



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, SEPTEMBER 16TH, 2014 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

AGENDA

MARSHALL MCBRIDE
CHAIRMAN

BILL MADDOX
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

BILL SJOVANGEN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

1. CALL TO ORDER AT 10:00 A.M.
2. PLEDGE OF ALLEGIANCE
3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for September 16, 2014

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. The Commission Chair reserves the right to limit the time allotted for each individual to speak.)

4. For possible action approval of Payroll Checks date 08/29/14 for \$347,107.97. Accounts Payable date 8/25/14 for \$624,706.62 and 9/05/14 for \$167,982.47 and \$3,414.94.
5. For possible action approval of Treasurer report for August 2014
6. For possible action approval of Business License First Readings –
 - a. INTELLISOURCE, LLC – General / 3200 USA Parkway (HR for Zulily) TRI
 - b. AMERICAN EAGLE ELECTRIC, INC. – Contractor / 1055 Industrial Way #6 ~ Sparks (Elect Cont)
 - c. JOHNCO ENTERPRISES – Contractor / 2875 N Escondido Court ~ Reno (Contractor)
 - d. FRAZIER MASONRY CORP – Contractor / 747 East Ave L8 ~ Lancaster, CA (Contractor)

- e. COMSTOCK PAINTING & HANDYMAN - Contractor / 4450 Lousetown ~ VCH (Contractor)
- f. TCR CONSTRUCTION, LLC - Contractor / 3976 Kentwood Court ~ Reno (Contractor)

END OF CONSENT AGENDA

- 7. **DISCUSSION (No Action – No Public Comment):** Committee/Staff Reports
- 8. **BOARD COMMENT (No Action – No Public Comment)**
- 9. **DISCUSSION ONLY (No Action):** Presentation from Mike Kazmierski, President and CEO of Economic Development Authority of Western Nevada (EDAWN), on recent economic development matters pertaining to Storey County and Northern Nevada.
- 10. **DISCUSSION ONLY (No Action):** Provide as overview of the State of Nevada Community Development Block Grant (CDBG) program for the upcoming 2015 grant application cycle.
- 11. **DISCUSSION/POSSIBLE ACTION:** Whether to amend the Storey County Infrastructure Tax plan of projects by adding a sunset date of 10 years and whether to approve the expenditure of the infrastructure tax funds on the following plan projects: Five Mile Reservoir restoration, Gallagher-Clark lot purchase and renovation, increasing the renovation cost to \$750,000, and considering any additional projects on the plan ready for funding.
- 12. **DISCUSSION/POSSIBLE ACTION:** Approve resolution 14-408 for a one-year moratorium to prohibit Medical Marijuana Establishments (MMEs) in Storey County, and providing for other properly related matters.
- 13. **DISCUSSION/POSSIBLE ACTION:** Approve a Lease with an Option to Purchase the courthouse parking lot and surrounding area from THE BUCKET OF BLOOD SALLON, INC. (APN 001-081-01, APN 001-081-02 and APN 001-081-05) \$4,500 per quarter until July 2017 whereupon Storey County can purchase the property on terms set forth.
- 14. **DISCUSSION/POSSIBLE ACTION:** Approval of Agreement for Allocation of Catalyst Funds between the State of Nevada Governor's Office of Economic Development and Storey County with respect to a \$630,000 grant to Ardagh Metal Packaging USA Inc.
- 15. **DISCUSSION/POSSIBLE ACTION:** Approval of Catalyst Fund Reimbursement Agreement between Ardagh Metal Packaging USA Inc; the Economic Development Authority of Western Nevada and Storey County.

COMMUNITY DEVELOPMENT AND PLANNING

- 16. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit Extension & Amendment 2012-014-A-1-2014. By Robert MacLachlan on behalf of Vista Towers, for a property located at 21485 Saddleback Road, Virginia City Highlands, Storey County, Nevada (APN: 003-101-66). The applicant requests an amendment to Special Use Permit 2012-014 in order to modify a condition of the existing permit requiring a contract with one or more cellular carries before construction of

the "mom-pine" wireless communications tower may commence. The Applicant is also requesting an extension to Special Use Permit 2012-014 which, due to inactivity, will expire.

17. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit 2014-016. By Jim Minar on behalf of Supergraphics located at 1 South C Street, Virginia City, Storey County, Nevada at a business commonly known as the Bucket of Blood Saloon (APN: 001-085-11). The applicant requests a Special Use Permit for the placement of a mural on the exterior portion of the building.

18. **FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:**

- a. **AGGREGATE RESOURCE DRILLING, LLC** - Contractor / 4080 Commercial Ave ~ Springfield, OR (rock driller)
- b. **BW CABINETS & DOORS, INC.** - Contractor / 52 Miles Road ~ Carson City (cabinet sales/installer)
- c. **PAUL BROOKS GENERAL CONTRACTOR** - Contractor / 199 East Winnie Lane ~ Carson City, NV (Contractor)
- d. **TFG CONSULTING, LLC** - General / 1273 Lariat Court ~ Minden (Consultant)
- e. **WINDAK, INC.** - Contractor / 1254 26th Street ~ Hickory, NC (servicing equipment in County)
- f. **DAVE'S HANDYMAN SERVICES** - General / 1647 Clover Leaf Drive ~ Sparks (Handyman)
- g. **ARDAGH METAL PACKAGING USA, INC.** - General / 900 Waltham Way (can mfg) TRI
- h. **A-Z WELDING & FABRICATION, LLC** - General / 1215 Alexandria (welding fab) TRI
- i. **ROSSCO ENT., dba AP STAINLESS MFG** - General / 1215 Alexandria (manufacturing)

19. **CORRESPONDENCE**

- a. Letter from Waste Management regarding the Bureau of Labor Statistics consumer price index for garbage and trash collection.

20. **PUBLIC COMMENT (No Action)**

21. **ADJOURNMENT**

NOTICE:

- Anyone interested may request personal notice of the meetings.
- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.
- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners' Office in writing at PO Box 176, Virginia City, Nevada 89440.

In accordance with Federal law and U.S. Department of agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age, disability (Not all prohibited bases apply to all programs.) To file a complaint of discrimination write to USDA, Director, Office of civil rights, 1400 Independence avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or 202-6382 (TDD). USDA is an equal opportunity provider, employer, and lender. The TTY, VCO voice carry over) or HCO hearing carry over) number is 800-326-6868; voice only 800-326-6868. Check the customer Guide section of your telephone book under Services for Individuals with a Hearing or Speech Disability.

CERTIFICATION OF POSTING

I, Vanessa Stephens, Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before September 9, 2014; Virginia City Post Office, Storey County Courthouse, Virginia City Fire Department, Virginia City Highlands Fire Department and Lockwood Fire Department.

By _____
Vanessa Stephens, Clerk-Treasurer



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 0 min

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** For possible action approval of Payroll Checks date 08/29/14 for \$347,107.97. Accounts Payable date 8/25/14 for \$624,706.62 and 9/05/14 for \$167,982.47 and \$3,414.94.

2. **Recommended motion:** Approval of claims as submitted as part of the Consent Agenda

3. **Prepared by:** Hugh Gallagher

Department: Comptroller

Telephone: 775 847-1006

4. **Staff summary:** Please find attached the claims

5. **Supporting materials:** Attached

6. **Fiscal impact:**

Funds Available: NA

Fund: NA

__NA__ Comptroller

7. **Legal review required:**

__NA__ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: Comptroller

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

STOREY COUNTY PAYROLL SYSTEM
Check Register

Rept: PR0510A
Run: 08/27/14 09:57:31

Payroll Type: Regular
Payroll Groups: 1 2 3 4 5 6 7 8
Check Date: 08/29/14
Period-end Date: 08/24/14

Check/	DD #	Emp #/ Ded #	Payee	Amount
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Total User Transfer for EFTPS:				63,479.77
Total Deductor Checks:				5,229.99
Total Employee Checks:				1,438.65
Total Employee Direct Deposit:				266,342.91
Total Employee Deds Xferd on Dir Dep File:				3,296.00
Total User Transfer to Deductor:				7,320.65
Total Disbursed:				347,107.97

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

Report No: PB1390
Run Date : 08/25/14

CHECK FISCAL
NUMBER YEAR RECORD# VENDOR NAME

80087 2015 1768 ST CO TREASURER

STOREY COUNTY

TYPED CHECKS REGISTER

AMOUNT	CHECK TOTAL	CHECK DATE	INVOICE#	DESCRIPTION
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624,706.62		8/25/14		PAY TRI PROPERTY TAX 2014-2015 TAX YEAR
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TYPED CHECKS TOTAL

624,706.62

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION DATE

McClain for H. Gallagher 8/25/14
COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER

Report No: PB1315
Run Date : 09/03/14

STOREY COUNTY
CHECK REGISTER 9/05/14

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80088	ALSCO INC	ST 71 LAUNDRY		9/05/14	70284	13.88	
		ST 72 LAUNDRY		9/05/14	70284	8.77	
		ST 74 LAUNDRY		9/05/14	70284	10.52	
		SHOP		9/05/14	70341	36.59	
		SHOP		9/05/14	70341	41.79	
		CH		9/05/14	70341	27.20	138.85
80089	AM-ARCS OF NEVADA	RESERVATION 8/24/2014		9/05/14	70302	100.00	100.00
80090	AMERICAS PROPANE LP	VC TOURISM		9/05/14	70303	9.99	9.99
80091	ARC HEALTH AND WELLNESS	JEWES		9/05/14	70354	84.00	84.00
80092	AT&T MOBILITY II LLC	ST 74 INTERNET		9/05/14	70285	72.34	
		COURTHOUSE DSL WIRELESS		9/05/14	70347	124.00	196.34
80093	AUTUMN FUNERALS & CREMATI	SEPTIC TANK- CODE 50		9/05/14	70376	610.51	610.51
80094	BAKER, NANCY SUE	AUGUST 14-27, 2014		9/05/14	70304	63.00	63.00
80095	BARS OF NEVADA LLC	BAR BOOKS		9/05/14	70370	78.00	78.00
80096	BERRY ENTERPRISES	HARDWARE INSTALLATION		9/05/14	70337	1,536.00	1,536.00
80097	BURRELL, SCOTT LEWIS	AUGUST 14-27, 2014		9/05/14	70305	4.00	
				9/05/14	70305	21.00	
				9/05/14	70305	392.00	
				9/05/14	70305	28.00	445.00
80098	C & W LOCK, GLASS & SAFE	1705 PERU/ ENTRY LEVERS		9/05/14	70340	320.00	320.00
80099	CAPITAL CITY AUTO PARTS	FIRE CREDIT		9/05/14	70348	6.52-	
		FR51843 OIL, TRAN FLUID		9/05/14	70348	98.05	
		FR51843 FILTER		9/05/14	70348	17.16	
		FR31197 BULBS		9/05/14	70348	11.80	
		FR51843 FILTER		9/05/14	70348	32.82	
		944801 CR		9/05/14	70348	36.78-	
		PW55448 BUS		9/05/14	70348	10.98	
		PW55448 GRAY SEAL		9/05/14	70348	23.96	
		STOCK FILTERS		9/05/14	70348	132.82	
		PW55448 PAINT		9/05/14	70348	21.96	
		FIRE CR		9/05/14	70348	44.97-	
		PW55448 BREATHING CAP		9/05/14	70348	7.57	
		STOCK-OIL		9/05/14	70348	71.94	340.79
80100	CAPITOL REPORTERS	RICARDO ANDERSON, JR		9/05/14	70385	459.20	459.20
80101	CARSON READY MIX INC	VC STOP SIGNS		9/05/14	70342	220.80	220.80
80102	CARSON VALLEY OIL CO INC	PW-UNL & DIESEL		9/05/14	70343	3,257.77	
		PW- UNL & DIESEL		9/05/14	70343	2,978.09	
		VC FIRE DIESEL		9/05/14	70343	831.16	7,067.02
80103	CHURCHILL COUNTY TELEPHON	GARNISHMENT DISBURSED		9/05/14	70358	327.42	327.42
80104	CELCO PARTNERSHIP						

VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80105 COMMUNITY CHEST INC	772236062-00001 IPAD		9/05/14	70350	285.95	
	IT DEPT IPAD		9/05/14	70346	40.01	
	FIRE DEPT IPAD		9/05/14	70286	40.01	
	IPAD DATA		9/05/14	70335	36.24	
	972520095-00001 AIRCARD		9/05/14	70280	5.02	407.23
80106 COMSTOCK CHRONICLE (VC)	YOUTH ACTIVITIES		9/05/14	70300	5,416.00	5,416.00
80107 COMSTOCK GOLD MILL LLC	AUG 15 EDITION		9/05/14	70297	81.00	
	PUBLIC NOTICE PL COMMISS		9/05/14	70329	37.12	118.12
80108 CRESTA, OCTAVIO A	AUGUST 14-27, 2014		9/05/14	70306	48.00	
			9/05/14	70306	9.00	
			9/05/14	70306	48.00	105.00
80109 CROWN BEVERAGES INC	AUGUST 14-27, 2014		9/05/14	70307	32.00	
			9/05/14	70307	120.00	152.00
80110 DAIOHS USA INC	6 CASES SARGAPARILLA		9/05/14	70308	119.70	119.70
80111 DANIELS, ANNETTE	ST 71 WATER		9/05/14	70365	25.95	
			9/05/14	70389	30.95	56.90
80112 DOUGLAS CO SHERIFF OFFICE			9/05/14	70282	250.00	250.00
80113 DOUGLAS COUNTY	REED/DUKE		9/05/14	70353	200.00	200.00
80114 FARMER BROS CO	INTERLOCAL GIS AGREEMENT		9/05/14	70328	27,500.00	27,500.00
80115 FASTENAL COMPANY	COFFEE- LCKWD SENIOR CNTR		9/05/14	70338	55.53	55.53
80116 FERGUSON ENTERPRISES INC	BATTERIES		9/05/14	70357	90.92	90.92
80117 FLYERS ENERGY LLC	HYDRA PLUG CEMENT		9/05/14	70351	35.70	35.70
80118 GAYLE A KERN LTD	LW-DSL & REG		9/05/14	70352	786.45	
	LW-DSL & REG		9/05/14	70352	1,125.55	1,912.00
80119 GRAINGER	GARNISHMENT DISBURSED		9/05/14	70359	478.62	478.62
80120 GRANITE CONSTRUCTION CO	1705 PERU-BUSHING		9/05/14	70362	30.30	
	CAUTION TAPE-STOCK		9/05/14	70362	40.80	71.10
80121 GRANSBERRY, TOM	VC ROAD PATCH		9/05/14	70363	498.48	
	VC ROAD PATCHING		9/05/14	70363	798.67	1,297.15
80122 GREAT BASIN TERMITE & PES	20 HRS EACH WEEK		9/05/14	70404	1,800.00	1,800.00
	ST 72 PEST CONTROL		9/05/14	70287	65.00	
	ST 71 PEST CONTROL		9/05/14	70287	65.00	
	ST 75 PEST CONTROL		9/05/14	70287	65.00	
	ST 74 PEST CONTROL		9/05/14	70287	65.00	260.00
80123 HENRY SCHEIN	CREDIT		9/05/14	70288	38.36-	
	CREDIT		9/05/14	70288	9.01-	
	EMS SUPPLIES		9/05/14	70288	53.00	

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VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80124 HIGHLANDS WIRELESS INC	EMS SUPPLIES		9/05/14	70288	20.04	
	EMS SUPPLIES		9/05/14	70288	387.04	441.99
	EMS SUPPLIES		9/05/14	70288	29.28	
80125 HISTORIC FOURTH WARD SCHO	RESERVATION 8/23/2014		9/05/14	70310	100.00	100.00
	AUGUST 14-27, 2014		9/05/14	70309	28.00	
			9/05/14	70309	16.00	
			9/05/14	70309	147.00	207.00
80126 HOME DEPOT CREDIT SERVICE	COMPTROLLER SHELVES		9/05/14	70367	69.97	
	COMPTROLLER SHELVES		9/05/14	70367	69.97	
	TRI-THERMOSTAT		9/05/14	70367	24.97	
	TRI-DRYWALL SUPPLIES		9/05/14	70367	180.40	
	TRI-POLY SHEETING, SCREWS		9/05/14	70367	88.87	
	TRI JOINT COMP		9/05/14	70367	29.14	
	TRI- READY TEX CEILING		9/05/14	70367	68.25	
	CREDIT- SAKRETE		9/05/14	70367	161.21-	
	TRI COUPLER,HOSE,DROP CLO		9/05/14	70367	60.84	
	TRI-SAKRETE		9/05/14	70367	483.63	
	TRI-READYTEX CEILING		9/05/14	70367	95.55	
	TRI,KILZ,PAINT SUPPLIES		9/05/14	70367	346.54	1,356.92
80127 HOSE & FITTINGS ETC	FRLOADER 72-HOSE		9/05/14	70368	88.81	88.81
80128 HOT SPOT BROADBAND INC	FIRE ST72 INTERNET		9/05/14	70345	79.00	79.00
80129 IT1 SOURCE LLC	SHIPPING CHARGE		9/05/14	70344	10.00	
	HP TONER BLACK X2 RECORD		9/05/14	70344	265.92	
	DATACENTER UPS TRIPPLITE		9/05/14	70344	3,251.94	3,623.20
	LAPTOP RAM UPGRADE IT		9/05/14	70344	95.34	
80130 JEP LLC	CREDIT		9/05/14	70395	14.16-	
	CREDIT REVERSAL		9/05/14	70395	14.16	
	FIRE- SWITCH		9/05/14	70395	76.39-	
	TO CORRECT DOUBLE CREDIT		9/05/14	70395	32.74	
	TO CORRECT DOUBLE PAYMENT		9/05/14	70395	16.19-	
	E-74-SEALS		9/05/14	70395	82.66	22.82
80131 KIECHLER, CHRISTIAN A			9/05/14	70311	4.50	
			9/05/14	70311	54.00	
			9/05/14	70311	54.00	
			9/05/14	70311	22.50	
			9/05/14	70311	837.00	972.00
80132 L N CURTIS & SONS	AUGUST 14-27, 2014		9/05/14	70289	25.00	25.00
80133 LANGUAGE LINE SERVICES IN	KLINGLER BADGE		9/05/14	70281	19.14	19.14
80134 LIFE-ASSIST INC	N		9/05/14	70383	188.20	188.20
80135 LIQUID BLUE EVENTS LLC	EMS SUPPLIES		9/05/14	70312	2,500.00	2,500.00
80136 LIQUID BLUE EVENTS LLC	RED RUN VCCT SPONSORSHIP		9/05/14	70327	2,185.00	2,185.00
80137 LIQUID BLUE EVENTS LLC	SEPTEMBER RETAINER		9/05/14	70327	2,185.00	2,185.00

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80138	LOWTHER, MARGARET	TASTE OF THE COMSTOCK		9/05/14	70381	5,988.00	
80139	MARKEN ENTERPRISES	TASTE OF THE COMSTOCK		9/05/14	70381	1,000.00	6,988.00
80140	METRO OFFICE SOLUTIONS IN	FEE		9/05/14	70299	1,500.00	1,500.00
		REPAIRS		9/05/14	70387	149.41	149.41
		OFFICE SUPPLIES		9/05/14	70283	177.50	
		DYMO LABEL / LABELMAKER		9/05/14	70366	62.14	
		OFFICE SUPPLIES		9/05/14	70290	60.66	
		OFFICE SUPPLIES		9/05/14	70294	85.72	
		OFFICE SUPPLIES		9/05/14	70382	44.61	
		SCISSORS/TAPE CARTR		9/05/14	70382	40.70	
		MAT		9/05/14	70356	36.90	
		TRAY X2		9/05/14	70356	7.12	
		CHAIRMAT		9/05/14	70356	34.06	
80141	MICHAEL HOHL MOTOR CO	SO48325 N CLIP		9/05/14	70364	40.89	590.30
80142	MONARCH DIRECT LLC	RUSSELL NOTARY STAMP		9/05/14	70291	6.22	6.22
80143	MORGAN CONSTRUCTION INC	TRI-WALLSAW		9/05/14	70373	24.67	24.67
80144	MORGAN TIRE OF SACRAMENTO	PW57792-REPAIR		9/05/14	70371	2,300.00	2,300.00
80145	MUNICIPAL CODE CORP	SUPPLEMENT NO 13		9/05/14	70388	42.00	42.00
80146	NC AUTO PARTS	BC70 SERP BELT		9/05/14	70372	3,991.98	3,991.98
		PW55448- WELD THRU		9/05/14	70372	20.36	
		PWL9000-COPPERWELD		9/05/14	70372	47.04	
		CREDIT BATTERY		9/05/14	70372	18.67	
		FES1843 OIL		9/05/14	70372	45.12	
		FIRE POLARIS-MAST DISC		9/05/14	70372	66.36	
		BC70-FILTER KIT		9/05/14	70372	22.79	
		SO56311 BRAKE CALIPR		9/05/14	70372	32.81	
		BC70-DRUM, ROTOR		9/05/14	70372	213.80	
		FREC70- DRUM,PAD SET		9/05/14	70372	162.50	
80147	NEV COMPTROLLER	BC70-DRUM		9/05/14	70372	60.94	
				9/05/14	70372	126.86	727.01
				9/05/14	70331	1,419.00	
				9/05/14	70331	175.00	
				9/05/14	70331	100.00	
				9/05/14	70331	203.50	
				9/05/14	70331	166.00	2,063.50
80148	NEV DEPT HUMAN RESOURCES	JULY COUNTY MATCH		9/05/14	70378	2,474.60	2,474.60
80149	NEV TREASURER			9/05/14	70332	40.00	40.00
80150	NEVADA JOHNS LLC	MT PORTA POTTY		9/05/14	70374	94.00	
80151	NEVADA SPEEDOMETER SERVIC	VCH PORTA POTTY		9/05/14	70374	79.00	173.00
80152	NORTON CONSULTING LLC	FR E74 TACH		9/05/14	70375	189.61	189.61
		STOP SIGNS, POSTS		9/05/14	70393	786.60	

