application over the top. We should hear by June weather or not we were successful.
- I will miss the May 19th meeting as I will be traveling with Dessie to Tonopah for two days to attend the CDBG grant administration workshop which is mandatory.

Pam Abercrombie, Community Chest:

- This weekend we had the first annual Cow Dunk in collaboration with Storey County Fire and Sheriff and Lyon County Fire and Sheriff. Lyon County took the trophy for raising the most money and Lyon County Sheriff took the basketball tournament. It was competitive and we had a great turnout and raised almost \$4k for the Classroom on Wheels program.
- The Yard Sale brought in \$600 which will go toward our Global Voice program.
- Pam acknowledged the library director, Kris Klug. We now have an average library use of 55 which is up from 36 in March. She listed some of the new programs. County Manager Pat Whitten asked her to provide more detail on hours and numbers as far as books and usage, which she did including over 12k books, classes, programs, computers, history, budget and fundraising. Comparatively, the \$55k budget compares to over \$100k on the old library which was closed, so Mr. Whitten complimented the value.

Gary Hames, Storey County Fire Protection District:

- Fuel projects are still at the forefront. The chipper working on Geiger had significant mechanical issues, but is back up and running. He explained the legal authority to clear fire hazards and how they have worked with residents, knocked on doors and addressed

minor complaints. He clarified that they are not cutting on private property, but on road and street easements. They have received a threat from one property owner that is being addressed by the Sheriff, but on the flip side, many letters and emails commending the work they're doing.

- Seasonal academy started yesterday. We are ramping up staff and will ramp back down in October.
- Report on equipment maintenance and acquisition.
- Report on reserve staffing.
- Report on volunteer, Kristen Chandler, Secretary/Treasurer who is doing a phenomenal job recruiting.
- The volunteer fire department was the recipient of a Time Share at Lake Havasu in Arizona. They are holding a raffle for airfare, rental car, and seven days at the Time Share. The tickets are \$25 each and will be rolling out shortly to raise funds for the volunteer department.

Dessie Redmond, Planning Department:

- May 15th in Lockwood is the next Planning Commission meeting at the Rainbow Bend Clubhouse at 6pm. It will be a Master Plan Workshop. Bicycle plan will be discussed.
- 200 residents have filled out the community survey. Please continue to spread the word. It can be found on our website or a hard copy may be requested from the Planning Department.
- Lindy, on the planning staff, was recognized and has been working in the Planning Department for about a year.
- Working on the layout for the parking lot design and discussion is welcome in her office.
- Cherie mentioned the CIRD award and she added that three or four landscape design professionals are included in that award and how great it would be to win it.

Mike Nevin, Public Works:

- Thanks to the Lyon County Public Works Department for dropping everything and coming to our rescue on two occasions with their vactor truck in the last couple of weeks.
- The paver project on a section of the C street sidewalk should be completed today. Mentioned that the Comstock Firemen's Museum has contributed \$4250 to that project which is about a third of the cost.
- Working on the repointing of the west wall behind the courthouse.
- Pool is scheduled to open June 16th. We'll be doing repairs and cleanup before the open.
- May 21st there is a preconstruction meeting for the sewer plant and we are just waiting for the USDA signature to get it kicked off.
- Landscaping water is up and operating in all parks and fertilizing is in process.
- Looking to participate with the Storey County School District to replace an old dilapidated retaining wall behind Piper's Opera House building and a portion of the Union Street easement on the south side of the building. They are soliciting grant funding and we may be able to participate in kind from the VC road maintenance fund.

- Five mile reservoir rehabilitation project has been kicked off with a design, engineering and soils analysis with a contract with Far West Engineering. Comstock Mining is participating with a cost share of 50%.
- Assisted the VC Senior Citizen's Center in auctioning off a vehicle that they had received as a donation that needed a lot of repair. It generated \$3450 for them.
- We will be bringing on seasonal intermittent employees and go to summertime hours. Job announcement will go out this week.
- We lost a recirculation pump at the water plant and the new one came from the East coast. We were on a conserve water status for a week. Thank you to all for cooperation.
- Fireman's museum received a grant from someone in Reno and contracted with Collins construction to reconstruct the porch and do some additional work on the front of the building. The commissioners all complimented how it all looks now.

Hugh Gallagher, Comptroller

- Final budgets will be submitted for approval on May 19th and numbers are fairly solid. Asked the public to bring concerns to him before the meeting.
- Mark Twain 501c3 - They have a letter from the IRS to tell them to keep going as they are and they will be approving it shortly.

Sheriff Gerald Antinoro

- There will be a small adjustment on our budget as the Senior Center informed us that they will no longer be providing inmate meals. We will be repairing some equipment and have found a provider that may save us money in the long run as far as food costs.
- Fundraiser last weekend went very well and we look forward to participating again in the future.

County Manager Pat Whitten

- May 19th is a Monday and he made note of that change in the meeting day.
- Finalizing with Mr. Morris and Mr. Maddox advertising the auction of the houses in the parking lot area next door. We hope to be advertised by the next commission meeting and have the auction by the end of the month.
- Engineering plans are underway with Far West for the retaining wall and other lot acquisitions are being looked at. Complimented Dessie Redmond in coming up with the design to make it more than just bare asphalt.
- Thanked Ms. Nevin and Ms. Redmond on their teamwork in procuring resources for the beautification of the area.
- Staff is beginning to devote many hours on the medical marijuana subject. It is controversial and still against Federal law, so options are being considered for certificate applications to the State. How that impacts us, and where it is banned by ordinance is being looked at. Dessie Redmond is the point of contact for this.

9. BOARD COMMENT (No Action - No Public Comment)

None

10. **DISCUSSION/POSSIBLE ACTION:** Approve ordinance 14-257 of the board of county commissioners of Storey county, Nevada authorizing and directing the issuance of a sewer

revenue interim debenture, series 2014 in anticipation of the receipt of certain funds and the issuance and sale of a sewer revenue bond of the county therefor; providing the form, terms and conditions of the debenture, the security therefor, the sale thereof, providing for adoption as if an emergency exists, and providing other details in connection therewith.

Mr. Gallagher introduced Kendra Follett, of Sherman & Howard and explained the attachments and NRS rules and timeframes for adoption. Pat Whitten complimented Ms. Follett and her firm's work.

Mark Joseph Phillips, Storey County Resident: Clarified that this is first reading and asked about second reading after publication. He noted that there was no notice.

Ms. Follett explained that bond financings have a special provision in statute. The legislature acknowledges that there is some urgency to adopting them. Local government securities law, which is chapter 350 as Hugh mentioned (this particular site 355.79) allows for adoption in one reading as if an emergency exists--which is just procedural; no emergency needs to be declared. It is permitted by the legislature so this is the introduction and adoption. It will be published twice by title as provided in NRS 244 and also 350.

Motion: Approve ordinance 14-257 of the board of county commissioners of Storey county, Nevada authorizing and directing the issuance of a sewer revenue interim debenture, series 2014 in anticipation of the receipt of certain funds and the issuance and sale of a sewer revenue bond of the county therefor; providing the form, terms and conditions of the debenture, the security therefor, the sale thereof, providing for adoption as if an emergency exists, and providing other details in connection therewith, **Action:** Approve **Moved by** Vice-Chairman Gilman **Seconded by** Commissioner Sjovangen **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

11. (moved to continue during discussion of item #3 - approval of agenda)

12. **DISCUSSION/POSSIBLE ACTION:** Approve the second reading of Ordinance No. 14-256 changing the name of the 474 fire protection district, amending the description of the boundaries of the 474 fire district to include all of Storey County and deleting Chapter 2.57 of the Storey County Code to reflect the dissolution of the 473 fire protection district.

Deputy District Attorney Bob Morris explained the ordinance and recommended approval.