Report No: PB1315
Run Date : 09/03/14

STOREY COUNTY
CHECK REGISTER 9/05/14

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80153	NTU TECHNOLOGIES INC	935, 5 DRUMS		9/05/14	70377	4,350.00	4,350.00
80154	OFFICE DEPOT INC	OFFICE SUPPLIES		9/05/14	70402	58.14	
		OFFICE SUPPLIES		9/05/14	70402	9.15	
80155	OVERHEAD DOOR COMPANY	INK FOR PRINTERS		9/05/14	70330	83.46	150.75
80156	PDM STEEL SERVICE CENTER	TRI-OVERHEAD DOOR		9/05/14	70379	1,485.00	1,485.00
80157	PETRINI, ANGELO D	PW55448- HR ANGLE		9/05/14	70380	50.03	50.03
		AUGUST 14-27, 2014		9/05/14	70314	6.00	
80158	PIERSON, JANET			9/05/14	70314	16.00	
80159	POWERS, IRVING			9/05/14	70314	82.00	104.00
80160	PROFESSIONAL FINANCE CO I	DMV		9/05/14	70369	180.00	180.00
80161	PROTECTION DEVICES INC	NEW OCC HEALTH CENTER		9/05/14	70386	57.25	
		GARNISHMENT DISBURSED		9/05/14	70386	90.00	147.25
80162	RAD STRATEGIES INC	SEPT 27 - DEC 26, 2014		9/05/14	70360	105.30	105.30
		COURT HOUSE MONITORING		9/05/14	70336	75.00	
80163	RADFORD, SANDRA M	7/1, 8/19, 8/05		9/05/14	70334	40.36	
		CLIP SERVICE UNLIMITED		9/05/14	70334	3,000.00	
		SOCIAL MEDIA PROGRAM		9/05/14	70334	3,300.00	6,340.36
80164	RELIANCE STANDARD LIFE IN	AUGUST 14-27, 2014		9/05/14	70315	3.25	
80165	RENO PAINT MART	RETIREE LIFE INSURANCE		9/05/14	70315	12.75	
80166	RENOWN REGIONAL MEDICAL C	TRI-DIVIDER WALL PAINT		9/05/14	70315	46.75	62.75
80167	SAINT MARYS PREFERRED HEA	INDIGENT BORF13		9/05/14	70298	5.10	5.10
80168	SBC GLOBAL SERVICES INC	RETIREE MEDICAL INSURANCE		9/05/14	70390	344.25	
80169	SHOAF, BRIAN ALLEN	VC TOURISM GOLD HILL		9/05/14	70401	2,440.32	2,440.32
80170	SIERRA CHEMICAL COMPANY	AUGUST 14-27, 2014		9/05/14	70301	9,182.02	9,182.02
80171	SIERRA CONTROL SYSTEMS	PRCHL12, DEPOSITS		9/05/14	70316	166.42	166.42
		DEPOSIT REFUND		9/05/14	70317	66.00	
80172	SIERRA PACIFIC POWER CO	FIELD SERVICE		9/05/14	70391	844.73	
		2610 CARTWRIGHT PUMPHSE		9/05/14	70391	194.50-	650.23
		431 CANYON WAY ST 4		9/05/14	70392	1,041.81	1,041.81
		2612 CARTWRIGHT RD RES		9/05/14	70403	32.40	
		145 N C ST UNIT		9/05/14	70403	293.11	
		381 N C ST RESTSTOP		9/05/14	70403	135.18	
		130 TOLL RD BLDG		9/05/14	70403	134.73	
				9/05/14	70403	44.71	
				9/05/14	70403	45.64	

NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK#	TOTAL
80173	SIERRA PEST CONTROL INC	110 TOLL RD BLDG		9/05/14	70403	127.09		
80174	SILVER STATE NATIONAL PEA	100 TOLL RD SHOP 1/2		9/05/14	70403	247.93		
80175	SLOAN S VENABLES	201 S C ST DA		9/05/14	70403	131.04		
80176	SPALLOONE, DOMINIC J III	203 S C ST SO		9/05/14	70403	96.47		
80177	SPB UTILITY SERVICES INC	205 S C ST SO		9/05/14	70403	126.75		
80178	ST CO SCHOOL DISTRICT	911 US HWY 341 JAIL		9/05/14	70403	1,089.80		
80179	ST CO SENIOR CENTER (VC)	500 SAM CLEMENS CCTR		9/05/14	70403	270.29		
80180	ST CO SHERIFF	490 SAM CLEMENS PARK		9/05/14	70403	21.53		
80181	ST CO WATER SYSTEM	100 W SOUTH ST WTR PLNT		9/05/14	70403	1,194.05		
		21 S C ST GASLMP		9/05/14	70403	161.69		
		500 SPANIAL RAVINE RD "V"		9/05/14	70403	75.00		
		205 N E ST VC PARK		9/05/14	70403	33.86		
		SUTTON ST		9/05/14	70403	34.72		
		104 S B ST GARAGE		9/05/14	70403	32.32		
		S C ST UNIT VC		9/05/14	70403	44.19		
		S C ST OUTDOOR/PAL LIGHT		9/05/14	70403	37.45		
		S C ST UNIT VC		9/05/14	70403	198.42		
		CARSON ST BALLPARK		9/05/14	70403	32.32		
		N C ST FIREHS		9/05/14	70403	415.10		
		141 N C ST		9/05/14	70403	361.32		
		26 S B ST COURTHOUSE		9/05/14	70403	1,135.69		
		2220 SIX MILE CANYON		9/05/14	70403	903.46		
		176 N C ST LIGHTS		9/05/14	70403	71.21		
		342 S C ST LIGHTS		9/05/14	70403	100.78		
		531 S C ST LIGHTS		9/05/14	70403	112.02		
		800 PERI RANCH RD		9/05/14	70403	208.67		
		1705 PERU DR		9/05/14	70403	831.36		
		185 N C ST		9/05/14	70403	60.97		
		420 CANYON WAY UNIT B		9/05/14	70403	178.52		
		2141 EMPIRE RD VCH PARK		9/05/14	70403	452.38		
		1000 PERI RANCH RD PARK		9/05/14	70403	32.67		
		2610 CARTWRIGHT FIREHSE		9/05/14	70403	33.29		
		SC COMMISSIONERS ST LIGHT		9/05/14	70403	246.13		
		TOWN OF GH STR LIGHTS		9/05/14	70403	79.05		
						104.66		9,967.97
80173	SIERRA PEST CONTROL INC	BUGS		9/05/14	70355	50.00		50.00
80174	SILVER STATE NATIONAL PEA	AUGUST 14-27, 2014		9/05/14	70318	63.00		63.00
80175	SLOAN S VENABLES	CAMERA SYSTEM		9/05/14	70396	8,201.05		8,201.05
80176	SPALLOONE, DOMINIC J III	CLEANING SUPPLIES		9/05/14	70292	135.00		135.00
80177	SPB UTILITY SERVICES INC	AUGUST SUPPORT		9/05/14	70397	2,255.22		2,255.22
80178	ST CO SCHOOL DISTRICT	AUGUST 14-27, 2014		9/05/14	70319	27.00		27.00
80179	ST CO SENIOR CENTER (VC)	SUPPORT		9/05/14	70293	12,833.00		12,833.00
80180	ST CO SHERIFF	BACKGROUND CHECKS		9/05/14	70296	237.50		237.50
80181	ST CO WATER SYSTEM			9/05/14	70384	119.12		119.12
				9/05/14	70320	154.16		154.16
				9/05/14	70384	130.80		130.80
				9/05/14	70384	130.80		130.80

Report No: PB1315
Run Date : 09/03/14

STOREY COUNTY
CHECK REGISTER 9/05/14

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80182	SUN PEAK ENTERPRISES	AUGUST 14-27, 2014		9/05/14	70384	119.12	
				9/05/14	70384	119.12	
				9/05/14	70384	147.59	
				9/05/14	70384	224.24	
				9/05/14	70384	746.21	
				9/05/14	70384	748.12	
				9/05/14	70384	88.71	
				9/05/14	70384	204.62	
				9/05/14	70384	398.90	
				9/05/14	70384	108.42	
				9/05/14	70384	136.64	
				9/05/14	70384	119.12	
				9/05/14	70384	60.32	
				9/05/14	70384	75.12	
				9/05/14	70320	56.62	
				9/05/14	70321	425.00	
				9/05/14	70321	1,095.00	
				9/05/14	70321	114.00	
80183	THE TOMBSTONE COWBOYS						1,634.00
80184	TJUSSELLING, DICK G	AUGUST 14-27, 2014		9/05/14	70323	70.00	
				9/05/14	70323	24.00	
				9/05/14	70323	300.00	
				9/05/14	70323	1,495.00	
80185	TRI-VENTURES INC	4 CASES WINE		9/05/14	70322	240.00	
				9/05/14	70324	126.00	
				9/05/14	70324	253.00	
80186	UNISOURCE WORLDWIDE INC						379.00
80187	VIRGINIA & TRUCKEE RR CO	REST ROOM SUPPLIES		9/05/14	70394	568.37	
				9/05/14	70325	9.00	
				9/05/14	70325	33.00	
				9/05/14	70325	576.00	
				9/05/14	70325	1,441.00	
				9/05/14	70325	2,673.00	
				9/05/14	70325	418.50	
80188	VIRGINIA CITY TOURS INC	AUGUST 14-27, 2014		9/05/14	70326	4.00	
				9/05/14	70326	316.00	
				9/05/14	70326	1,484.00	
				9/05/14	70326	84.00	
80189	VISION SERVICE PLAN, INC	RETIREE		9/05/14	70295	167.60	
80190	WELHOUSE, RICHARD R	CH WALL REPAIR		9/05/14	70399	3,154.00	
80191	WESTERN ENVIRONMENTAL LAB	LAB		9/05/14	70400	145.00	
80192	WESTERN NEVADA SUPPLY CO	STOCK FLAG KIT		9/05/14	70398	158.40	
		TRI-HONE TH6220D1002		9/05/14	70398	260.31	
80193	3D CONCRETE INC	ROAD BASE VC		9/05/14	70349	677.93	
		ROAD BASE VC		9/05/14	70349	737.41	
							1,415.34
							167,982.47

CHECKS TOTAL

Report No: PB1315
Run Date : 09/03/14
CHECK
NUMBER

STOREY COUNTY
CHECK REGISTER 9/05/14
INVOICE DESCRIPTION P/O # DATE TRANS#
ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

Page 8
CHECK
TOTAL

CHECKS TOTAL 167,982.47 CHECK DATE 9/05/14

COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER

27 WELLS ONE COMMERCIAL CARD

PAYMENT
ADOBE SOFTWARE FOR
AUTH #006738
AUTH #017430
AUTH #053955
C.NEVIN- OFFICEDEPOT
C.NEVIN- ROADPOST
C.NEVIN- USPS
CHAPMAN FALL2014
CONF #4611544201
DA#14122CR
DD ADOBE SYSTEMS
PRE GUIDE
GILMAN MAVERIK
HANSEN FALL 2014
HOTEL FOR NACRAC
JOANIES CREEKSIDE
JW THOLL FENCE
OFFICE DEPOT
OSBORNE DEL RIO
PG AFL ITUNES.COM
PG OLD RED GARTER
PG SAVE MART
PG USAIRWAYS
RECORDER OFFICE
REDS 395 GRILL
SEDDON DMV JEEP
TRANS #509613
TRANS3203465 8/25
08-18-14
08-27-14
452354 8/20

DESCRIPTION DATE TRANS# AMOUNT
STAFF REPORT PREP 9/05/14 247 49.99
CHAPMAN FUEL 8/24 9/05/14 254 26.17
CHAPMAN LUN/DINN 8/23 9/05/14 254 16.90
CHAPMAN FUEL 8/22 9/05/14 254 65.58
COMPUTER MOUSE 9/05/14 245 39.99
SATELLITE PHONE 9/05/14 245 51.85
MAIL GRANT APP TO SERC 9/05/14 245 2.03
TRNG NV CONSTITUTION 9/05/14 254 105.00
CHAPMAN TRNG NACRC 9/05/14 254 586.52
EMERGENCY SHELTER 9/05/14 251 55.00
CREATIVE CLOUD 9/05/14 248 19.99
EFH 9/05/14 255 47.90
CAR GAS 8/19 9/05/14 1439 130.55
TRNG NV CONSTITUTION 9/05/14 254 105.00
BACUS 3 NIGHTS 9/05/14 252 463.80
LUNCH-ADS ASSESS ENHAN 9/05/14 246 14.78
DIVIDE RES FENCE 9/05/14 253 451.08
CALC.FILING DRAWER MIS 9/05/14 246 153.43
CWSD BOARD MEETING DIN 9/05/14 1439 16.18
ITUNES MUSIC FOR PA SY 9/05/14 249 9.99
EDDIE FLOYD PARADE ANN 9/05/14 249 40.00
WATER FOR VISITOR CENT 9/05/14 249 8.97
DALLAS TRVL ADV SHOW 9/05/14 249 297.20
FUEL 8/26 9/05/14 254 40.92
NACRC CONF GIFT 9/05/14 254 28.75
LUNCH- ADS LANDUSE COD 9/05/14 246 13.74
REGISTRATION EXEMPT FL 9/05/14 1439 6.00
REC OFFICE SUPPLY 9/05/14 254 79.88
MAPS-BLM (2) 9/05/14 1439 8.00
DOSEN/FRUIT CUPS 9/05/14 1439 20.00
ANTINORO/LUNCH/WILD HO 9/05/14 1439 56.25
IRC IBC SOFT 9/05/14 1439 403.50

3,414.94
3,414.94

Card Total

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION DATE

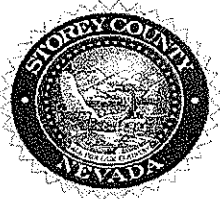
Comptroller #Gallegos 8/13/14
COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER



Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 5 min.

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Approval of Treasurer Report for August 2014

2. **Recommended motion:** Approval of report as submitted

3. **Prepared by:** Vanessa Stephens

Department: Clerk & Treasurer

Telephone: 847-0969

4. **Staff summary:** Report is attached.

5. **Supporting materials:**

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

VS Department Head

Department Name: Clerk & Treasurer

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

STOREY COUNTY TREASURER
TREASURER'S ACCOUNTING
MONTHLY BALANCING SHEET
FOR 08/2014

ACT DESCRIPTION	BAL. FORWARD	RECEIPTS	DISBURSEMENTS	PAYROLLS	JOURN VOUCHERS	TRANSFERS IN	TRANSFERS OUT	ENDING BALANCE
192 HEALTH INSURANCE	1,924.90-	.00	.00	.00	.00	.00	.00	1,924.90-
193 WELLS FARGO USDA CASH	2,990,200.00	.00	.00	.00	.00	.00	.00	2,990,200.00
194 DISTRICT COURT HOLDING	6,931.87	.00	.00	.00	.00	.00	.00	6,931.87
195 CASH IN BANK	544,467.25	204,912.63	.00	.00	.00	.00	.00	749,379.88
197 BUSINESS BANK CARDS	.00	.00	.00	.00	.00	.00	.00	.00
198 B OF A PROPERTY SALES	.00	.00	.00	.00	.00	.00	.00	.00
199 WELLS FARGO CC ACCOUNT	3,313,390.82	4,319,070.77	1,616,266.14-	1,314,775.14-	1,034,102.61	.00	.00	5,735,522.92
191 WELLS FARGO MONEY MARKET	7,159,202.50	.00	.00	.00	.00	.00	.00	7,159,202.50
196 STATE LGIP ACCOUNT	8,178,894.70	.00	.00	.00	.00	.00	.00	8,178,894.70
901 OLD COINS	439.30	.00	.00	.00	.00	.00	.00	439.30
903 PETTY CASH	1,100.00	.00	.00	.00	.00	.00	.00	1,100.00
904 PETTY CASH SHERIFF	2,000.00	.00	.00	.00	.00	.00	.00	2,000.00
905 PETTY CASH ASSESSOR	200.00	.00	.00	.00	.00	.00	.00	200.00
001 GENERAL	5,765,524.96-	2,103,881.15-	218,460.20	718,134.02	601,466.47-	.00	.00	7,534,278.36-
010 INDIGENT MEDICAL	501,547.84-	10,313.04-	4.95	.00	.00	.00	.00	511,855.93-
015 INDIGENT ASSISTANCE -TAX	14.00-	.00	.00	.00	.00	.00	.00	14.00-
020 ROADS	1,276,700.08-	181,657.53-	5,167.91	56,668.35	46,173.54-	.00	.00	1,442,694.89-
024 RESTITUTION	100.00-	.00	.00	.00	.00	.00	.00	100.00-
030 FIRE	385,355.56	.00	.00	.00	.00	.00	.00	385,355.56
035 FIRE EMERGENCY	204,336.90-	.00	.00	.00	.00	.00	.00	204,336.90-
040 FIRE DISTRICT	725,664.66-	.00	.00	.00	.00	.00	.00	725,664.66-
045 MUTUAL AID	88,750.43-	.00	.00	.00	.00	.00	.00	88,750.43-
050 SERVICE	100,000.00-	.00	.00	.00	.00	.00	.00	100,000.00-
060 EQUIPMENT ACQUISITION	144,406.46-	50,050.57-	24.75	.00	.00	.00	.00	194,432.28-
070 CAPITAL PROJECTS	45,627.91-	100,000.00-	106,893.29	.00	.00	.00	.00	38,734.62-
080 INFRASTRUCTURE FUND	2,133,354.28	24,468.25-	.00	.00	.00	.00	.00	2,157,822.53-
090 WATER SYSTEM	1,209,589.80-	69,155.07-	44,723.73	20,451.17	16,774.93-	.00	.00	1,229,344.90-
100 STABILIZATION	1,000,000.00-	.00	.00	.00	.00	.00	.00	1,000,000.00-
110 TOWN OF GOLD HILL	660.00-	.00	.00	.00	.00	.00	.00	660.00-
120 TOWN OF VIRGINIA CITY	.00	.00	.00	.00	.00	.00	.00	.00
130 VIRGINIA DIVIDE SEWER	145,350.25-	33,023.95-	5,570.44	11,387.87	9,277.54-	.00	.00	170,693.43-
135 USDA BOND WELLS FARGO	5,414,240.15-	.00	248,565.13	.00	.00	.00	.00	5,165,675.02-
140 DRUG COURT	500.00-	50.00-	.00	.00	.00	.00	.00	550.00-
150 SCHOOL	142,482.88-	758,151.14-	150,240.78	.00	.00	.00	.00	750,393.24-
160 SCHOOL DEBT	28,114.54-	147,249.58-	29,610.72	.00	.00	.00	.00	145,753.40-
165 TECHNOLOGY FUND	98,885.61-	3,079.56-	412.64	.00	.00	.00	.00	101,552.53-
170 STATE	64,406.26-	226,078.41-	23,800.50	.00	.00	.00	.00	266,684.17-
175 FAIR & RECREATION BOARD	.00	.00	.00	.00	.00	.00	.00	.00
180 DISTRICT COURT	32,884.66-	508.00-	.00	.00	.00	.00	.00	33,492.66-
185 INDIGENT ACCIDENT	8,341.50-	15,213.59-	7.43	.00	.00	.00	.00	23,547.66-
187 JUSTICE COURT FUND	37,752.72-	414.50-	.00	.00	.00	.00	.00	38,167.22-
189 TRI NET	.00	.00	.00	.00	.00	.00	.00	.00
190 PARK FUND	7,784.96-	250.00-	250.00	.00	.00	.00	.00	7,784.96-
200 TRI PAYBACK	1,781,691.96-	43.37-	624,706.62	.00	.00	.00	.00	1,157,028.71-
206 FEDERAL GRANTS	253,015.74-	25,351.72-	37,156.46	.00	.00	.00	.00	241,211.00-
210 SHERIFF'S JAIL BLDG FUND	91,946.09	.00	.00	.00	.00	.00	.00	91,946.09
220 VC RAIL PROJECT	1,224,784.85-	.00	.00	.00	.00	.00	.00	1,224,784.85-
230 VC TOURISM COMMISSION	524,514.54-	99,643.69-	73,503.69	36,433.77	29,432.99-	.00	.00	543,653.76-
250 FIRE DISTRICT	235,747.41	641,426.39-	42,874.59	362,335.31	282,469.06-	.00	.00	282,938.14-
260 FIRE EMERGENCY	.00	.00	.00	.00	.00	.00	.00	.00
270 MUTUAL AID	53,077.34	34,873.89-	4,292.31	109,364.65	48,508.08-	.00	.00	83,352.33
800 UNSECURED TAXES HOLDING	.00	.00	.00	.00	.00	.00	.00	.00
900 SECURED TAXES HOLDING	.00	.00	.00	.00	.00	.00	.00	.00
TOTAL ALL FUNDS	.00	.00	.00	.00	.00	.00	.00	.00

STOREY COUNTY
TREASURER'S ACCOUNTING
Outstanding Checks
1 Through 999999
Check# 0/00/00 - 8/31/14

TP	Check #	Bank Seq	Person #	Vendor/Employee Name	From	Check Date	Amount
CK	79505	199	404213	AUTOMATION ELECTRIC INC	From	7/11/14	320.00
CK	79539	199	404113	DANIELS, ANNETTE	From	7/11/14	125.00
CK	79540	199	404100	DEL CARLO, LINDA	From	7/11/14	324.00
CK	79595	199	103075	NEV SECRETARY OF STATE	From	7/11/14	100.00
CK	79609	199	102589	PUBLIC AGENCY COMPENSATIO	From	7/11/14	128,506.88
CK	79612	199	403902	RADFORD, SANDRA M	From	7/11/14	144.75
CK	79668	199	403671	BURRELL, SCOTT LEWIS	From	7/25/14	993.00
CK	79677	199	99652	COMSTOCK CHRONICLE (VC)	From	7/25/14	130.00
CK	79810	199	404492	EASLEY, JERRY L	From	8/08/14	100.00
CK	79838	199	404494	LINDSEY, LINDA	From	8/08/14	100.00
CK	79839	199	404217	NORTHERN NEVADA SPECIALTY	From	8/08/14	500.00
CK	79870	199	403902	RADFORD, SANDRA M	From	8/08/14	74.50
CK	79882	199	404496	TAHOE FRACTURE & ORTHO	From	8/08/14	618.00
CK	79900	199	403894	VIRGINIA & TRUCKEE RR CO	From	8/08/14	7,279.00
CK	79905	199	403665	WASHOE CO DA	From	8/08/14	325.00
CK	79914	199	103061	ASSESSOR'S ASSOC OF NEV	From	8/22/14	100.00
CK	79917	199	403890	BAKER, NANCY SUE	From	8/22/14	661.50
CK	79919	199	403959	BENDER, DEBORAH	From	8/22/14	113.00
CK	79922	199	403671	BURRELL, SCOTT LEWIS	From	8/22/14	899.00
CK	79938	199	403887	COMSTOCK GOLD MILL LLC	From	8/22/14	173.00
CK	79940	199	403928	CRESTA, OCTAVIO A	From	8/22/14	316.00
CK	79942	199	404466	DAIHOS USA INC	From	8/22/14	108.80
CK	79946	199	404459	EDMONDSON, MARK	From	8/22/14	1,695.00
CK	79965	199	102564	HYDRAULIC INDUSTRIAL SERV	From	8/22/14	6.66
CK	79966	199	103340	INNOVATIVE IMPRESSIONS	From	8/22/14	46.00
CK	79972	199	101315	LOWTHER, MARGARET	From	8/22/14	100.00
CK	79979	199	101228	NEV ADMIN BLDG & GROUNDS	From	8/22/14	8,147.41
CK	79982	199	101265	NEV EMPLOYMENT SECURITY	From	8/22/14	6,354.79
CK	79985	199	102890	NFPA	From	8/22/14	165.00
CK	79990	199	403895	PETRINI, ANGELO D	From	8/22/14	178.00
CK	80043	199	403902	RADFORD, SANDRA M	From	8/22/14	103.25
CK	80049	199	403397	ROAD TECH SAFETY SERVICES	From	8/22/14	1,849.07
CK	80058	199	102980	SIERRA FIRE PROTECTION LL	From	8/22/14	945.00
CK	80059	199	403923	SILVER STATE NATIONAL PEA	From	8/22/14	91.00
CK	80068	199	403901	THE TOMBSTONE COWBOYS	From	8/22/14	2,195.00
CK	80075	199	403894	VIRGINIA & TRUCKEE RR CO	From	8/22/14	7,587.00
CK	80076	199	402965	VIRGINIA CITY FLORAL DESI	From	8/22/14	45.00
CK	80078	199	403723	VIRGINIA HIGHLANDS VFD	From	8/22/14	225.00
CK	80080	199	101932	WASHOE CO SHERIFFS OFFICE	From	8/22/14	20,666.00
PR	34188	199	112	HESS, GREG J	From	7/18/14	1,011.25
PR	34211	199	112	HESS, GREG J	From	8/01/14	1,011.25
PR	34226	199	900307	EMPDED/WASH INS AFTER TAX	From	8/15/14	538.63
PR	34229	199	900501	FIRE FIGHTER ASSOC #4227	From	8/15/14	800.00
PR	34231	199	900615	SHERIFF FEE COLLECTION/GA	From	8/15/14	10.71
PR	34232	199	112	HESS, GREG J	From	8/15/14	1,011.25
PR	34234	199	900200	COLONIAL ACCIDENT	From	8/29/14	70.65
PR	34235	199	900201	COLONIAL LIFE INS. 125	From	8/29/14	50.73
PR	34236	199	900300	THE HARTFORD INS. GROUP	From	8/29/14	2,041.50
PR	34237	199	900301	EMP DED/AFLAC 125 PLAN	From	8/29/14	899.69
PR	34238	199	900302	EMP DED/AFLAC AFTER TAX	From	8/29/14	255.37
PR	34239	199	900303	PACIFIC LIFE INS CO	From	8/29/14	75.00
PR	34240	199	900307	EMPDED/WASH INS AFTER TAX	From	8/29/14	538.63
PR	34241	199	900402	AFSCME/UNION DUES	From	8/29/14	498.42
PR	34242	199	900501	FIRE FIGHTER ASSOC #4227	From	8/29/14	800.00

STOREY COUNTY				TREASURER'S ACCOUNTING	
				Outstanding Checks	
				1 Through 999999	
				8/31/14	
				Amount	
Tr	Check #	Bank Seq	Person #	Vendor/Employee Name	From Check #
PR	34243	199 00	112	HESS, GREG J	0/00/00 - 8/31/14
PR	34244	199 00	1943	PHILLIPS, DAMON	8/29/14
				Bank Total:	8/29/14
				Total:	203,462.34

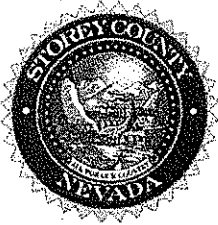
1,011.25
427.40
203,462.34

STOREY COUNTY
TREASURER'S ACCOUNTING
Outstanding Checks
Check# 1 Through 999999
From 0/00/00 - 8/31/14

TP	Check #	Bank	Seq	Person #	Vendor/Employee Name	From	Check Date	Amount
CK	59139	195	00	402939	GBS PARTNERS LLC		12/18/07	17.85
CK	59820	195	00	401195	COUNTRYWIDE HOME LOANS		3/18/08	247.00
CK	60433	195	00	402995	KEVIN T DALEY		5/19/08	25.00
CK	60831	195	00	403053	BUCKWALTER, ERICH		7/01/08	5.98
CK	60895	195	00	403065	PUTT, KRISTINA		7/01/08	7.33
CK	62635	195	00	401478	UEHLING, CLARK		1/16/09	25.94
CK	65338	195	00	403429	LUDWIG, DESIREE		11/20/09	48.46
CK	66214	195	00	402945	FULPER, GRUNDY, BEAD, PTR		3/12/10	180.93
CK	69427	195	00	403681	DECARTERET, BRUCE		4/21/11	20.00
CK	70963	195	00	101269	NEVADA LEGAL SERVICE INC		11/04/11	32.00
CK	72998	195	00	403949	AMERIGAS PROPANE LP		8/10/12	9.99
CK	74064	195	00	404067	HAFNER, DORIS		11/30/12	3.85
CK	74282	195	00	99898	BI STATE PROPANE (CC)		1/03/13	237.22
CK	74515	195	00	403928	CRESTA, OCTAVIO A		1/25/13	33.00
CK	75663	195	00	403959	BENDER, DEBORAH		6/14/13	180.00
CK	75822	195	00	100670	CFOA		6/28/13	150.00
CK	76292	195	00	403753	HOT SPOT BROADBAND INC		8/09/13	79.00
CK	76601	195	00	404279	SMILEY, EUGENE PATRICK		9/06/13	358.20
CK	76645	195	00	10035	C & W LOCK, GLASS & SAFE		9/20/13	27.50
CK	76736	195	00	404288	POWELL, PIERCE		9/20/13	350.00
CK	76870	195	00	404294	NEV DHCFF		10/04/13	282.49
CK	76973	195	00	404302	GEIGER, MARY HELEN		10/18/13	12.10
CK	77078	195	00	403959	BENDER, DEBORAH		11/01/13	30.00
CK	78123	195	00	404235	CARSON VALLEY CHAMBER OF		3/07/14	561.66
CK	78132	195	00	403677	CORELOGIC INC		3/07/14	1,168.00
CK	78215	195	00	103061	ASSESSOR'S ASSOC OF NEV		3/21/14	60.00
CK	78710	195	00	403677	CORELOGIC INC		5/16/14	76.00
CK	78984	195	00	404450	MCCALL, DELEART R		6/13/14	5.45
CK	78988	195	00	403889	MURPHY, MARGO		6/13/14	40.00
CK	79155	195	00	403889	MURPHY, MARGO		6/27/14	40.00
CK	79175	195	00	404471	PUBLIC AGENCY TRAINING		6/27/14	295.00
VP	65511	195	00	100383	FIRST AMERICAN TITLE		12/14/09	40.10
Bank Total:								4,650.05
Total:								4,650.05

AD VAL FOR THE MONTH OF AUGUST 2014

	001 GENERAL	001-500 INDUST GID	150 SCH OP	160 SCH DB	060 CAP AQU	170 STATE	010 IND MED	185 IND ACC	001 YOUTH	250 FIRE/EMER	200 TRI Payback	001 PENALTIES	001-34104 A/R 6%	001-36506 OVRPMT	165 A/R 2%	TOTAL
TREASURER																
1996/1997	\$ 1,594.73		\$ 918.00	\$ 892.54		\$ 183.61	\$ 65.48	18.36	\$ 3.18			\$ 3,800.11				\$ 7,476.01
2009/2010	\$ 114.95		\$ 49.21	\$ 9.49	\$ 3.28	\$ 11.16	\$ 1.98	0.99	\$ 0.29	\$ 35.73		\$ 96.71				\$ 323.79
2010/2011	\$ 403.70		\$ 184.62	\$ 35.62	\$ 11.40	\$ 41.85	\$ 2.46	3.69	\$ 1.11	\$ 124.06	\$ 43.37	\$ 213.00				\$ 1,064.88
2011-2012	\$ 415.35		\$ 175.79	\$ 33.91	\$ 11.71	\$ 39.84	\$ 2.35	3.53	\$ 1.07	\$ 127.67		\$ 768.34				\$ 1,579.56
Special Assess																
Total 2011-2012	\$ 415.35		\$ 175.79	\$ 33.91	\$ 11.71	\$ 39.84	\$ 2.35	3.53	\$ 1.07	\$ 127.67		\$ 768.34				\$ 1,579.56
2012-2013	\$ 1,491.24	\$ 12.55	\$ 634.88	\$ 122.73	\$ 42.39	\$ 144.19	\$ 7.36	11.40	\$ 3.37	\$ 460.04		\$ 617.59				\$ 3,547.74
Special Assess																
Total 2012-2013	\$ 1,491.24	\$ 12.55	\$ 634.88	\$ 122.73	\$ 42.39	\$ 144.19	\$ 7.36	11.40	\$ 3.37	\$ 460.04		\$ 617.59				\$ 3,547.74
Subtotal	\$ 4,019.97	\$ 12.55	\$ 1,962.50	\$ 1,094.29	\$ 68.78	\$ 420.65	\$ 79.63	\$ 37.97	\$ 9.02	\$ 747.50	\$ 43.37	\$ 5,495.75				\$ 13,991.98
2013-2014	\$ 1,827.85	\$ 992.00	\$ 1,193.49	\$ 230.34	\$ 79.04	\$ 270.06	\$ 15.95	23.86	\$ 7.16	\$ 867.20		\$ 831.45				\$ 3,339,328.86
Special Assess																
Total 2013-2014	\$ 1,827.85	\$ 992.00	\$ 1,193.49	\$ 230.34	\$ 79.04	\$ 270.06	\$ 15.95	23.86	\$ 7.16	\$ 867.20		\$ 831.45				\$ 3,339,328.86
TOTAL PRIOR	\$ 5,847.82	\$ 1,004.55	\$ 3,155.99	\$ 1,324.63	\$ 147.82	\$ 690.71	\$ 95.58	61.83	\$ 16.18	\$ 1,614.70	\$ 43.37	\$ 6,327.20				\$ 20,330.38
2014/2015	\$ 669,516.31	\$ 1,017,757.13	\$ 736,097.13	\$ 140,452.28	\$ 48,005.87	\$ 152,241.88	\$ 9,835.67	14,581.69	\$ 4,490.94	\$ 518,751.98		\$ 35.88				\$ 3,311,730.88
Special Assess	\$ 14,127.13		\$ 5,979.66	\$ 1,153.68	\$ 398.64	\$ 1,355.39	\$ 79.73	119.59	\$ 35.88	\$ 4,342.03						\$ 3,339,328.86
TOTAL 14/15	\$ 683,643.44	\$ 1,017,757.13	\$ 732,076.79	\$ 141,605.96	\$ 48,404.51	\$ 163,597.17	\$ 9,915.40	14,701.28	\$ 4,526.82	\$ 523,094.01						\$ 3,339,328.86
TOTAL SECURED	\$ 689,491.26	\$ 1,018,761.68	\$ 735,232.78	\$ 142,930.59	\$ 48,552.33	\$ 164,287.98	\$ 10,010.98	14,763.11	\$ 4,543.00	\$ 524,708.71	\$ 43.37	\$ 6,327.20				\$ 3,359,659.24
Refund Secured																\$ -
REPORT TOTALS	\$ 689,491.26	\$ 1,018,761.68	\$ 735,232.78	\$ 142,930.59	\$ 48,552.33	\$ 164,287.98	\$ 10,010.98	14,763.11	\$ 4,543.00	\$ 524,708.71	\$ 43.37	\$ 6,327.20				\$ 3,359,659.24
ASSESSOR																
2008/2009	\$ 21.05		\$ 9.01	\$ 1.73	\$ 0.59	\$ 2.02	\$ 0.60	0.20	\$ 0.06	\$ 6.55		\$ 4.55	\$ 2.73		\$ 0.91	\$ 50.00
Subtotal	\$ 21.05		\$ 9.01	\$ 1.73	\$ 0.59	\$ 2.02	\$ 0.60	0.20	\$ 0.06	\$ 6.55		\$ 4.55	\$ 2.73		\$ 0.91	\$ 50.00
2013/2014																
TOTAL PRIOR	\$ 21.05		\$ 9.01	\$ 1.73	\$ 0.59	\$ 2.02	\$ 0.60	0.20	\$ 0.06	\$ 6.55		\$ 4.55	\$ 2.73		\$ 0.91	\$ 50.00
2014/2015	\$ 4,283.24	\$ 48,572.64	\$ 22,373.80	\$ 4,317.26	\$ 1,497.65	\$ 5,074.38	\$ 301.46	450.28	\$ 134.43	\$ 16,247.66			\$ 6,733.88	\$ 1.40	\$ 2,245.65	\$ 112,232.73
Overpayment																
TOTAL UNSEC	\$ 4,304.29	\$ 48,572.64	\$ 22,382.81	\$ 4,318.99	\$ 1,498.24	\$ 5,076.40	\$ 302.06	450.48	\$ 134.49	\$ 16,254.21		\$ 4.55	\$ 6,736.61	\$ 1.40	\$ 2,245.56	\$ 112,282.73
MISC																
PX DIST																
PX DIST																
PC Dist																
GRAND TOTAL	\$ 693,795.55	\$ 1,067,334.32	\$ 757,615.59	\$ 147,245.58	\$ 50,050.57	\$ 169,364.38	\$ 10,313.04	15,213.59	\$ 4,677.49	\$ 540,962.92	\$ 43.37	\$ 6,331.75	\$ 6,736.61	\$ 7.65	\$ 2,245.56	\$ 3,471,941.97



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 9-8-14

Estimate of time required: 0 - 5

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Business License First Readings

2. **Recommended motion:** None required (if approved as part of the Consent Agenda)
I move to approve all first readings (if removed from consent agenda by request)

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** First readings of submitted business license applications are normally approved on the consent agenda. The applications are then submitted at the next Commissioners' meeting for approval.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** None

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Community Development

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

Storey County Community Development

Business Licensing

P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

September 8, 2014
Via email

Fr: Stacey Buccianeri

Please add the following item(s) to the **September 16, 2014**, COMMISSIONERS Consent Agenda:

LICENSING BOARD FIRST READINGS:

- A. INTELLISOURCE, LLC – General / 3200 USA Parkway (HR for Zulily) TRI
- B. AMERICAN EAGLE ELECTRIC, INC. – Contractor / 1055 Industrial Way #6 ~ Sparks (Elect Cont)
- C. JOHNCO ENTERPRISES – Contractor / 2875 N Escondido Court ~ Reno (Contractor)
- D. FRAZIER MASONRY CORP – Contractor / 747 East Ave L8 ~ Lancaster, CA (Contractor)
- E. COMSTOCK PAINTING & HANDYMAN – Contractor / 4450 Lousetown ~ VCH (Contractor)
- F. TCR CONSTRUCTION, LLC – Contractor / 3976 Kentwood Court ~ Reno (Contractor)

Inspection Required

ec: Shannon Gardner, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Fritz Klingler, Fire Dept.

Sheriff's Office
Assessor's Office



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 09/16/14

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title:** Discussion/Not For Possible Action: Presentation from Mike Kazmierski, President and CEO of Economic Development Authority of Western Nevada (EDAWN), on recent economic development matters pertaining to Storey County and Northern Nevada.

2. **Recommended motion:** No action recommended.

3. **Prepared by:** Austin Osborne, Administrative Officer

Department: Commissioners

Telephone: 775.847.0968

4. **Staff summary:** Mr. Kazmierski will provide a brief presentation to the Board of County Commissioners on recent developments occurring in Storey County and Northern Nevada with regard to economic development.

5. **Supporting materials:** None.

6. **Fiscal impact:**

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:**

_____ District Attorney

8. **Reviewed by:**

AK Department Head

Department Name: Commissioner's Office

gcs County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 10-15 minutes

Agenda: Consent [] Regular agenda [X] Public hearing required []

1. **Title:** DISCUSSION ONLY: Provide an overview of the State of Nevada Community Development Block Grant (CDBG) program for the upcoming 2015 grant application cycle.

2. **Recommended motion:** None required as this is only an item for discussion.

3. **Prepared by:** Cherie Nevin

Department: Community Services

Telephone: 847-0986

4. **Staff summary:** This is the first in a series of three (3) informational meetings required to meet the conditions of the CDBG Program. The purpose of this public hearing is to provide information about the CDBG program, past projects that have been funded in the Storey County, how to apply, eligibility requirements, how and where funds can be used, and to give citizens an opportunity to make their comments known regarding what types of eligible activities that Storey County should apply for under the State CDBG program. A second public hearing will be held to discuss proposed projects submitted to date. A final hearing will be held to discuss, approve and rank applications prior to submittal to the State.

5. **Supporting materials:** Public Notice
Summary of Past CDBG Program Accomplishments


6. **Fiscal impact:** NONE

Funds Available:


Fund:

____ Comptroller

7. **Legal review required:**

 District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

 County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

**NOTICE OF PUBLIC HEARING FOR DISCUSSION OF POSSIBLE STATE OF NEVADA
COMMUNITY BLOCK DEVELOPMENT GRANT APPLICATION**

Notice is hereby given that Storey County will conduct a public hearing on September 16, 2014 at 10:00 a.m. in conjunction with the Board of County Commissioners Meeting at the Storey County Courthouse in order to discuss possible applications for funding under the next fiscal year's (July 1, 2015 to June 30, 2016) State Community Development Block Grant (CDBG) Program and to solicit citizen input on possible activities to be included in the application. It is estimated that approximately \$2,000,000 will be available in total.