Motion: Approve the second reading of Ordinance No. 14-256 changing the name of the 474 fire protection district, amending the description of the boundaries of the 474 fire district to include all of Storey County and deleting Chapter 2.57 of the Storey County Code to reflect the dissolution of the 473 fire protection district, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

13. **DISCUSSION/POSSIBLE ACTION:** Approve first reading of ordinance 14-255 deleting Storey County Code chapters 8.12 Fire Hazards, 8.16 Fire and Explosive, and 8.20 Alarm Systems and amending chapter 15.04 Buildings and Construction to adopt new uniform codes including fire and, building and constructions amending chapters 15.04, 15.08 Building Official, and 15.12

Permits to make amendments to the codes for Storey County specific requirements for other properly related matters.

Deputy District Attorney Bob Morris explained the ordinance and recommended approval. He suggested further discussion at second reading on some items for clarification on details specifically on the appeals process.

Motion: Approve first reading of ordinance 14-255 deleting Storey County Code chapters 8.12 Fire Hazards, 8.16 Fire and Explosive, and 8.20 Alarm Systems and amending chapter 15.04 Buildings and Construction to adopt new uniform codes including fire and, building and constructions amending chapters 15.04, 15.08 Building Official, and 15.12 Permits to make amendments to the codes for Storey County specific requirements for other properly related matters, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

The Chair called for a recess at 11:08am; the meeting was reconvened at 11:21am.

14. DISCUSSION/POSSIBLE ACTION: Resolution 14-397 of the Storey County Board of County Commissioners to place an advisory question on the ballot at the 2014 general election regarding a revision to the boundary between Storey County and Washoe County, in an area commonly known as "Sunny Hills."

Deputy District Attorney Bob Morris explained the resolution and recommended approval. He proposed that two small changes be made to language not to change intent or operation. On first page "property is part of the Sunny Hills development" change to "property is part of what is known as Sunny Hills." The next sentence, "The Sunny Hill property lies in both Washoe and Storey County." He asked that the language, still being developed, be strict regarding the general name of the property as Sunny Hills rather than weather or not it is being developed. He has submitted the changes to the clerk for them to sign so they may go ahead and approve the resolution today.

He answered the question of if the board may remove the question from the ballot and the timeframe in which they may.

Vanessa Stephens, Storey County Clerk-Treasurer: A notice is prepared and ready to go into the paper advertising for these committees. People may come to her office and get a form to fill out and go on a list to be for or against and we will come back before the board at a later date to actually appoint these committees and we will begin writing the arguments.

Garrett Gordon, Land Use Counsel for Sunny Hills: Initially was going to ask for a continuance due to major revisions they want to make to the plan. Hearing that there is the opportunity to withdraw the question, he is now okay with the timeframe he has to get more of a consensus on what they are trying to do. He is happy with the language and will fill out a form to be on the "pro" list.

Mr. Whitten commended Mr. Gordon on getting the information to the public independent of the county process. He also explained that Mr. Morris has crafted this resolution strictly to deal with the parcels that are known as Sunny Hills that are situated and identified on the map and in the legal description, and that this is totally independent of any ongoing dialogues and actions on the other

boundary line adjustment that was in that legislative bill as well in an area currently owned by Tahoe Reno Industrial Center.

Lance Gilman noted that the development in Washoe County will go forward with or without this property. This is a wonderful opportunity for the community to really examine what they may be walking away from. If this county comes together in a no vote, this development will go forward and the people in the Highlands will be left with no input on what happens with that property or with their neighborhood. He hopes everyone will truly vet the process and see what they are willing to give up, and be involved in, or not be involved in. He is committed to the voters and what they decide, but hopes they truly consider their options.

Nicole Barde, Virginia City Highlands Resident - asked if the two boundary changes are included together. Mr. Morris explained that the bill divides it into four different sections that separate them. Ms. Bard asked if the resolution is passed, if it is passed as written or if changes may be made to the boundary description by the developer. Mr. Morris said that the legislature set the boundaries and it would be up to them to make any changes.

Dale Beach, Storey County Resident - Clarified that everyone in the county may vote on this.

Motion: Approve resolution 14-397 of the Storey County Board of County Commissioners to place an advisory question on the ballot at the 2014 general election regarding a revision to the boundary between Storey County and Washoe County, in an area commonly known as "Sunny Hills.", **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

15. **DISCUSSION/POSSIBLE ACTION:** Approval of Payroll Check date 03/28/2014 for \$367,647.69, date 04/11/14 for \$472,598.18, date 04/24/14 for \$369,371.63 and Accounts Payable date 04/04/2014 for \$254,057.20 and \$3,052.72 and 04/18/14 for \$689,976.61 and \$4,162.01.