Eligible activities under the above allocation consist of: housing rehabilitation programs, public facility and public improvements projects, public service programs, planning studies, economic development business assistance and microenterprise activities. Eligible activities paid for with the state CDBG funds must meet one or more of the three national objectives listed in CDBG federal statutes as follows: benefit to low income households or persons; elimination of slums and blight; or meeting urgent community development need.

The purpose of this public hearing is to provide information about the CDBG program, past projects that have been funded in the Storey County, how to apply, eligibility requirements, how and where funds can be used, and to give citizens an opportunity to make their comments known regarding what types of eligible activities that Storey County should apply for under the State CDBG program. A second public hearing will be held to discuss proposed projects submitted to date. A final hearing will be held to discuss, approve and rank applications prior to submittal to the State.

If you require special accommodations to participate in the public hearing, please contact Cherie Nevin at 775-847-0986; The TTY, VCO (voice carry over) or HCO (hearing carry over) number is 800-326-6868; voice only 800-326-6868. Check the customer Guide section of your telephone book under Services for Individuals with a Hearing or Speech Disability.

If you are unable to attend the public hearing, written comments may be directed to Storey County Community Services at PO Box 7 Virginia City, NV 89440 or you may telephone Cherie Nevin at 775-847-0986 or contact via email at cnevin@storeycounty.org.

Storey County promotes fair housing and makes all its programs available to low and moderate income families regardless of age, race, color, relation, sex, national origin, sexual preference, marital status or handicap.

Date of Publication in Comstock Chronicle: September 5, 2014

Storey County Summary of Past Accomplishments and Program Outline for the CDBG Program

The purpose of this public hearing is to provide information about the CDBG program, past projects that have been funded in Storey County, how to apply, eligibility requirements, how and where funds can be used, and to give citizens an opportunity to make their comments known regarding what types of eligible activities that Storey County should apply for under the State CDBG program. A second public hearing will be held on October 21, 2014 to discuss proposed project ideas. A final hearing will be held on December 2, 2014 to discuss, approve and rank applications prior to submittal to the State.

In promoting and facilitating Community Development in rural Nevada, the Rural Community Development Division of Nevada Governor's Office of Economic Development administers the State and Small Cities Community Development Block Grant (CDBG) Program.

Established in 1982 and administered by the US Department of Housing and Urban Development (HUD), CDBG funds are spent on projects that help achieve one or more of the following goals:

- the development of suitable living environments
- to provide decent housing
- the creation of economic opportunities in rural parts of the state

Program funds must be spent on projects which primarily serve low- and moderate income persons as well as limited clientele- senior citizens. At this time, the only area of Storey County that qualifies based on the low to moderate income is the Lockwood Community. Projects that benefit limited clientele- senior citizens are eligible throughout the entire county.

Eligible activities under the above allocation consist of: housing rehabilitation programs, public facility and public improvements projects, public service programs, planning studies, economic development business assistance and microenterprise activities. Eligible activities paid for with the state CDBG funds must meet one or more of the three national objectives listed in CDBG federal statutes as follows:

- benefit to low income households or persons
- elimination of slums and blight
- or meeting urgent community development need.

In Nevada there are 26 local government entities that can apply for the State CDBG funds and Storey County is one of those. This year much more focus is being given to economic development projects across Nevada.

The amount of Funds Available for the 2015 application cycle is expected to be around 2 Million Dollars

Each eligible entity is able to submit 2 applications to CDBG. Applications are due to CDBG on January 7, 2014.

Past and Present Storey County Projects funded by or in part by CDBG include:

- Storey County Senior Center Kitchen and Transportation Improvement project in the amount of \$25,000. This project is currently underway.
- Storey County Swimming Pool ADA Upgrades in the amount \$152,000.
- RSVP Rural Transportation Program in the amount of \$63,150. This project is currently underway.
- Rural Nevada Continuum of Care Sponsorship in the amount of \$40,000.
- 2011 – Virginia City Gold Hill Sewer System Upgrades (SCADA system) in the amount of \$83,915.00
- 2010 – Countywide flood plan \$100,000.00
- 2009 – Water & Sewer Master Plan \$125,000.00
- 2009 – Virginia City Wastewater System Design \$150,000.00 (Used to match CORP \$1.2 million grant)
- 2008 – Canyon GID Wastewater Reconstruction Phase II \$200,000.00

We are seeking input from our citizens for ideas on possible projects that you would like to see Storey County apply for in the 2015 CDBG application. Please submit those ideas to Cherie Nevin by October 8, 2014. At the October 21, 2014 County Commissioners meeting, we will present the recommendations for projects that we have received to be considered to move forward to final consideration for the application. At the December 2, 2014, we will come before the commission again and address all comments received and finalize/approve project applications for submission to the State CDBG program.

If you have any questions please feel free to contact Cherie Nevin.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 15 min.

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☒

1. **Title:** Discussion and possible action on whether to amend the Storey County Infrastructure Tax plan of projects by adding a sunset date of 10 years and whether to approve the expenditure of the infrastructure tax funds on the following plan projects: Five Mile Reservoir restoration, Divide Reservoir restoration, Gallagher-Clark lot purchase and renovation, increasing the renovation cost to \$750,000, and considering any additional projects on the plan ready for funding.

2. Recommended motion:

- (a) I move to amend the Storey County Infrastructure Tax plan to add a 10-year sunset date, to remove the Justice Court building purchase, and to increase the Gallagher/Clark cost to \$750,000.
(b) I move to approve the expenditure of infrastructure tax funds on the Five Mile Reservoir restoration, Divide Reservoir restoration, Gallagher-Clark lot purchase and renovation.

3. **Prepared by:** Robert Morris, outside counsel

Department: District Attorney's Office

Telephone: 847-0964

4. Staff summary:

The Board on January 21, 2014, approved extending the infrastructure tax and the plan of projects for the Storey County Infrastructure Tax. The Board on February 4, 2014, then approved Ordinance 13-251 amending the infrastructure tax, which contains the approved plan of projects. NRS 377.100 requires that a sunset date be put in the plan of projects and while there was a discussion at the public hearing about how it would take over forty years to build the plan of projects, the plan did not include a sunset date. (Continued on next page.)

5. **Supporting materials:** Copy of the amended plan of projects.

6. **Fiscal impact:** There is a benefit of using infrastructure tax proceeds already collected for funding projects on the plan of projects.

7. **Legal review required:** Yes

_____ District Attorney

8. **Reviewed by:**

_____ Department Head

Department Name: Comptroller

_____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

4. Staff summary (continued):

This amendment will add a sunset date of 10 years to the plan. This amendment will also remove the Justice Court Building from the plan and increase the cost estimate of the Gallagher/Clark renovation. As discussed by the Board during the approval the plan of projects, it was anticipated that the plan could be amended and that the Board would approve, in an agenda item, the expenditure of funds on specific projects when they were ready to proceed. This item approves the expenditure of infrastructure tax funds on the following listed projects. The Five Mile Reservoir restoration, the Divide Reservoir restoration, and the Gallagher-Clark lot purchase and renovation as well as increasing the estimated cost to \$750,000. NRS requires that the approval of the plan to be made by the Board at a noticed public hearing. This amendment to the plan is noticed as a public hearing and must be approved by two-thirds majority of the Board.

Storey County Infrastructure Tax Plan of Projects

The Board on January 21, 2014 adopted a plan of projects for expenditures out of the Infrastructure Special Revenue Fund. The Board on September 16, 2014 amended the plan to delete the Justice Court building purchase, change the Gallagher/Clark renovation estimated cost to \$750,000, and add a 10-year sunset date of January 20, 2024.

Public Works, Water	Estimated cost
Replacement Lakeview water line	3,000,000
Five Mile Reservoir	300,000
Divide Reservoir restoration	80,000
Building and Grounds	
V & T Depot purchase	600,000
V&T restoration	300,000
Gold Hill Depot restoration	250,000
Court House remodel	250,000
Fire Station #72 purchase	250,000
DA/Sheriff Building purchase	300,000
Justice Court building purchase	450,000
Land Purchases	
Gallagher/Clark lot	250,000
Gallagher/Clark renovation	750,000 300,000
Eaton's lot	100,000
Eaton's lot renovation	100,000
Curtis lot	100,000
Community Development	
Mark Twain	
Flood control	50,000
Community Center	25,000
Lockwood	
Flood control	30,000
Community Center	30,000
Community garden	10,000
TRI	
County road repair	500,000
County drainage and erosion	100,000
Communications	
Cassidian Patriot Vesta	180,000
Painted Rock	
Bridge repair	25,000

These are not to exceed totals with the possibility of the Board changing the cost estimates and financing coming from other sources. Total estimate for this plan is \$7,605,000.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 30 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion and possible action to approve a resolution for a one-year moratorium to prohibit Medical Marijuana Establishments (MMEs) in Storey County, and providing for other properly related matters.

2. **Recommended motion:** I [Commissioner] move to approve Resolution Number 14-408.

3. **Prepared by:** Bill Maddox, District Attorney and Dessie Redmond, Planner

Department: Planning Department

Telephone: 847-1144

4. **Staff summary:** Senate Bill (SB) 374, commonly referred to as the "Medical Marijuana Act," was adopted by the Nevada Legislature and signed into law in 2013. The Medical Marijuana Act authorizes MMEs in Nevada, including dispensaries, cultivation facilities, production facilities, (continued on page 2)...

5. **Supporting materials:** Resolution No. _____

6. **Fiscal impact:**

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:** Yes

_____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

_____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. _____

Staff Summary (continued from page 1)

...and testing labs, but gives local jurisdictions the right to opt out or, if they opt in, to regulate the location of MMEs through zoning and business license requirements. The State Board of Health (SBOH) adopted regulations (R004-14P) in March 2014 and those regulations were passed to the Legislative Commission who adopted them in April 2014. The SBOH accepted MME applications from August 5-18, 2014. They have 90 days to "rank" and review each complete application. The SBOH will rank and score the applications, based strictly and objectively on merit. In early November, 2014, the results will be announced, and those applicants who are eligible for a Provisional Certification for a MME will then work with the local jurisdictions for additional permits and licenses, if the local jurisdictions allow MMEs.

Staff is recommending a one-year moratorium to prohibit MMEs in Storey County. This will allow Staff a reasonable and responsible amount of time to evaluate and assess the potential impacts on how MMEs affect communities who permit them. Due to these regulations being newly implemented, there may be negative impacts to said communities that are unknown. Staff believes after a year of the new regulations being implemented, the County can evaluate how MMEs affect said communities and proceed forward with the Board's determination whether to allow or prohibit MMEs within the County. After the one-year moratorium, the Board will ultimately need to make a final determination on whether to allow or prohibit MMEs from locating within Storey County. If the Board chooses to allow MMEs, business licensing and zoning regulations/controls will need to be in place. Direction to Staff should be given if the Board chooses not to impose the one-year moratorium to prohibit MMEs in the County.

RESOLUTION NO. 14-408

RESOLUTION OF THE STOREY COUNTY BOARD OF COUNTY COMMISSIONERS
IMPOSING A TEMPORARY MORATORIUM ON MEDICAL MARIJUANA
ESTABLISHMENTS AND TEMPORARILY PROHIBITING THE COUNTY FROM
ACCEPTING ANY APPLICATIONS OR REQUESTS TO OPERATE, PERMIT, OR
LICENSE ANY MEDICAL MARIJUANA ESTABLISHMENTS.

BE IT HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, STOREY
COUNTY, NEVADA

WHEREAS, SB 374 was adopted by the Nevada Legislature during its 77th Session and approved by the Governor of the State of Nevada on June 12, 2013, the majority of which has been codified in NRS Chapter 453A1 Medical Marijuana; and

WHEREAS, provisions of SB 374, require the Division of Public and Behavioral Health of the Department of Health and Human Services of the State of Nevada ("Division") to promulgate regulations for the consideration of applications and the issuance of certificates to allow the operations of medical marijuana establishments² in the State of Nevada, and specifically in the County of Storey; and

WHEREAS, SB374 mandates the Division finalize these regulations on or before April 1, 2014, and further the Division has stated it will not accept medical marijuana establishment applications until the Summer of 2014, and at the earliest will issue certificates for medical marijuana establishments in the Fall of 2014;and

WHEREAS, SB374 requires an applicant for a medical marijuana establishment to provide to the Division proof of licensure with the applicable local government or a letter from the local government confirming that the proposed medical marijuana establishment is in compliance with local zoning regulations and building requirements; and

WHEREAS, SB374 and the Division's currently proposed regulations, provide that a medical marijuana establishment registration certificate issued by the Division shall be provisional until such time as the establishment is in compliance with all applicable local governmental ordinances or rules, and the local government has issued a business license, if applicable, for the operation of the establishment; and

WHEREAS, the Storey County Code currently does not allow for any medical marijuana establishments or uses as contemplated by SB 374, nor does Storey County have a general business licensing code, thus medical marijuana establishments are not allowed, and development permits cannot be issued specifically for the construction of structures to house any of the medical marijuana establishments as contemplated by SB 374 and incorporated into NRS 453A; and

1 SB 374 and NRS 453A.370 allows the Division to adopt and codify regulations in the Nevada Administrative Code.

2 SB374 and NRS 453A.116 defines a "medical marijuana establishment" as: 1) an independent testing laboratory; 2) a cultivation facility; 3) a facility for the production of edible marijuana products or marijuana infused products; 4) a medical marijuana dispensary; or 5) a business that has registered with the Division and paid the requisite fees to act as more than one of the aforementioned establishments. SB374 (2013) at § 8.3.

WHEREAS, as some potential applicants for State medical marijuana establishment certificates might attempt to assert that a medical marijuana establishment is a use contemplated and allowed by the Storey County Code (SCC), including Title 17, the Storey County Board of County Commissioners desire to make clear that Storey County's Code, including Title 17, as drafted, does not permit any of the medical marijuana establishments or associated uses as contemplated by SB 374 and Nevada Revised Statutes; and

WHEREAS, the Storey County Board of County Commissioners further desires to take a responsible amount of time, which is reasonably necessary to thoughtfully consider and evaluate the Division's adopted regulations and application process, policy considerations, legal implications, any impact on Storey County fiscal resources and staff, conformance with the Storey County Master Plan, any impact on quality of life for Storey County residents, any impact on the character and desirable features of Storey County per NRS 278.250, as well as the impact on the health, safety, morals and general welfare of the community as required by NRS 278.020; before determining whether medical marijuana establishments should be restricted within Storey County, either by designating the use as prohibited or if allowed, what zoning controls are appropriate. Thus the County desires to temporarily place a moratorium on medical marijuana establishments, prohibit medical marijuana establishments as an allowed use within Title 17, and temporarily prohibit the County, through its personnel from accepting any land use applications, development permit applications, business license applications, building permit applications or any other application or request to operate or otherwise license or permit any of the medical marijuana establishments or associated uses as contemplated by SB 374 and incorporated into Nevada Revised Statutes or Nevada Administrative Code; and

WHEREAS, the Storey County Board of County Commissioners, based on the above, directs an ordinance to be brought forward for its consideration imposing a temporary moratorium, not to exceed 360 calendar days, designating medical marijuana establishments as a prohibited use, and prohibiting the acceptance and consideration of any and all land use applications, development permit applications, business license applications, building permit applications or any other application or request to operate or otherwise license or permit any of the medical marijuana establishments or associated uses as contemplated by SB 374 and incorporated into Nevada Revised Statutes or Nevada Administrative Code.

NOW, THEREFORE, BE IT RESOLVED THAT: the County and its personnel shall not accept, nor consider, any land use applications, development permit applications, business license applications, building permit applications or any other application or request to operate or otherwise license or permit medical marijuana establishments or associated uses as contemplated by SB 374 and incorporated into the Nevada Revised Statutes or Nevada Administrative Code.

BE IT FURTHER RESOLVED, that this resolution shall be effective upon the date of adoption.

PROPOSED AND ADOPTED this _____ day of September 2014.

THOSE VOTING AYE

THOSE VOTING NAY

ADOPTED this _____ day of September 2014.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
Marshall McBride, Chairman

Attest:

Vanessa Stephens, Clerk and Treasurer

Storey County Board of County Commissioners


Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 15 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion and possible action to approve a Lease with an Option to Purchase the courthouse parking lot and surrounding area from THE BUCKET OF BLOOD SALOON, INC. (APN 001-081-01, APN 001-081-02 and APN 001-081-05) \$4,500 per quarter until July, 2017 whereupon Storey County can purchase the property on the terms set forth.
2. **Recommended motion:** I move to approve a Lease with an Option to Purchase the courthouse parking lot and surrounding area from THE BUCKET OF BLOOD SALOON, INC. (APN 001-081-01, APN 001-081-02 and APN 001-081-05) \$4,500 per quarter until July, 2017 whereupon Storey County can purchase the property on the terms set forth
3. **Prepared by:** William A. Maddox
Department: District Attorney **Telephone:** 847-0964
4. **Staff summary:** Storey County presently leases APN 001-081-05 for \$4,500 per quarter. This will add APN 001-081-01 and APN 001-081-02 for the same rental amount and it gives the county the option to purchase APN 001-081-01, APN 001-081-02 and APN 001-081-05 at the same square footage cost as the Clark/Gallagher properties already purchased or at an appraised value whichever value is less.
5. **Supporting materials:** Lease Agreement with an Option to Purchase
6. **Fiscal impact:** Yes

Funds Available: Yes Fund: General Fund _____ Comptroller
7. **Legal review required:** (if yes the district attorney must sign off by initialing)
8. **Reviewed by:**
 Department Head Department Name: _____
_____ County Manager Other agency review: _____
9. **Board action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modifications
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

Agenda Item No.

COURTHOUSE PARKING LEASE WITH OPTION TO PURCHASE

This Lease is entered into this _____ day of _____, 2014 by and between the Bucket of Blood Saloon, Inc., hereinafter "Lessor," and Storey County, hereinafter "Lessee."

WITNESSETH

WHEREAS, Lessor is the owner of the real property to the south side of the Courthouse on B Street in Virginia City, Nevada, which is presently partially leased by Lessee for parking of vehicles, and

WHEREAS, Lessor owns two other parcels of property contiguous with the property presently being leased by Lessee, and

WHEREAS, Lessor and Lessee desire to amend the present lease to add the two additional parcels to the lease at the same lease rent and on the same terms and conditions which are set forth below.

NOW, THEREFORE, IT IS AGREED:

1. **LEASED PREMISES.** The term "Leased Premises" means the parcels of real property to the south side of the Courthouse on B Street in Virginia City, Nevada owned by the Bucket of Blood Saloon, Inc, and more particularly described in Exhibit A, attached hereto and incorporated by reference herein.
2. **TERM OF LEASE.** The term of the present lease commenced July 1, 2012, and ends at noon on June 30, 2017. At the end of the lease term Lessor and Lessee may renegotiate the terms of a new lease, although neither party is obligated to do so. This new Lease Agreement gives an Option to Purchase to Lessee.
3. **RENT.** Lessee agrees to pay to the Lessor and Lessor agrees to accept as rental for the leased premises the sum of \$4,500 per quarter, payable on the first day of July, 2012, and on the first day of each quarter thereafter during the lease term.
4. **PARKING BY THE PUBLIC.** It is agreed that during non-courthouse hours the public shall be permitted to park in all areas leased to Lessee hereunder. In this regard Lessee shall post signs at the Leased Premises advising the public of the evening hours, weekends, and holidays that public parking is available. In the event Lessee needs parking at times otherwise open to the public, Lessee may cover signs to prevent the public from parking at the leased premises.

5. LIABILITY INSURANCE. Lessee shall obtain a broad form comprehensive coverage policy of public insurance for the Leased Premises, and name Lessor as an additional insured during the lease term. Lessee shall provide Lessor with a certificate of insurance coverage provided by the insurance company at each renewal date during the lease term.

6. MAINTENANCE OF LEASED PREMISES. Lessee shall maintain the leased premises in a manner suitable for public and private parking purposes and shall not permit waste of the premises and shall not permit the use of said premises for any unlawful purpose.

6. DESTRUCTION OF LEASED PREMISES. Should any part of said leased premises be destroyed or rendered unusable during the lease term because of earthquake, fire, casualty, flood, subsidence, caving, or any other cause not the fault of Lessee, this lease may be terminated by either Lessor or Lessee upon 30 days written notice, unless Lessor exercises Lessor's option to repair and restore the premises to usable condition at Lessor's cost and expense. Alternatively, the parties may agree to an abatement of rent for any portion of the leased premises not usable.

7. SUBLEASING AND ASSIGNING. Lessee shall not encumber, assign or otherwise transfer this Lease, or any right or interest herein, without the express written consent of the Lessor first had and obtained. Any encumbrance, assignment or transfer without the prior written consent of Lessor is void and of no effect, and shall, at the option of the Lessor, terminate this lease.

8. NOTICES. Any notices or other communications required or permitted by this Lease or by law to be served on or given to either party hereto by the other party hereto shall be in writing and shall be deemed duly served and given when personally delivered to any officer or manager of the Lessor or Lessee, to whom it is directed or, in lieu of such personal service, when deposited in the United States mail, first class postage prepaid, addressed to the parties at their addresses set forth below.

TO Lessor:

Marshall L. McBride
Treasurer Bucket of Blood Saloon, Inc.
Drawer E
Virginia City, NV 89440

TO Lessee:

Storey County Board of Commissioners
PO Box 176
Virginia City, NV 89440

9. RIGHT OF FIRST REFUSAL If Lessor desires to sell the leased premises prior to July 1, 2017, Lessee shall have a right to exercise the Option to Purchase set out below on the terms and conditions set out therein.

10. OPTION TO PURCHASE Lessor hereby grants to Lessee the option to purchase the Leased Premises subject to the following terms and conditions.

A. The option to purchase may not be exercised prior to July 1, 2017.

B. The option to purchase shall not be effective if Lessee is in default under any of the terms of the Lease and Purchase Option at the time Lessee attempts to exercise the option.

C. The purchase price at the time of the exercise of the option to purchase shall be the value of the Leased Properties as determined by a MAI appraiser or the same square foot price paid for 62 South B Street (APN 001-081-06) and 82 South B Street (APN 1-081-07) whichever price or value is less. The MAI appraiser shall be agreed upon by both parties. If Lessor is not satisfied with the appraisal, Lessor may have another appraisal done by another MAI appraiser and the average of both appraisals shall be the appraised value.

D. Lessee shall exercise the option by giving Sixty (60) days written notice to Lessor. Within Fifteen (15) days after such notice unless otherwise agreed to by the parties, the parties will meet and except for the purchase price, negotiate the terms of purchase of the Leased Premises.

E. Lessee shall pay all costs of escrow to include escrow fees, premiums for the policy of title insurance, and any recording fees.

F. This option is personal to Lessee and shall not be assigned.

11. ATTORNEYS FEES. Should any litigation be commenced between the parties concerning the subject matter hereof, the party prevailing in such litigation shall be entitled, in addition to such other relief as may be granted, to a reasonable sum as and for attorneys' fees and costs in the litigation which shall be determined by the court.

12. BINDING ON SUCCESSORS AND ASSIGNS. This Lease shall be binding on and shall inure to the benefit of the successors and assigns of the parties, but nothing in this paragraph shall be construed as a consent by Lessor to any assignment of this Lease by Lessee.

13. TIME OF THE ESSENCE. Time is expressly declared to be of the essence of this lease.

14. SOLE AGREEMENT. This document constitutes the sole and only agreement between Lessor and Lessee respecting said premises or the leasing of said premises. It correctly sets forth the obligations of Lessor and Lessee to each other as of its date, and any agreements or representations respecting said premises, or their leasing by Lessor to Lessee not expressly set forth in this instrument are null and void.

15. AMENDMENTS. This Lease may not be amended except by an instrument in writing executed by the parties hereto.

16. APPLICABLE LAW. Any dispute concerning this lease or the subject matter hereof shall be determined by the laws of the State of Nevada. Venue for any litigation hereunder shall be in Storey County, State of Nevada.

IN WITNESS WHEREOF, the parties have executed this Lease the day and year first above written.

BUCKET OF BLOOD SALOON, INC., Lessor

By: _____
Steve McBride, Secretary

STOREY COUNTY, Lessee

By: _____
Pat Whitten, County Manager

EXHIBIT A

APN 001-081-01

Being a portion of Lot 20 Block 103 Range "A" Virginia City, Storey County, Nevada and being described as follows:

Beginning at the Southwest corner of said Lot 20; Thence from said point of beginning and along the east boundary of A street north 23 fee; Thence east at right angles 23.25 feet to a point; Thence North at right angles 23 feet to the South boundary of Lot 18, in said Block and Range; thence along the said last mentioned boundary eat 23 fee to the West boundary of Lot 19, in said block and range; Thence along the West boundary of Lots 19, 21, and 23, in said Block and Range 71 feet to the Southeast corner of said Lot 20, Thence along the South boundary of said lot 20 West 46 feet More or less to the POINT OF BEGINNING.

APN 001-081-01

Lots 22 and 24 in Block 103 Range "A", Virginia City, Storey County.

APN 001-081-01

West 39 feet, 8 inches, of Lots 26 and 27, Block 103, Range "A", Virginia City, Storey County, Nevada.

Excepting therefrom the lands, contained in the Decree Quieting Title recorded September 22, 1975 in Book 2 of Official Records at Page 567, Storey County, Nevada.

APN 001-081-02

Block 103, Range A, Lots 12, 14, 16, 18, and the Northwest 1/4 of Lot 20, Virginia City, Storey County, Nevada.

APN 001-081-05

Lots 11, 13, and 15, Lob 103, Range "A", Virginia City, County of Storey, State of Nevada, as shown on the official plat map thereof.

Project Area and Parcel Numbers



Material will be available at the meeting
for Items #14 and #15



Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 20 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/Possible Action: Special Use Permit Extension & Amendment 2012-014-A-1-2014.** By Robert MacLachlan on behalf of Vista Towers, for a property located at 21485 Saddleback Road, Virginia City Highlands, Storey County, Nevada (APN: 003-101-66). The applicant requests an amendment to Special Use Permit 2012-014 in order to modify a condition of the existing permit requiring a contract with one or more cellular carriers before construction of the "mono-pine" wireless communications tower may commence. The Applicant is also requesting an extension to Special Use Permit 2012-014 which, due to inactivity, will expire.

2. **Recommended motion:** In accordance with the recommendation by the Storey County Planning Commission and Staff, the Findings under section 4.1 of the Staff Report and other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I [Commissioner] hereby move to approve with conditions for Special Use Permit Application Number 2012-014-A-1-2014 for an amendment and extension to Special Use Permit 2012-014 and the extension of SUP pursuant to SCC 17.03.150 (G).

3. **Prepared by:** Dessie Redmond, Planner

Department: Planning Department

Telephone: 847-1144

4. **Staff summary:** The Applicant requests an amendment to Special Use Permit 2012-014 in order to modify a condition of the existing permit requiring a contract with one or more cellular carriers before construction of the "mono-pine" wireless communications tower may commence. The Applicant is also requesting an extension to Special Use Permit 2012-014 which, due to inactivity, will expire.

5. **Supporting materials:** Staff report, exhibits and appendices.

6. **Fiscal impact:** None on local government.

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440
Phone (775) 847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: September 16, 2014 at 10am

Meeting Location: Storey County Courthouse - 26 South B Street, Virginia City, Nevada 89440

Staff Contact: Dessie Redmond, Planner

File: 2012-014-A-1-2014

Applicant: Daniel Davis

Property Owner: Carmen Kuffner

Property Location: 21485 Saddleback Road, Virginia City Highlands 1 Acre Estates, Storey County, Nevada (APN: 003-101-66)

Figures: Figure 1-Vicinity Map; Figure 2-Zoning Map; Figure 3-Site Photos; Figures 4-Uses on Abutting Parcels

Appendix: Appendix 1-Letter Submitted by Applicant; Appendix 2-April 5, 2012 SC Planning Commission Staff Report; Appendix 3-April 5, 2012 Amendment to the Staff Report; Appendix 4-June 19, 2012 SC Commissioner's Office and Planning Staff Recommendation Summary

Guiding Documents: Storey County Code-Sections 17.03.150 Special Use Permit (Conditional Use), 17.40 Estates and the Storey County Master Plan

Request: An amendment to Special Use Permit 2012-014 in order to modify a condition of the existing permit requiring a contract with one or more cellular carriers before construction of the "mono-pine" wireless communications tower may commence. The Applicant is also requesting an extension to Special Use Permit 2012-014 which, due to inactivity, will expire.

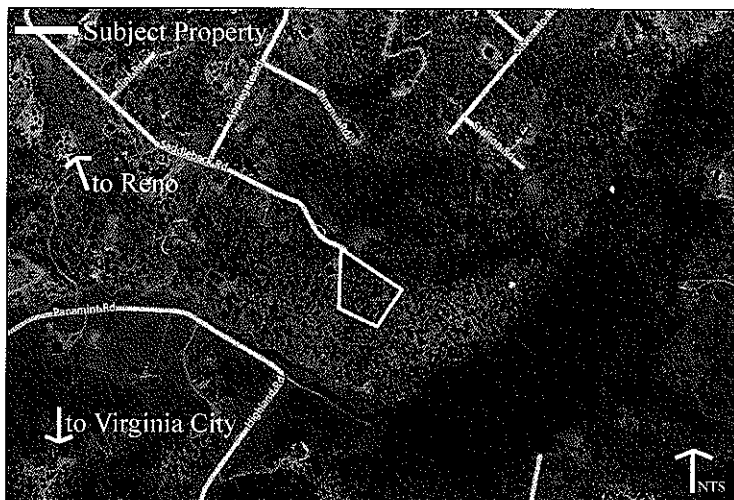


Figure 1 - Vicinity Map

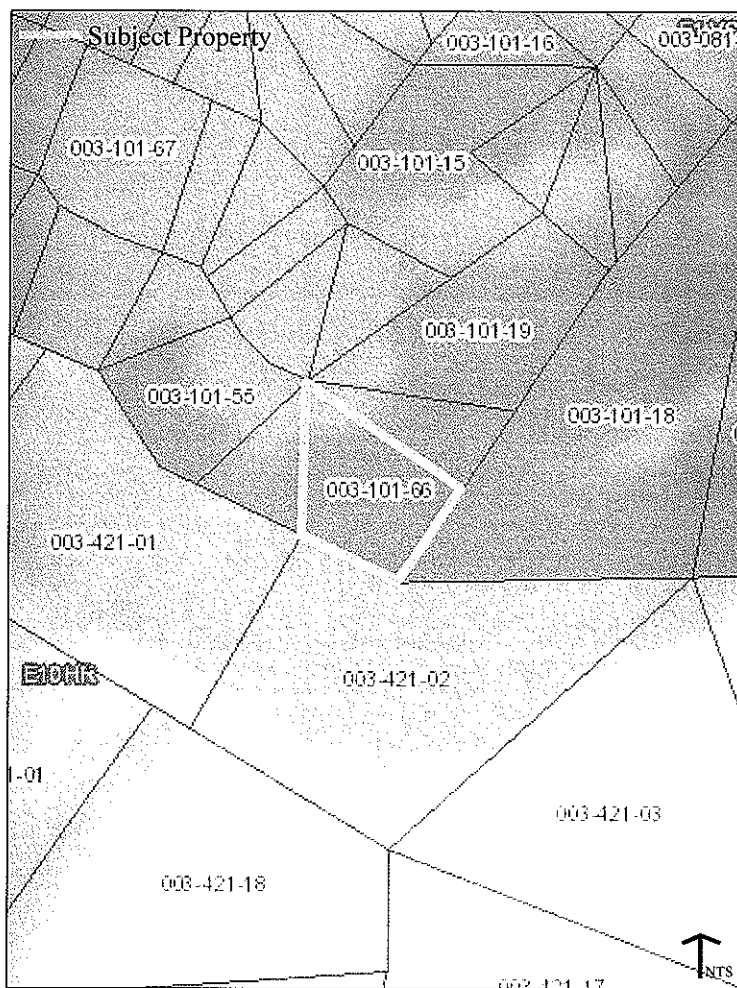


Figure 2 - Zoning Map

1. BACKGROUND & ANALYSIS

1.1 Site Location and Characteristics

The subject property is located at 21485 Saddleback Road in the Virginia City Highlands in Storey County, Nevada (Assessor Parcel Number (APN) 003-101-66). The property is approximately 2.82 acres and is owned by Carmen Kuffner. Virginia City is approximately 7 miles to the south, and Reno is approximately 21 miles to the northwest (Figure 1 - Vicinity Map). The subject property is zoned Virginia City Highlands One Acre Estates (E1 VCH) (Figure 2 - Zoning Map). The subject property is currently vacant. (Figures 3: Site Photo).

The subject property is accessed off Geiger Grad Road, via Cartwright and off of Saddleback Road.

1.2 Background

There is an existing Special Use Permit (SUP) on the subject property to install and operate an 84 foot high commercial cellular communications tower and accessory structure.

In April 2012, the Storey County Planning Commission (Planning Commission) recommended approval for Special Use Permit (SUP) Number 2012-014 and in June of 2012 the Board of County Commissioners (the Board) gave final approval for SUP Number 2012-014. This application is a request for an extension to SUP Number 2012-014.

Furthermore, the Applicant is also requesting an amendment to the existing SUP. The requested amendment is to modify Conditions 2 and 3 of SUP Number 2012-014. The explanation for the requested extension and amendment is explained in Appendix 1 - Letter Submitted by the Applicant.

As outlined in Appendix 1, the Applicant states the original Condition of Approval that required the Applicant to submit proof of a binding contact with at least one commercial wireless carrier before a building permit can be obtained has proven to delay the implementation of the tower.

1.3 Storey County Code Requirements

Storey County Code (SCC) 17.03.150 (G) states, "Extension and expiration of permits. If circumstances beyond the control of the applicant result in a failure to complete applicable special use permit conditions and construct or commence the use prior to the expiration date, the applicant may request in writing an extension of the expiration date. The written request for an extension must be received by the community development department within 30 days prior to the expiration date. The application must state the reason for the extension request. The board with action by the planning commission may approve a 24 month extension of the special use permit and may approve up to 2 additional extensions for time subject to the consideration of the continued appropriateness of the special use permit. The extended special use permit may be subject to additional conditions imposed by the board to ensure that the activity permitted by the special use permit does not adversely impact other properties in the area or the public interest. If construction work is involved, the work must actually commence within the stated period and be diligently pursued to completion. A stoppage or lapse of work for a period of 12 months will invalidate the special use permit. When any use of land, building, structure or premises established under the provisions of this chapter has been discontinued for a period of 24 consecutive months, it is unlawful to again use the land or building or premises for the discontinued use unless a subsequent special use permit is authorized and issued."

1.4 Abutting Properties Existing Land Uses

There is an existing single-family residence on the abutting property to the west. The other abutting properties are vacant (Figure 4 - Uses on Abutting Parcels). Some of these abutting vacant properties have existing improvements such as a well and/or septic tank.

1.5 Abutting Properties Zoning

The abutting properties to the north are zoned E1 VCH and the abutting properties to the south are zoned Virginia City Highland Ranches 10 Acre Estates E10 (Figure 2 - Zoning Map).

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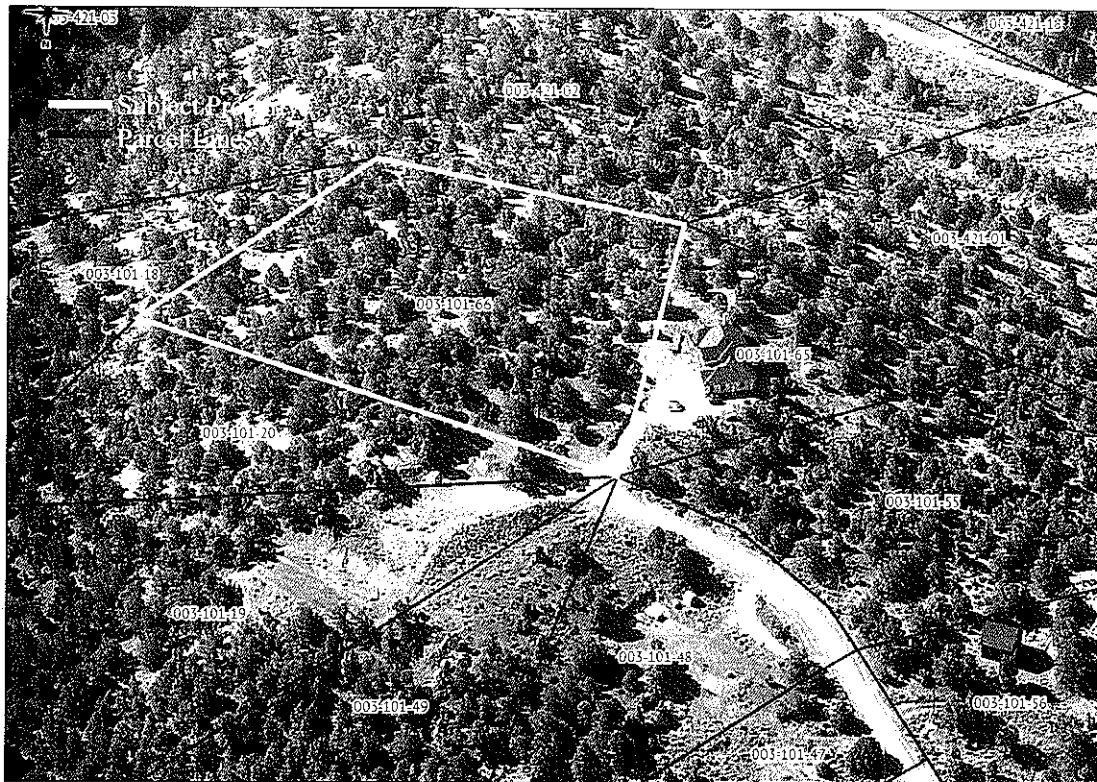


Figure 3 - Site Photo looking south through site.

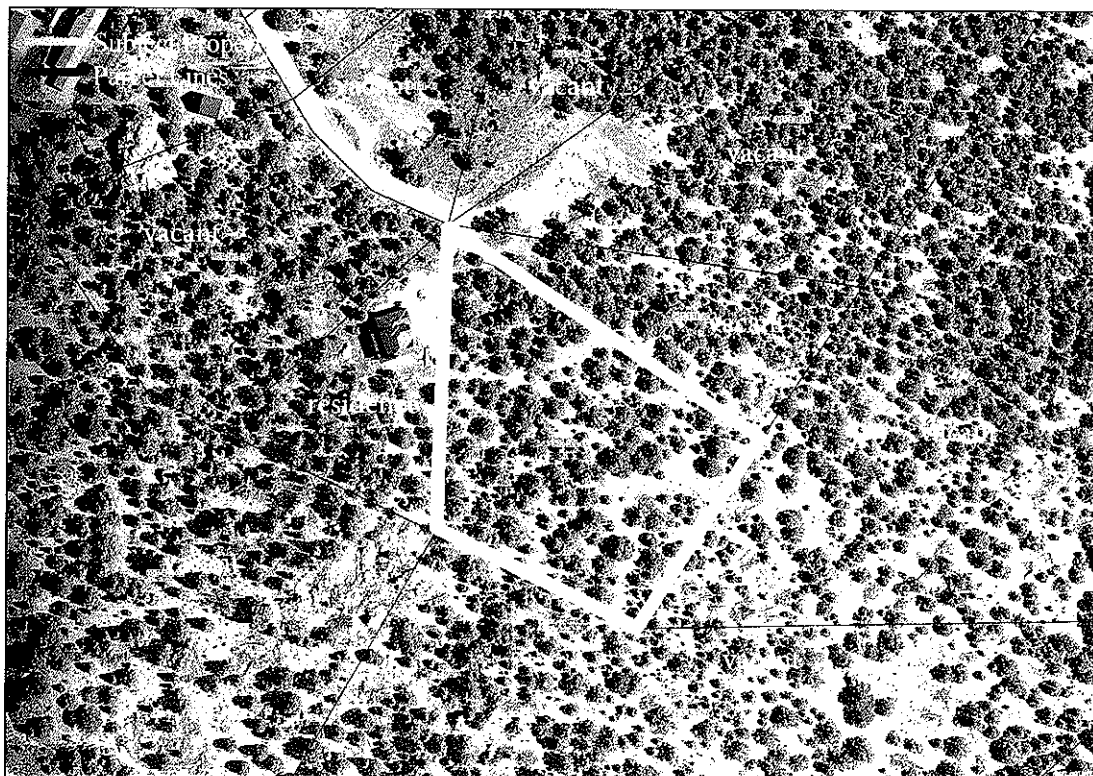


Figure 4 - Uses on Abutting Parcels

2. COMPLIANCE WITH THE STOREY COUNTY CODE

SCC 17.03.150 Special Use Permit (Conditional Use)

In Section 1.3 Storey County Code Requirements of this Staff Report it states the extended SUP may be subject to additional or amended conditions from the original Conditions of Approval (Appendix 2 - April 5, 2012 SC Planning Commission Staff Report, Appendix 3 - April 5, 2012 Amendment to the Staff Report and Appendix 4 - June 19, 2012 SC Commissioner's Office and Planning Staff Recommendation Summary).

The Applicant is requesting amending the following conditions:

Condition 2. Requirements. ~~Prior to issuance of a SUP No. 2012-014 and any Building Permit, the Applicant must submit to the Community Development Department proof of a binding contract with at least one commercial wireless carrier to be located on the tower.~~ The Permit Holder shall apply for all required permits and licenses, including building and fire permits, for the project within twenty four (24) months from the date of final approval of SUP No. 2012-014 *as amended in SUP 2012-014-A-1-2014*, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This SUP shall remain valid as long as the Permit Holder remains in compliance with the terms of this SUP and Storey County, Nevada State, and federal regulations. No construction or permitting for construction shall commence prior to issuance of the SUP and a valid Storey County Building Permit.