Motion: Approval of Payroll Check date 03/28/2014 for \$367,647.69, date 04/11/14 for \$472,598.18, date 04/24/14 for \$369,371.63 and Accounts Payable date 04/18/14 for \$689,976.61 and \$4,162.01, **Action:** Approve **Moved by** Vice-Chairman Gilman **Seconded by** Commissioner McBride **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

Mark Phillips - asked if the check to the Jeep Posse was issued and cashed even through the controversy.

Dale Beach - doesn't agree in leasing the parking lot and feels it should be gifted to the county.

Motion: Accounts Payable date 04/04/2014 for \$254,057.20 and \$3,052.72, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=2) Chairman McBride abstained from the vote.

COMMUNITY DEVELOPMENT AND PLANNING

16. **DISCUSSION/POSSIBLE ACTION:** An amendment to the Special Use permit 2006-049 to widen a top portion of an existing commercial wireless communications facility (existing "flag-pole" cell tower) from 27 inches to 36 inches diameter in order to accommodate additional

wireless communications antennas. The existing facility applicable to the request for amendment is located at 911 Highway 341 Gold Hill Divide, Storey County, Nevada (APN 002-023-11). This file was continued at the April 17, 2014, Planning Commission meeting so that the applicant may continue working with staff on recommended conditions of approval. The Applicant requests to be heard at the June 5, 2014, Planning Commission and at the June 17 County Commission meeting.

Planner Dessie Redmond recommended continuance.

Mark Joseph Phillips, Storey County Resident appreciates continuing this. He would like the D.A.'s office to clear up the contract with the Jeep Posse before any action is taken. He submitted documents on the property and parcel consolidation.

Pat Whitten explained that there is no fiscal change and is only regarding the special use permit.

Kay Dean, VC Highlands - brought up the lease with the Jeep Posse again as they are entering into an agreement with another cell phone carrier.

Motion: Continue Special Use permit 2006-049 to the June 17, 2014 Board of County Commission meeting, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman
Vote: Motion carried by unanimous vote (**summary:** Yes=3)

17. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit application to convert an existing detached garage into a mother-in-law quarters at 2061 Cartwright Road (APN 003-092-86), Virginia City Highlands (1 acre), Nevada.

Dessie Redmond explained the application and recommended approval. Commissioner Sjovangen mentioned that he drove by the property and cannot see any problems with the permit. Vice-Chairman Gilman noted that the neighbor also sent in a letter of support. Chairman McBride attended the Planning meeting and also supports the permit.

Ms. Redmond read the Findings of Fact:

5.1.10 The Special Use Permit complies with all federal, state, and county regulations.

5.1.20 The Special Use Permit will not impose substantial adverse impacts or safety hazards on the adjacent properties or the surrounding area.

5.1.30 The conditions of the Special Use Permit adequately address potential fire hazards and require compliance with the applicable fire codes, including setback and fire protection ratings.

5.1.40 The conditions under this Special Use Permit do not conflict with the minimum requirements in SCC Chapter 17.40 Estate Zone and Chapter 17.03.150 Special Use Permits, or any other federal, state, or county regulations, including building and fire codes.

Motion: Approve Special Use Permit application to convert an existing detached garage into a mother-in-law quarters at 2061 Cartwright Road (APN 003-092-86), Virginia City Highlands (1 acre), Nevada, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman
Vote: Motion carried by unanimous vote (**summary:** Yes=3)