Condition 3. Closure/Abandonment. In the event that the tower and facility becomes decommissioned or is absent of any permitted wireless carriers ~~and antennae~~ for a period of *any three consecutive years commencing after the first five years from completion of construction* ~~three consecutive years~~, Storey County shall reserve the right to deem the facility abandoned and mandate the monopine tower and facility to be removed within 180 days thereof at the Permit Holder's expense. The applicant shall reserve the right to appeal the decision of abandonment. The process for the appeal shall be as pursuant to Chapter 17.60 and 17.62 of the Storey County Code. Removal and reclamation shall include complete removal of the entire facility including the monopine, monopole tower, antennae, electrical wiring and connections, accessory buildings and structures, foundations and pads *up to two feet below grade*, and all other appurtenances. Reclamation of the site to a condition reasonably existing prior to development shall be completed to the satisfaction of Storey County. Under no circumstances shall Storey County, its officers, and representatives bare any cost or responsibility for the removal of said facilities or reclamation of the site. (Appendix 2-April 5, 2012 SC Planning Commission Staff Report, which states the original Conditions of Approval)

3. PUBLIC COMMENT

Staff has not received any formal public comment for this file as of posting date. However, Staff has received continuous inquiries, since the approval of the original SUP, from residents about the implementation of the tower.

4. FINDINGS

4.1 Motion for Approval

The following Findings are the same Findings from SUP 2012-014 (Appendix 4 - June 19, 2012 SC Commissioner's Office and Planning Staff Recommendation Summary).

The following Findings are evident with regard to the requested SUP when the recommended conditions of approval in Section 5 - Recommended Conditions of Approval are applied. The approval, approval with conditions, or denial of a SUP must be based on findings that indicate that the proposed Application is appropriate in the location for which it is approved. The Findings listed in this subsection are the minimum to be cited in an approval; the Planning Commission may include additional Findings in its decision. The Planning Commission must cite Findings in the motion for approval, approval with conditions, or denial. At a minimum, the approval should be based on the following Findings:

4.1.1 The proposed commercial wireless communications facility is in accordance with the stated goals and objectives of the Storey County Master Plan by providing wireless telephone and internet to this populated region to better "protect the public safety and welfare of residents" (Goal 6.5, p. 7) by enhancing emergency communications, including "Emergency 9-1-1" services, and response times for emergency personnel; increasing education opportunities by facilitating efficient and reliable access to the internet (Goal 6.1 and 6.6, pp. 6 - 7); fulfilling a long recognized need and desire for consistent and reliable communications in the residential area (Goal 6. 2, Objective 2.1, p. 7); and "[maintaining] a healthy environment for all residents of the county (Goal 9.1, Objective 1.1, p.9) by fulfilling the above and by implementing substantial measures to mitigate visual impacts that otherwise would cause substantial adverse impact to the surrounding environment.

4.1.2 A special use permit in accordance with Section 17.12.044 and Chapter 17.62 of the County Code is required for the proposed wireless commercial communications antenna support tower as proposed by SUP Application No. 2012-014.

4.1.3 The proposed facility is in accordance with the conditions of SUP No. 2012-014 will not conflict with the purpose, intent, and other specific requirements set forth in the E-1-VCH (Estate Zone), in which the commercial wireless communication facility is proposed be located.

4.1.4 The conditions and stipulations under SUP No. 2012-014 are in accordance with the minimum requirements set forth by Chapter 17.62 of the Storey County Code and are at least as stringent as and not in conflict the applicable federal and Nevada State and Storey County regulations, including the applicable rules of the FCC and the Federal Telecommunications Act of 1996, pertaining to the construction and placement of structures and the construction and operation of commercial wireless communications towers.

4.1.5 The conditions of approval under SUP No. 2012-014 impose sufficient regulations on the wireless commercial communications facility to reasonably mitigate associated impacts on adjacent and surrounding residences and land uses.

4.1.6 Growth in the commercial wireless telecommunications industry has resulted in increased applications to municipalities for installation of wireless signal facilities. As consumer demand increases, so does the need for the industry to expand the number of antennae receiving and

transmitting signals. As stated in the Federal Telecommunications Act of 1996, since more than one antenna can be co-located on a tower structure, communities, including Storey County, should encourage and require co-location wherever feasible, thereby reducing the amount of new towers being constructed on the landscape.

4.1.7 The approval of the commercial wireless communications facility will result in personal wireless communications capability including, but not limited to, cellular telephone, internet, and broadband in an existing populated area currently underserved or not served such services.

4.1.8 The approval of the commercial wireless communications facility will promote the safety of life and property for the area served by enhancing emergency telecommunications services, including "Emergency 9-1-1", for area residents and local emergency response authorities.

4.1.9 In accordance with the Telecommunications Act of 1996, the proposed facility will fill an existing gap in the ability of remote users to access the national telephone network. In this context, the relevant gap is a gap in the service currently available to remote local users, and the area being served is not already adequately served by another provider.

4.1.10 The provider applicant has demonstrated that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values...and has demonstrated a good faith effort to identify and evaluate the least intrusive alternatives, e.g., that the provider has considered less sensitive sites, alternative system designs, alternative tower designs and placement of antennae, etc.

4.1.11 In accordance with 47 (U.S.C. Section 332(c)(7)(B)(iv) of the Federal Code, the decision to approval, deny, or regulate the placement, construction, and modification of the commercial wireless communications facility is not based on electronic interference or the environmental effects of radio frequency emissions.

4.2 Motion for Denial

Should a motion be made to deny the SUP request, the following Findings with explanation of why should be included in that motion.

4.2.1 The proposed facility is not accordance with one or more of the stated goals and objectives of the Storey County Master Plan.

4.2.2 The proposed facility, even with reasonable conditions and mitigation, will conflict with the purpose, intent, and other specific requirements set forth in the E1-VCH, in which the commercial wireless communication facility is proposed be located.

4.2.3 No reasonable level of conditions imposed under SUP Number 2012-014 would be sufficient to reasonably mitigate visual, safety, or other potential impacts on adjacent and surrounding residences and land uses.

4.2.4 The applicant has not demonstrated that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values...and the Applicant has not demonstrated a good faith effort to identify and evaluate the least intrusive alternatives, e.g., considering less sensitive

sites, alternative system designs, alternative tower designs and placement of antennae, etc.

4.2.5 In accordance with 47 (U.S.C. Section 332(c)(7)(B)(iv) of the Federal Code, the decision to deny the application for the commercial wireless communications facility is not based on the electronic interference or environmental effects of radio frequency emissions.

5. RECOMMENDED CONDITIONS OF APPROVAL

The following Conditions of Approval are the same Conditions of Approval from SUP 2012-014 (Appendix 4 - June 19, 2012 SC Commissioner's Office and Planning Staff Recommendation Summary) except amended Conditions 2 and 3 (page 5 of your Staff Report).

All conditions must be met to the satisfaction of each applicable Storey County Department.

1. **Special Uses.** Special Use Permit (SUP) No. 2012-014 shall be for the purpose of installing and operating a commercial wireless communication antennae tower as defined and regulated pursuant to the advisory motion made by the Storey County Planning Commission and approved by the Board of Storey County Commissioners on property located at 21485 Saddleback Road (APN 003-101-66), Virginia City Highlands, Storey County, Nevada. The operation shall remain in compliance with all of the provisions set forth by this SUP and federal, Nevada State, and Storey County codes and regulations, including applicable regulations the Telecommunications Act of 1996 and the applicable rules under Federal Communications Commission (FCC). Issuance of this SUP does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.
2. **Requirements.** The Permit Holder shall apply for all required permits and licenses, including building and fire permits, for the project within twenty four (24) months from the date of final approval of SUP No. 2012-014 as amended in SUP 2012-014-A-1-2014, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This SUP shall remain valid as long as the Permit Holder remains in compliance with the terms of this SUP and Storey County, Nevada State, and federal regulations. No construction or permitting for construction shall commence prior to issuance of the SUP and a valid Storey County Building Permit.
3. **Closure/Abandonment.** In the event that the tower and facility becomes decommissioned or is absent of any permitted wireless carriers for a period of any three consecutive years commencing after the first five years from completion of construction, Storey County shall reserve the right to deem the facility abandoned and mandate the monopine tower and facility to be removed within 180 days thereof at the Permit Holder's expense. The applicant shall reserve the right to appeal the decision of abandonment. The process for the appeal shall be as pursuant to Chapter 17.60 and 17.62 of the Storey County Code. Removal and reclamation shall include complete removal of the entire facility including the monopine, monopole tower, antennae, electrical wiring and connections, accessory buildings and structures, foundations and pads up to two feet below grade, and all other appurtenances. Reclamation of the site to a condition reasonably existing prior to development shall be completed to the satisfaction of Storey County. Under no circumstances shall Storey County, its officers, and representatives bare any cost or responsibility for the removal of said facilities or reclamation of the site.

4. **Transfer of Rights.** This SUP shall inure to the record owner of the Subject Property and to the Permit Applicant (Vista Towers, LLC) and shall run with the land. Any and all transfers of SUP No. 2012-014 shall be advised in writing by Certified Mail to Storey County Planning Department at least 90 days prior to assignee taking over operation of facility. The operators of the facility must sign and accept all conditions and requirements of SUP No. 2012-014.
5. **Indemnification/Insurance.** The Permit Holder warrants that the future use of land will conform to the requirements of Storey County, State of Nevada, and applicable federal regulatory and legal requirements; further, the Permit Holder warrants that continued and future use of the land shall so conform. The Permit Holder and property owner(s) agree to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this SUP. The Permit Holder shall maintain satisfactory liability insurance for all aspects of this operation under SUP No. 2012-014 for a minimum amount of \$1,000,000.00 (one million dollars) and provide proof thereof to Storey County prior securing rights to the SUP.
6. **Emergency Telephone.** Any persons located on the premises in connection with maintenance, repairs, or other work on the premises shall be made aware to dial Storey County Emergency Services Direct-Connect 775.847.0950 (in lieu of 9-1-1) when dialing emergency service from cellular telephone. Emergency 9-1-1 still applies to landline telephones.
7. **Site Security.** The entire facility shall be secured by a six-foot high fence sufficient in design to maintain appropriate security for the premises. Exterior accessory building walls may also be utilized for this purpose as appropriate. The Permit Holder may top the fence with three strands of barbed wire if allowable by the Virginia City Highlands Property Owners Association (VCHPOA). The fence shall be color coated in accordance with the requirements under "Coloration and Appearance" of this SUP. Video security surveillance, while not hereby required, may be installed within the facility but shall in no way infringe or intrude upon on the personal privacy on adjacent or area properties and residences. The tower shall be appropriately designed to prevent unauthorized climbing.
8. **Cautionary Signage.** Signage shall be installed at the main port of entry (i.e., facility gates) stating the company's name, site address, and 24-hour company management emergency contact phone number(s). Signage shall indicate all potential hazards and safety requirements associated with entering the facility.
9. **Emergency Management Plan.** A comprehensive emergency management plan shall be developed by the Permit Holder and submitted for approval to the Storey County Fire Department for review and approval prior to securing rights to the SUP. The plan shall include, but not be limited to, the following in case of failure of the communications facility or related appurtenances: (1) Permit Holder's emergency contact phone number(s); (2) emergency contact procedure, including for Emergency Dispatch 9-1-1 and Storey County Emergency Direct-Connect 775.847.0950; (3) documenting and reporting procedures; (4) post structure failure management, clean-up, reclamation, and material disposal; (5) electrical system shut-down procedure; (6) disclosure and management of hazardous materials (e.g., asbestos) or other conditions (e.g., radiation), if applicable; (7) post structure failure damage reporting and treatment of affected neighboring properties; and (8) emergency access, staging, and egress.
10. **Necessity to Local Jurisdiction.** In accordance with Section 17.62.010 of the Storey County Code, the applicable provisions of the Storey County Master Plan, and applicable regulations under the

Telecommunications Act of 1996 in determining that the commercial communications facility enhances the safety and wellbeing of the community, the Permit Holder shall collaborate with Storey County to develop a mutually acceptable plan by which county-owned emergency radio communications repeater antennae may be installed and operated on the monopole structure (as compatible with all other commercial carriers and wireless equipment thereon or proposed to be placed thereon) and by which necessary ground support equipment may be placed and operated within the facility parameters. This condition of approval recognizes that Storey County shall be responsible for all costs for acquiring, installing, maintaining, operating (i.e., utility costs), and repairing the county-owned antennae, ground support equipment, and other appurtenances, including any associated financial burdened by the Permit Holder, but Storey County shall not be assessed any fee or other charge for said use of the tower and facility. County-owned equipment placed upon exterior portions of the facility shall comply with the visual design requirements under this SUP and/or the VCHPOA.

11. Carrier Capacity. The monopine support structure shall be capable in design to co-locate no less than four commercial wireless carriers. The Permit Holder is hereby encouraged to co-locate additional carriers as the facility may accommodate in accordance with the conditions of this SUP.
12. Plans Submittal. The Applicant shall provide Storey County Planning and Building Departments site plans, drawn to scale, which shall include dimensions of existing and proposed structures, as applicable, setback dimensions, and driveway dimensions. All other submittals applicable to a valid Building Permit shall also apply.
13. Setbacks. In accordance with Section 17.40.050 of the Storey County Code, minimum setbacks area as follows: (a) front yard, 30 feet; (b) rear yard, 40 feet; and (c) side yards, 15 feet. The minimum setback requirement shall apply to towers, antennae, foundation pads, and buildings. Additionally, the monopine shall be located no closer than its total height plus 10 percent of its total height, from grade level to uppermost tip, to any Antenna Limitations.
14. Antenna Limitations. The monopine and facility shall be used exclusively for commercial wireless communications. The towers shall not be used to support amateur or other non-commercial radio antennae, or lights, flags, banners, pennants, etc. Storey County emergency repeaters and antenna shall be exempt from this requirement.
15. Noise. Power generator(s) (also to include "alternator(s)") shall be muffled and remain within a sound-insulated structure, encasement, or sound buffer walls (such as concrete masonry unit walls) sufficient to attenuate noise to or below the limitations set forth by Chapter 8.04 of the Storey County Code within 100' of the facility. The generator shall only operate during power outages and periods of maintenance or repair. All other noise emitted from the facility, except during times of periodic maintenance and repair, shall not exceed 40 dBA at a point of 100' from the antenna tower, equipment shelter, or any other noise emitting device or facility within the premises.
16. Area Lighting. There shall be no outdoor lighting, including security and other area lighting, permitted on the premises except under the following circumstances: outdoor lighting is managed by an automated motion detector system that maintains all lights "off" unless motion is detected, at which point lights may remain "on" for no more than four minutes; and all outdoor lights are shielded in accordance with Section 08.02.04 of the Storey County Code ("Dark Skies"). Illumination of the premises during times of maintenance and repair shall be exempt from the

limitations of this section.

17. Beacon Lighting. The tower, antennae, and other appurtenances thereto shall not be constructed or altered to a height that would necessitate Federal Aviation Association (FAA) beacon lighting or special applied coloration. Unless required otherwise by the FAA, beacon lighting shall be prohibited. There shall be no direct or indirect illumination of or on any tower or antenna system. The FAA shall be the responsible agency for requiring, or not requiring, beacon lighting or other signaling devices to be applied to the structures.
18. Facility Coloration and Appearance. The facility shall be developed in accordance with the plans and drawings submitted as part of SUP Application No. 2012-014. The Permit Holder shall be responsible for maintaining the facility's appearance in accordance with the requirements of terms and conditions of this SUP. Additionally, the Permit Holder shall obtain approval from the VCHPOA for colors and composition of equipment shelters, buildings, and other appurtenances, but not the monopine structure which shall remain in accordance with the design criteria under this Section of the SUP. In the event that a conflict arises between this Section and the requirements imposed by the VCHPOA, the more stringent shall apply with regard to exterior colors and composition of said portions of the facility. The following criteria shall be incorporated into the design of the communications tower and facility prior to a Building Permit being issued:
 - a. The monopine tower shall at a minimum exhibit the appearance of a natural coniferous tree similar in structure, design, branch density, overall branch coverage, and coloration as illustrated in SUP Application No. 2012-014 and enclosed as Exhibit B (from the original SUP-SUP Number 2012-014) of the SUP approval. The monopole structure may be void of branches and other foliage from grade level to a point no higher than 12', thus exhibiting a bare "tree trunk".
 - b. Storey County Planning Development shall reserve the right to require additional "branch" or foliage density, but no more than 3 branches per foot on monopole structure, necessary to effectively conceal antennae, dishes, and other applied devices in order to create an appearance that is consistent with the proposed design.
 - c. The exterior finish of the monopole structure, equipment shelters, antennae, dishes, accessory structures, and fencing shall be non-reflective, dull in appearance, and similar in color and hue to the submitted monopine photo renditions. If it becomes unclear as to the color required for the monopole structure and said surfaces, Kelly Moore "Sudan Brown" or a similar color of any brand shall be the required color. Coloration of monopine branches and foliage shall be similar in appearance and variation as the submitted renditions.
 - d. No antennae, dishes, or applied device shall protrude beyond the dense foliage of the monopine branches. "Needle sleeves" and/or other appropriate camouflage shall be placed over such devices to further facilitate blending with the overall monopine.
 - e. At least 75 percent of all ground surfaces visible from outside the facility, including all exposed cuts, fills, and graded slopes, shall be re-vegetated with native non-invasive plant species and/or surfaced with aggregate, large rocks, or other material of a color and hue similar to the immediate surrounding environment;
 - f. No advertising shall be permitted anywhere on the facility, with exception of signage in accordance with the applicable requirements under these conditions;

g. The Permit Holder shall be responsible for maintaining and repairing the monopine and facility, as necessary, to remain in compliance with these design requirements. Failure to maintain and repair the monopine and facility in accordance herewith shall be deemed violations of the requirements of this SUP. All vandalism or graffiti to the facility shall be remedied by the Permit Holder within seven calendar days of acknowledgement.

19. Vegetation Removal. Trees, shrubs, and other vegetation and ground surfaces shall be preserved to the extent feasible.

20. Electrical Distribution and Controls. The location, routing, and alignment of exterior electrical and communication controls, associated wiring, and power lines (except those now existing) shall be approved by the Building Department, when applicable.

6. POWER OF THE BOARD & PLANNING COMMISSION

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the SUP is advisory only to the Board of County Commissioners and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

7. SEPTEMBER 4: PLANNING COMMISSION MEETING

On September 4, 2014, in accordance with the recommendation by Staff, the Findings under 4.1 of this Staff Report and in compliance with all conditions of approval (1-20), the Storey County Planning Commission voted unanimously to recommend approval with conditions for Special Use Permit 2012-014-A-1-2014 (yes = 5, nay = 0, absent = 2).

8. PROPOSED MOTIONS

This section contains two motions from which to choose. The motion for approval with Conditions of Approval is recommended by the Planning Commission and Staff, and in accordance with the Findings under Section 4.1 of this Staff Report. Those Findings should be made part of that motion. A motion for denial may be made and that motion should cite one or more of the Findings shown in section 4.2. Other Findings determined appropriate by the Board should be made part of either motion.

8.1 Recommended Motion

In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 4.1 of this Staff Report and other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I [Commissioner] hereby move to approve with conditions Special Use Permit Application Number 2012-014-A-1-2014 for an amendment and extension to Special Use Permit 2012-014 and the extension of SUP pursuant to SCC 17.03.150 (G).

8.2 Alternative Motion

In accordance with the Findings under Section 4.2 of this report and other Finding against the recommendation for approval by the Planning Commission and Staff, I [Commissioner] hereby move to deny Special Use Permit Application Number 2012-014-A-1-2014 for an amendment and extension to Special Use Permit 2012-014 and the extension of SUP pursuant to SCC 17.03.150 (G).

Prepared by: Dessie Redmond
Storey County Planner

APPENDIX 1: LETTER SUBMITTED BY APPLICANT

June 13, 2014

Austin Osborne
Senior Planner
Community Development Department
Storey County
P.O. Box 526
Virginia City, NV 89440

RE: Request for Permit Extension – Special Use Permit 2012-014
21485 Saddleback Road, Virginia City Highlands, Nevada

Dear Mr. Osborne:

Vista Towers respectfully requests an extension of Special Use Permit 2012-014 for the following reasons:

As previously discussed, our understanding is that Vista Towers was required to “submit proof of a binding contract with at least one commercial wireless carrier” before we can pull the building permit. (Staff Recommendation Summary dated May 21, 2012)

To the extent a carrier lease is required before we can build the proposed facility, we become beholden to the carrier’s entire new site build planning and budgetary process. Please understand that a carrier’s process is extremely lengthy and cumbersome with local engineers prioritizing sites, a committee review, scoring and approval by finance dept., and a national review for approval and funding. While this process takes place every year, it takes the equivalent of an act of congress (if it is possible at all) for unfunded site to be re-categorized. Once a site fails to get funding, the result is that it gets pushed into the same process the following year.

To make matters even more difficult, priorities drastically change from year to year. So even when it appears that a site has a high enough priority for the next year, a change in a corporate directive can delay it for many additional years.

For example, carriers often try to balance new coverage sites versus the need for additional capacity sites. Coverage sites are to provide new coverage, with Virginia City Highlands (VCH) being a coverage site. Capacity sites are to add capacity in areas that already have coverage, but the demand for service is outstripping the existing sites. The carriers often adjust the mix from year to year, depending on their network performance. Therefore, VCH might be the 20th most important new coverage site, but they move 100 (or more) capacity sites into the budget before VCH if they are having issues satisfying current customers.

In addition to a change in directives, the new site build budget can be dramatically affected by major events like AT&T’s attempted purchase of T-Mobile in 2012/13 and AT&T’s current attempt to purchase Direct TV. Those events tend to delay all the sites, pushing all funded and unfunded sites out a year or more.

The best way to avoid this entire process is to go at risk and build the site. Once the site is built, it becomes much more tangible to the carriers, the carrier's know that they can be operational within a relatively short period, and they use a different process to add the site. The easiest way to explain it is that once built, they will look to the site if they have a funded site get delayed by an entitlement, environmental or construction issue. As both AT&T and Verizon attempt to build more than one hundred or more sites each year in the Northern California and Northern Nevada market, it is inevitable to hit individual site delays. Vista Towers has been extremely successful in having our sites get funded using this approach.

Vista Towers would very much like the opportunity to go at risk in order to complete the facility. We have had countless conversation with both AT&T and Verizon, we know it is the correct location, and believe strongly that this approach will result in service to the community. As you know, we have the equipment building on our permit, which results in increased costs and risk, and still believe the investment is warranted.

Additionally, we are very much aware that Sprint PCS and T-Mobile are also carriers that will be interested in this facility. Please understand that we have submitted the site to both and speak to both as well, but have not focused our response on AT&T and Verizon as the VCH facility is on both of their "desired, but unfunded" site list, both Sprint and T-Mobile have had smaller builds in the last years, and the site does not appear in their near term (3 year) build plan. With that said, we will continue to make them aware of it and have it added to their plan.

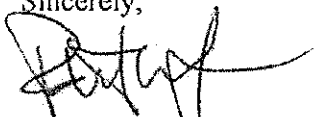
With all this said, we re-read the conditions of the permit in order to reference it in a request for its removes, and could not find the requirement of the carrier lease in the conditions. We see it in the staff recommendations, but could not find it in the conditions. Therefore, we respectfully further request a clarification as to this condition.

In addition to the clarification as the requirement of a carrier lease, we would further request a modification to permit item #3 (Closure/Abandonment). That provision states that the County could require the facility removal to the extent there is no carrier within three years. While that is unlikely to occur, and there is a right to an appeal of such a finding, it is somewhat difficult to invest hundreds of thousands of dollars subject to this provision. If acceptable, we would like the provision to be for any three year period commencing after the first five years from completion of construction. This would remove any funding issues on our side and allow us to proceed to construction.

To restate, we respectfully request an extension of the permit, a clarification of a need for a carrier lease in order to proceed to a building permit, and a modification of item #3 in the special use permit.

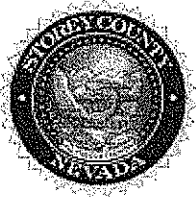
Please contact me at (714) 856-1000 for any questions or requests for additional information.

Sincerely,



Robert MacLachlan
Managing Member
Vista Towers

APPENDIX 2: APRIL 5, 2012 SC PLANNING COMMISSION STAFF REPORT



STOREY COUNTY PLANNING COMMISSION

Staff Report

APPLICANT: Robert MacLachlan (Vista Towers, LLC)

PROPERTY OWNER: Carmen Kuffner

APN NUMBER: 003-101-66

ADDRESS OF PROJECT: 21485 Saddleback Road, Virginia City Highlands, Nevada

REQUEST: Request to obtain special use permit to install and operate an 84 foot high commercial cellular communications tower and accessory structures.

MEETING LOCATION: Storey County Fire Station
2610 Cartwright Rd., Virginia City Highlands, Nevada

MEETING DATE: April 5, 2012

MEETING TIME: 6:00 PM

I. KEY TERMS & DEFINITIONS

1.1 Commercial Mobile Services. As defined in Section 332 of the Communications Act rules of the Federal Communications Commission (FCC), includes cellular telephone services regulated under Part 22 of the FCC's rules, SMR services regulated under Part 90 of the FCC's rules, and PCS regulated under Part 24 of the FCC's rules (47 C.F.R. § 20.9).

1.2 Commercial Wireless Telecommunications Tower. Any freestanding tower, monopole, or similar structure used to provide personal wireless services (NRS 707.570).

1.3 Commercial Wireless Service. Commercial mobile service, unlicensed wireless services, and common carrier wireless exchange access services (NRS 707.565 and 47 U.S.C. § 332(c)(7)(C)).

1.4 Commercial Wireless Communications Facility. A facility through which commercial wireless telecommunications signals authorized by the FCC are transmitted or received. For the purposes of SUP No. 2012-014, signals include commercial cellular telephone, wireless internet, and broadband, and other commercial telecommunications.

1.5 Monopine. A monopole antennae support tower which is designed to closely resemble a

pine tree in order to provide substantially reduced aesthetic impact on the surrounding area.

1.6 Co-location. The placement of two or more commercial wireless communications carriers on a single tower or antennae support structure.

1.7 Wireless Carrier. A company or service provider that provides wireless voice or data information service, such as cellular telephone, internet, and broadband services, and other commercial telecommunications.

II. BACKGROUND

2.1 Requirement by Code.

Special Use Permit Application No. 2012-014 was submitted pursuant to Sections 17.12.044 and 17.62.010 of the Storey County Code. Section 17.12.044 "Height of Buildings" states that "radio, television, and other communications masts may extend not more than forty-five feet above grade level, provided that the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances". Section 17.62.010 "Special Uses" provides for uses not expressly listed in each zone, i.e., antenna towers, "where they are deemed essential or desirable for the public convenience and welfare."

2.2. Area Needing Service.

The proposed facility will provide wireless voice and data telecommunications to the Virginia City Highlands, Highland Ranches, and Virginia Ranches which currently has inadequate or no service. The rural residential area is home to approximately 1,700 residents (+/- 42 percent of the county's population). For more than a decade, a majority of residents in the area have expressed need and desire for cellular telephone and high-speed wireless service in their area.

2.3 Amateur Radio Regulations Not Applicable – Past Decisions.

In 2011 a decision was made by the Storey County Planning Commission and Board of County Commissioners regarding a special use permit application to construct and operate an amateur radio facility. The Codes of Federal Regulations and rules under the FCC pertaining to amateur radio differ considerably from those applicable to commercial wireless communication facilities. Therefore, the findings and facts considered during the 2011 hearings must not be considered in the review of SUP Application No. 2012-014.

III. ANALYSIS:

3.1 Antenna Tower and Accessory Structures.

The applicant proposes to install an 80' monopole commercial communications antennae support structure capable of facilitating up to four commercial wireless carriers. Thus far, AT&T is planned to be the first carrier with Verizon Wireless expressing interest. The monopole tower will be accompanied by several accessory buildings ("equipment shelters") which will house electronic and other sensitive equipment, and a diesel emergency backup power generator. The generator will be contained such as to attenuate excessive noise during operation (See Section 4.5). The entire facility, inclusive of tower, equipment shelters, and accessory structures will cover approximately 5,000 square-feet (75' by 75' +/- as proposed) of the 2.8 acre site.

The monopole antenna support tower will be 80' in total height with an additional 5' provided to accommodate a "monopine" crown (see Section 4 for details on monopine design). The 80' support structure will provide sufficient height, with surrounding trees and topography, for necessary line-of-site wireless coverage to the surrounding area (see location and signal coverage in Figures 3.1 and 3.2) and sufficient tower space to accommodate up to four wireless carriers. According to the applicant, each wireless carrier needs between 6' and 8' of aperture on the tower and up to 3' separation above and below antennae to avoid interference with the adjacent carriers. Currently, there is not sufficient copper or fiber ground line in the area to carry signals received and transmitted by the tower antennae to the communications grid system. Therefore, four microwave dishes (one for each carrier) must be installed on the tower in order for it to communicate with wireless hubs at Mt. Rose and Pevine Peak. In summary, the elevation breakdown for the tower is as follows:

- The highest point the antennae can extend up the monopole is 80'; therefore, this multi-carrier tower will be loaded down to 20' from grade if all four carriers are co-located. Any loading lower than this height would be blocked by the surrounding trees and terrain.

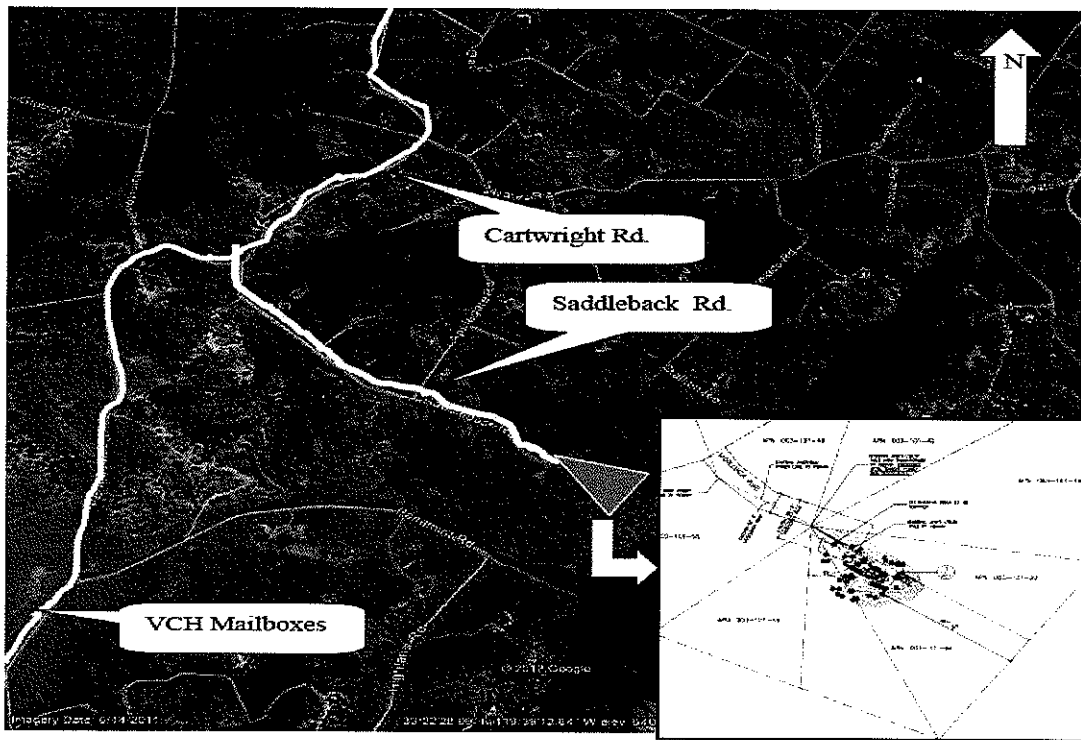


Figure 3.1: Location and Vicinity Map

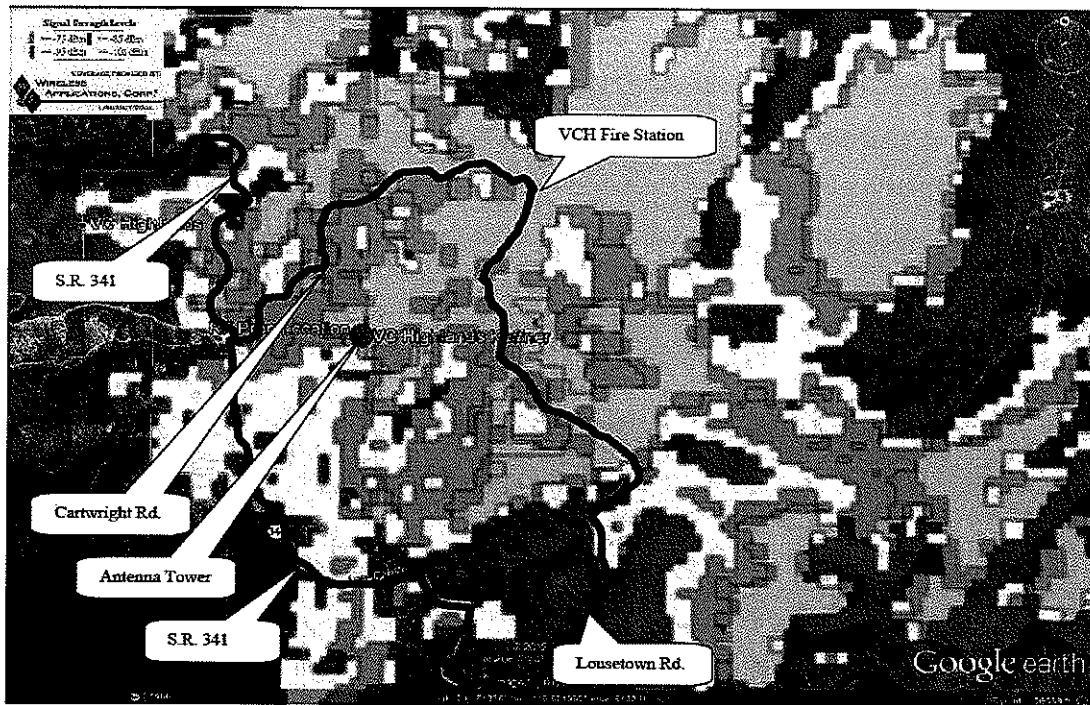


Figure 3.2: Map showing need for height of tower and estimated signal coverage strength (base map provided by applicant)

3.3 Federal Preemption to Local Regulation.

The Telecommunications Act of 1996 (TCA) places certain limitations on state and local control and regulation of commercial wireless communications facilities. The TCA was adopted “to promote competition and reduced regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies”. To accomplish those goals, the TCA provides in Subsection 253(a) that “in general, no State or local statute or regulation, or other state or local government requirement, may prohibit or have the effect on prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service” without finding in the written record substantial valid evidence for the denial (47 USC § 253).

In support of the local jurisdiction’s need to impose reasonable and necessary restrictions on wireless communications facilities, however, the Section 253(c) of the TCA states that the state or local jurisdiction may “impose requirements necessary to...protect the public safety and welfare”. A conditional approval or denial of the facility is preempted by the FCC “to the extent necessary to correct such violation or inconsistently” only when it finds that the decision of the state or local government is in violation one or more provisions of the Act” (47 USC § 253(d)). Specifically, the conditional approval or denial shall find that the decision of the local governing board does not:

- a. *Unreasonably discriminate among service providers.* This concern could become applicable if additional wireless communications facilities express interest after

approval of this facility. As thereby applicable, the TCA may invalidate the denial of a variance [or permit] if it has the effect of unreasonably discriminating between providers. “Securing relief under this provision of the statute will require a showing that the other provider is similarly situated, i.e., that the ‘structure’ placement or cumulative impact of the existing facilities makes them as or more intrusive than the proposed facility” (196 F. 3d. at 480 note 8). In addressing this concern, the decision to approve this application should take co-location capacity into consideration (See discussion on co-location in Section 3.5 below).

- b. *Expressly prohibit wireless facilities or have the effect of prohibiting wireless services.* Should a decision be made to deny the personal wireless communication facility, the TCA requires that the such decision be based on findings supported by “substantial evidence”, the decision be made within a reasonable time (NRS 278 requires a hearing for an SUP application within 64 days of submittal), and that such be included in the written record of the board (47 CFR § 332(c)(7), 1996).
- c. *Regulate on the basis of electromagnetic radiation that complies with FCC regulations.* (See discussion on federal preemption in Section 4.6 of this report).

3.4 Co-Location.

The TCA suggests that state and local jurisdictions require personal wireless communication facilities to provide multi-carrier capacity (“co-locate”) for at least three to five carriers. It states that co-locating on a single tower reduces the number of towers necessary for expanded wireless coverage. This SUP application proposes to co-locate up to four carriers upon its tower.

3.5 Benefit to Storey County.

The proposed facility will provide for personal wireless communication services such as cellular telephone, wireless internet, and broadband to approximately 1,700 residents living within a large rural area of Storey County currently having unreliable or no wireless communication capability. The wireless service will enhance emergency telecommunications (e.g., Emergency 9-1-1) for area residents and emergency responders. In accordance with requirements of an applicant under the TCA, the applicant has demonstrated a good faith effort to identify and evaluate the least intrusive alternatives, including site placement, tower design, and antenna placement, for providing service to this rural area (*Pittsburgh Ltd. Partnership v. Penn Tp.*, 196 F.3d 469, 480 (3d Cir. 1999). Additionally, the applicant will collaborate with Storey County to develop a mutually acceptable agreement for the installation and operation of county-owned emergency communications repeater antennae and ground support equipment within the facility.

IV. KEY ISSUES

4.1 Setback Requirements.

In accordance with Section 17.40.050 of the Storey County Code, minimum setback distances for structures in the E-1-VCH Zone shall be as follows: front 30 feet; rear 40 feet; and sides 15 feet. The tower and accessory structures as proposed comply with these setback requirements. The nearest existing residence (see Figure 4.1) is approximately 240’ from the tower, a distance approximately three times its total height.

While the support tower is designed by a Nevada licensed engineer, it is important to note that its height exceeds the distance to each parcel boundaries in which it is located. In order to assure that people and structures (now and in the future) on abutting parcels remain safe, an engineering certificate must be submitted to Storey County stating that the structure complies with the International Building Code and can withstand lateral wind load common to the area as determined by the Storey County Building Department. In addition, it is recommended that an insurance policy adequate in scope is in place to insure any damage that may occur in association with tower failure.

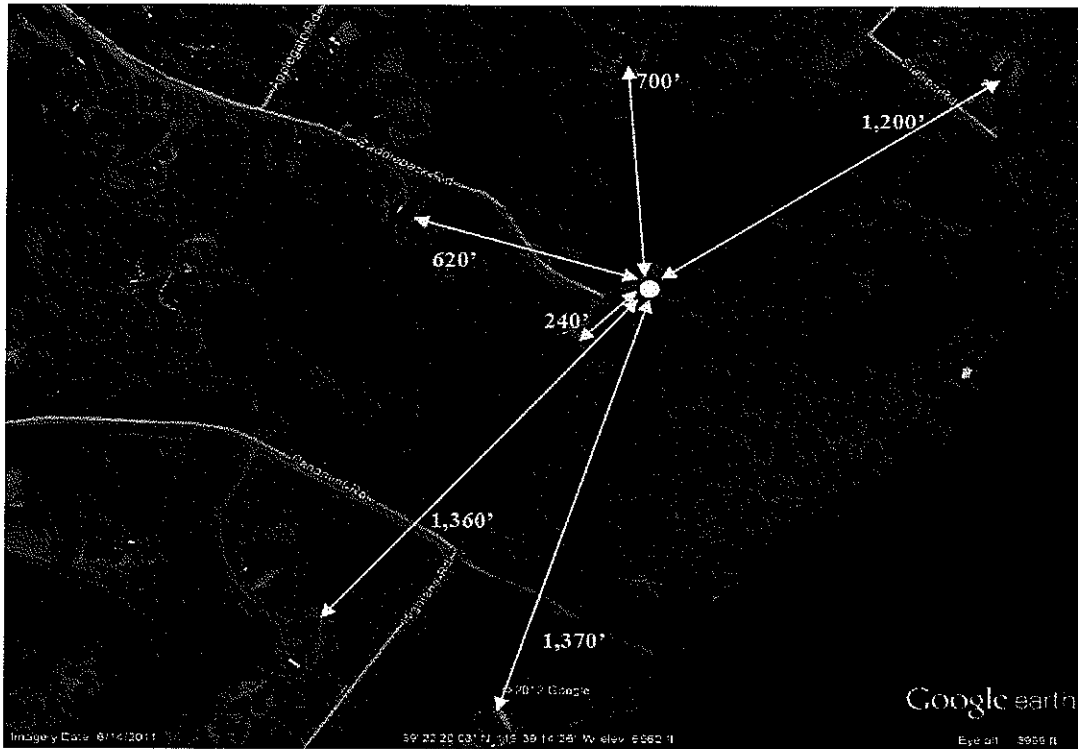


Figure 4.1: Distances between tower and existing residences are approximate.

4.2 Visual Impacts.

The subject property and abutting parcels are designated as low density residential (one residence per acre) and are zoned E-1-VCH. Section 17.40.015 of the Storey County Code states that the purpose and intent of the Estate zone is to “establish areas of low density residential uses” and “to further enhance the quality of life and to prohibit the development of uses which are incompatible and detrimental to a residential environment”. The TCA also includes provisions which allow the local jurisdiction to consider visual impacts of the project.