18. DISCUSSION/POSSIBLE ACTION: To amend Special Use Permit No. 2013-003 include portions of two adjacent parcels and to exclude certain portions of land. The existing SUP boundary includes all land within APN 004-301-06 located approximately in the SE1/4 of the NE1/4 of Section 20 T17N, R21E (MDB&M). The proposed area to be added includes portions of land within APN 800-000-69 located approximately in Section 20 T17N, R21E (MDB&M); and APN 004-301-05, located approximately in the NW1/4 of the NE1/4 of Section 20 T17N, R21E. The modified SUP will exclude any land west and northwest of State Route 341 Right-of-Way. The SUP is for the placement and operation of two portable (temporary) ore processing mills and ancillary uses for the processing of ore originating from the subject property as described in the submitted SUP application, and for the temporary placement of a shelter to house the processing mills

Senior Planner/Administrative Officer Austin Osborne explained the amendment and submitted some correspondence. This proposal expands boundary to include more property to accommodate the facility for milling and mining.

Findings of Fact:

1. SCC Section 17.32.020(N)(Uses subject to a special use permit) required a special use permit for milling and processing related to mining in the Forestry Zone, in which the operation under this SUP, inclusive of all areas of expansion, is located.
2. SUP No. 2013-003-A-1-2014 does not apply to other otherwise regulate mining and extraction. Mining and extraction may take place concurrently with and on the same premises as the processing use under this SUP.SCC 17.32.020(M) provides that mining and extraction are an allowable use in the Forestry zone, but that they are regulated by the provisions of SCC Chapter 17.92, by which a Small Operations Permit is required.
3. The conditions of this SUP are not in conflict with the purpose, intent, and other specific requirements of the Forestry Zone in which the proposed use will be located.
4. The proposed project and the final conditions it creates will not conflict with or cause substantial adverse impacts to surrounding existing land uses.
5. The conditions under this SUP are at least as stringent as and not in conflict with the applicable federal, state, and county regulations. The minimum requirements under SCC Chapter 17.03 (Administrative Provisions) for special use permits are applied to conditions of this SUP.
6. The conditions of approval under this SUP, as amended, impose sufficient regulations on the proposed project to reasonably mitigate associated impacts on the surrounding environment and closest land uses.
7. The conditions of this approval will modify the boundaries of existing SUP No. 2013-003 to exclude all land located west and northwest of State Route 341.

Motion: Approve amending Special Use Permit No. 2013-003 include portions of two adjacent parcels and to exclude certain portions of land. The existing SUP boundary includes all land within APN 004-301-06 located approximately in the SE1/4 of the NE1/4 of Section 20 T17N, R21E (MDB&M). The proposed area to be added includes portions of land within APN 800-000-69 located approximately in Section 20 T17N, R21E (MDB&M); and APN 004-301-05, located approximately in the NW1/4 of the NE1/4 of Section 20 T17N, R21E. The modified SUP will exclude any land west and northwest of State Route 341 Right-of-Way. The SUP is for the placement and operation of two portable (temporary) ore processing mills and ancillary uses for the processing of ore originating from the

subject property as described in the submitted SUP application, and for the temporary placement of a shelter to house the processing mills, **Action:** Approve **Moved by** Vice-Chairman Gilman **Seconded by** Commissioner Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

19. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

- a. Southland Industries - General/114 Megabyte (HVAC, Plumbing Design) TRI
- b. Timmons Group, Inc. - Contractor/1001 Boulders Pkwy, Richmond, VA (Ardagh Supplier)
- c. Cross Check Services, LLC - Contractor/1264 Lanny Lane, Olympic Valley, CA (Forestry)
- d. Conco & Conco Pumping - Contractor/5141 Commercial, Concord, CA (Neptune Contractor)
- e. D.C. Electrical - Contractor/7771 Shalestone Way, Reno (Contractor)
- f. Philly's NV - General/420 USA Parkway (Restaurant) TRI
- g. Mark Twain Community Center - Non-Profit/500 Sam Clemens Street, MT
- h. Randa Accessories - General/700 USA Parkway, TRI

Motion: Approve items a through f, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

Motion: Continue items g and h, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

20. PUBLIC COMMENT (No Action)

Mr. Beach would like people in Mark Twain to clean up their properties. Noted public officials voted out of office.

21. ADJOURNMENT

The meeting was adjourned by the call of the Chair at 12:11p.m.

Respectfully Submitted,

By _____
Vanessa Stephens, Clerk-Treasurer