To mitigate potential visual impacts on surrounding rural residences, the applicant proposes a monopine tower design. A monopine is a communications tower which is designed to effectively resemble the appearance of a pine tree. The proposed design resembles a Jeffery, Ponderosa, or White Pine (see Figures 4.3 and 4.4 that currently exist in the local area). While said trees do

exist within the region, it is hereby recognized that the immediate surrounding environment of the monopine consists almost exclusively of Pinion Pine and junipers, which do not resemble or exhibit the height of the much taller pine species listed above. However, the monopine proposed substantially mitigates visual impacts of the tower and appears consistent with the adjacent and area environment.

The SUP application lacks specifics pertaining to visual impact mitigation from accessory structures and other components of the overall facility. The following design criteria integrate submitted design proposals with elements added hereby to facilitate an overall stealth appearance which blends with the surrounding area. Design elements recommended as part of Section IV (Recommended Conditions for Approval) of this report are as follows:

- a. *Monopine design.* The application provides illustrations of monopine structures installed by the applicant in other areas in the State of Nevada (see Figures 4.3 and 4.4). The applicant's submittal portrays branch density, coloration, and overall monopine design that effectively mimics a natural appearing pine tree as compared to poor designs (not of the applicant) shown in Figure 4.3. The conditional approval should cite the submitted aesthetic elements as part of the overall design requirements.
- b. *Facility colors.* The application lacks information on colors and finishes that will be applied to accessory structures. It is evident in submitted illustrations that the monopole tower will be coated with a non-reflective and dull appearing finish which is colored similarly to the bark of a natural pine tree. The same finishes must be applied to all other structures, including equipment shelters, accessory buildings, fencing, etc., in order to facilitate blending into the surrounding environment. The recommended color for the monopole tower is dark brown or color similar to the bark of a pine tree. Lighter beiges, greens, and other light colors must be avoided. (*Note: The Carson City Public Works Department applies Kelly Moore "Sudan Brown" to water towers and other structures needing camouflage in rural hillside environments*). It is recommended that Kelly Moore "Sudan Brown" or a similar color be used throughout the proposed communication facility. Additionally, it is recommended that the Virginia City Highlands Property Owners Association is provided opportunity to approve colors and facility design elements as detailed in Section 4.9 of this report.
- c. *Antenna placement.* The application shows monopine structures which were installed by the applicant in other parts of the state. The design portrays dense foliage and natural appearing branch placement throughout the monopole structure. Antennae and other devices hidden in the foliage are further camouflaged with synthetic pine needle sleeves. A similar design is proposed in the submitted application. Figure 4.3 also provides striking contrast between the submitted design and poorly designed monopine structures (not of the applicant) found elsewhere. Elements in the submitted illustrations should be required while those of the poor design should be avoided.
- d. *Ground coverage.* Cuts, fills, and graded areas need to be appropriately resurfaced to facilitate blending into the surrounding undisturbed environment. To do so, at least seventy five percent of disturbed ground surfaces visible from outside the facility,

including all exposed cuts, fills, and graded sloped surfaces, should be re-vegetated with native non-invasive plant species (nothing requiring irrigation) and/or surfaced with aggregate or large rocks of a color similar to the immediate surrounding environment.

- e. *Advertising on structures.* No advertising should be permitted anywhere on the facility, with exception of signage in accordance with the applicable requirements under these conditions.
- f. *Maintenance.* All vandalism or graffiti to the facility should be remedied by the applicant within seven calendar days of acknowledgement. The applicant shall also be held responsible for perpetual maintenance of the monopine to the satisfactory of the SUP and the county.

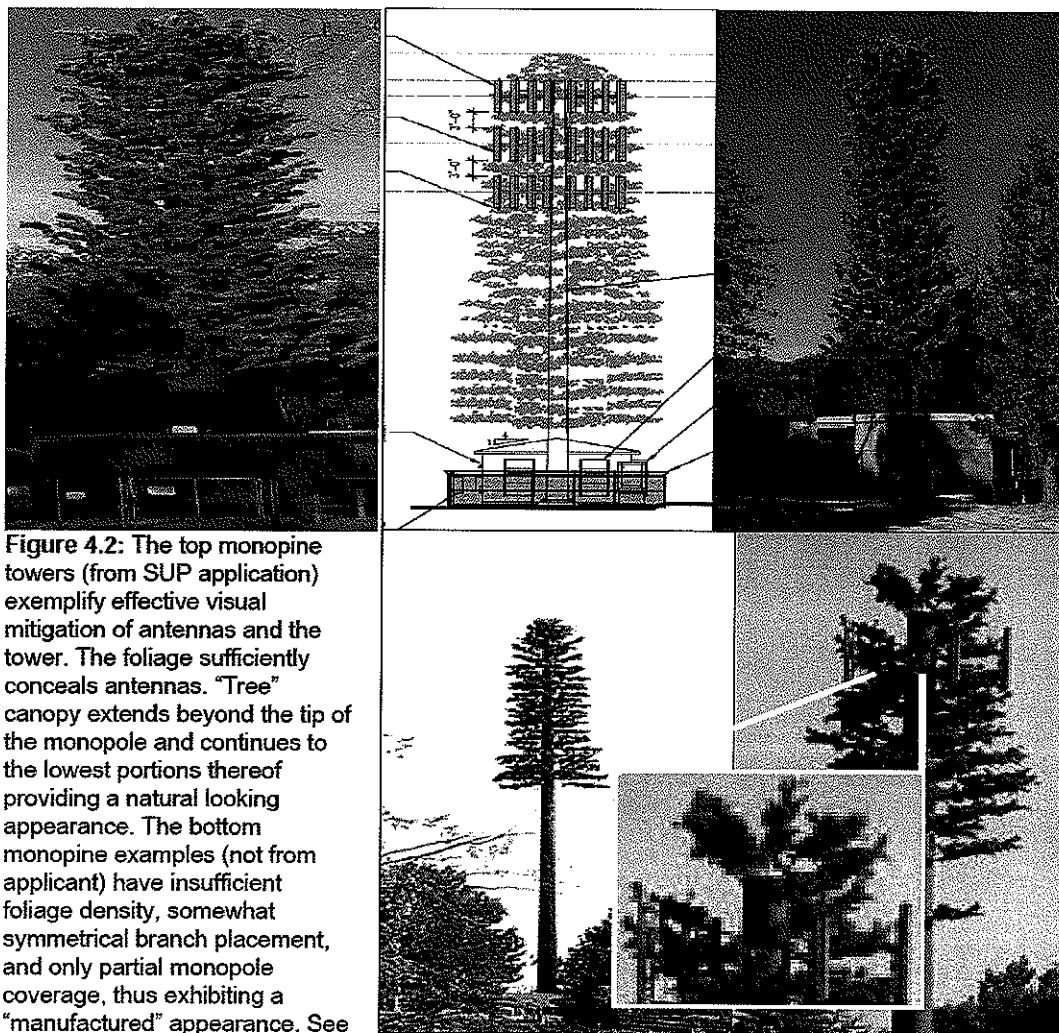


Figure 4.2: The top monopine towers (from SUP application) exemplify effective visual mitigation of antennas and the tower. The foliage sufficiently conceals antennas. "Tree" canopy extends beyond the tip of the monopole and continues to the lowest portions thereof providing a natural looking appearance. The bottom monopine examples (not from applicant) have insufficient foliage density, somewhat symmetrical branch placement, and only partial monopole coverage, thus exhibiting a "manufactured" appearance. See details in Figure 4.3.

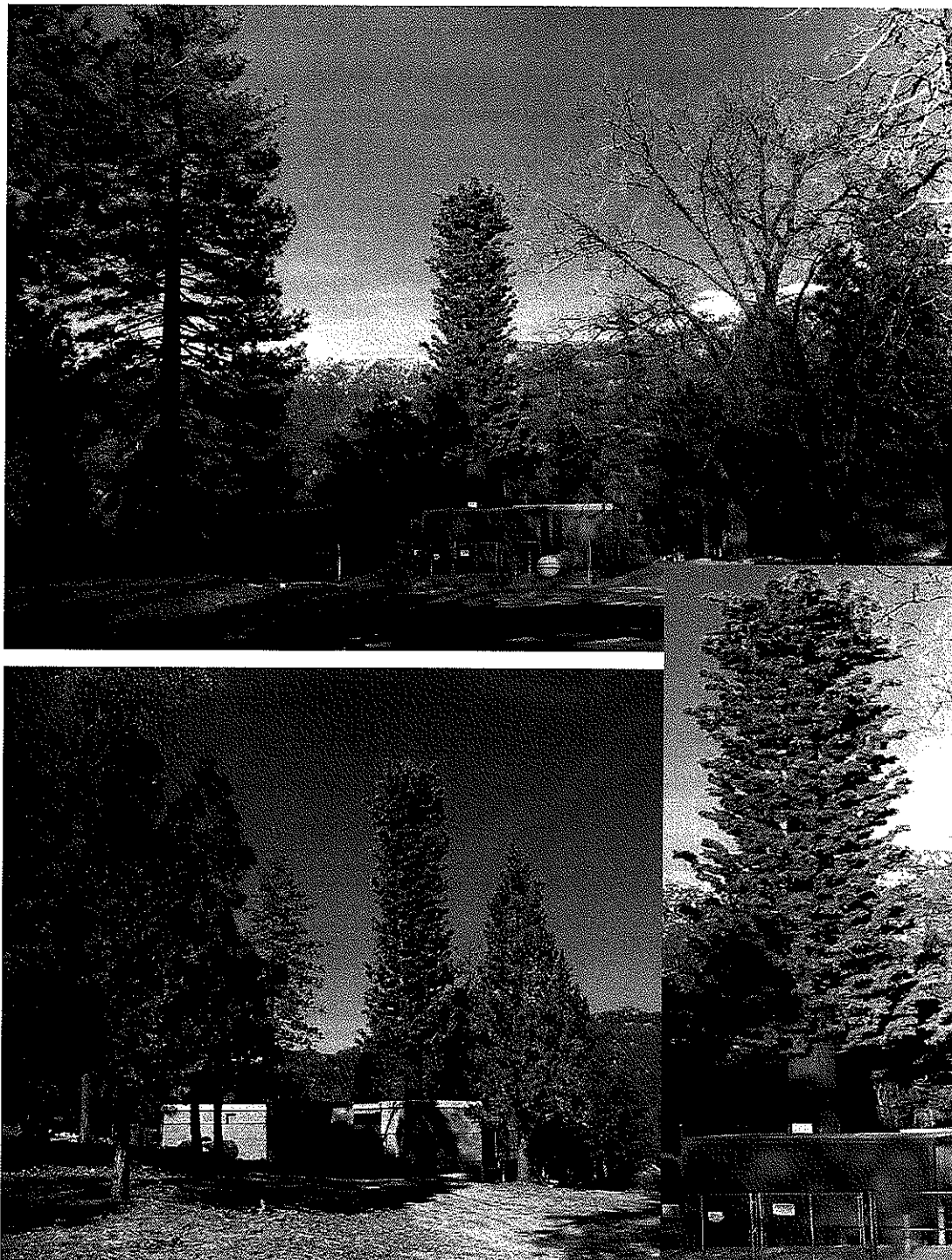


Figure 4.3: Close up photos of existing monopine structures constructed by the applicant in Nevada.

4.3. Tower Height and Lighting.

The Federal Aviation Administration (FAA) requires towers (“obstructions”) exceeding 200’ to be lighted (beacons) with devices which either flash, strobe, remain steady burning, or perform a combination thereof. It states specifically that, “Any temporary or permanent structure, including all appurtenances, that exceeds and overall height of 200 feet (61m) above ground level (AGL) or exceeds any obstruction standard contained in 14 CFR [Code of Federal Regulations] part 77, should normally be marked and/or lighted” (US Department of Transportation Federal Aviation Administration, 2007, p. 3).

The monopine tower proposed has a total height of 85’ (“tree” crown inclusive) and should require no FAA signal lighting or applied coloration. In order to maintain the rural residential character of the surrounding area, including the area’s distinctive dark skies (see regulations for outdoor lighting in Chapter 8.02, “Dark Skies”, of the Storey County Code) the height of the entire structure (including antennae and other devices placed thereon) must be limited to the height proposed in SUP Application No. 2012-014. Reasonable flexibility to the overall height should be considered for the tapered tree top application.

4.4 Traffic.

The facility is automated and will run year-round. Activity and traffic will relate to workers who may enter the premises occasionally to maintain or make repairs and adjustments to the system. Temporary traffic related to construction of the facility will take place for a brief period and is expected to impose minimal to no impacts on the surrounding area. Storey County will periodically monitor activity during construction to assure dust and other impacts are minimized.

4.5 Noise.

A diesel emergency power back-up generator and equipment shelter air conditioners are the only noise emitters. The generator will allow the facility to operate during power outages and will only operate during those times. It will be muffled and contained within a sound-insulated building sufficient in design to maintain decibels below the limits allowed by Chapter 8.02 of the Storey County Code. Noise emitting specifications for the air conditioner units proposed to be installed in the equipment shelters are as indicated in the following table:

Marvair Sound Data “AVP Models”	
TEST MODEL AVP36 COMPACT I	SOUND LEVEL
Distance from Unit	dBA
5’	70
10’	66
20’	62
30’	58
40’	56
50’	55
60’	53
Background ambient sound level: 42 – 48 dBA	

Source: Marvair Airxcel, Inc., noise emission results for Model AVP36 COMPACT I air conditioner.

4.6 Emergency Management Plan.

A comprehensive Emergency Management Plan needs to be submitted to the Storey County Fire Department for review and approval prior to project commencement. The plan must include: the Permit Holder's emergency contact phone number(s); emergency contact procedure, including for Emergency 9-1-1, Storey County Emergency Direct-Connect 775.847.0950, and Fire and Emergency Management Departments; documenting and reporting procedures; post structure failure management, clean-up, reclamation, and material disposal; electrical system shut-down procedure; disclosure and management of hazardous materials (e.g., asbestos) or other conditions (e.g., radiation), if applicable; and post structure failure damage reporting and treatment of affected neighboring properties.

4.7 Emergency Access.

The applicant needs to facilitate adequate access and staging space for emergency vehicles and equipment. The overall site layout needs to be in accordance with Fire Department requirements. All persons working within the premises need to be informed by the applicant to dial Emergency Services Direct-Connect 775.847.0950 (in lieu of Emergency 9-11) from cellular telephones during times of emergencies. The access plan needs to be included as part of Emergency Management Plan discussed in Section 4.6 above.

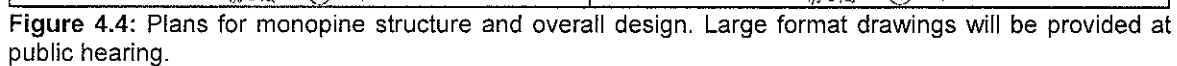
4.8 Electromagnetic Interference and Frequency Emission.

In accordance with 47 U.S.C. Section 332(c)(7)(B)(iv), no state or local government may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions or electromagnetic interference to the extent that such facilities comply with the FCC's regulations concerning such emissions*. The approval or denial of the special use permit application must also not be based on concerns pertinent to this section.

4.9 Homeowners Association.

The proposed facility will be located within the jurisdiction of the Virginia City Highlands Property Owners Association (VCHPOA) ("One Acres"). Notice of the proposed facility has been provided to three members of the VCHPOA, including the board president, and official notice of the SUP hearing has been provided to the board. It is evident from personal conversations that the board plans to discuss this SUP at its upcoming meeting. An approval of the SUP should recognize the local POA jurisdiction and provide by condition of approval for secondary review thereby for exterior colors and compositions applied to equipment shelters and other facility appurtenances. The monopine structure, however, is an engineered tower and must meet safety and structural criteria as deemed appropriate by the licensed engineer. Structural modification to this structure, including monopine branches, etc., could compromise its integrity; thus, it is hereby suggested that only the conditions of this SUP apply to the monopine tower.

* *In Omnipoint Corp. v. Zoning Hearing Board of Pine Grove Township (181 F. Rd 403 3rd Cir., 1999) the court ruled that in accordance with CFR 332(c)(B)(iv) the local zoning authority may not base its decision on environmental health effects of the radio emissions from the wireless telephone service facility.*



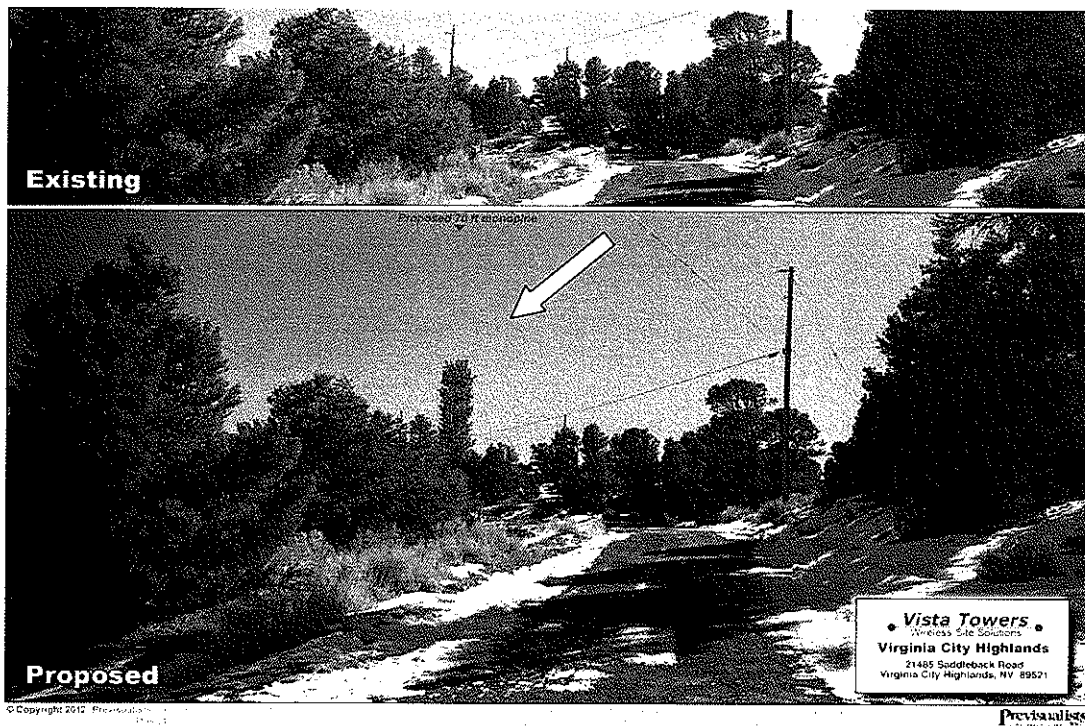


Figure 4.5: Photosimulation of view looking southeast along Saddleback Rd., almost at dead end.

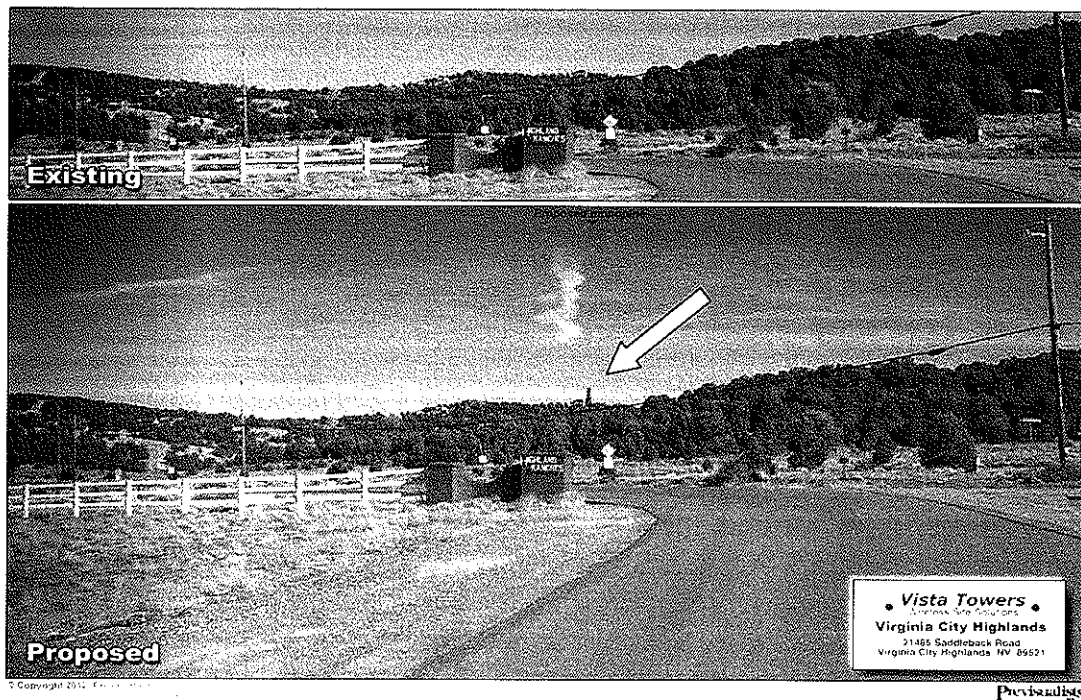


Figure 4.6: Photosimulation of view looking northeast from Highlands main entrance

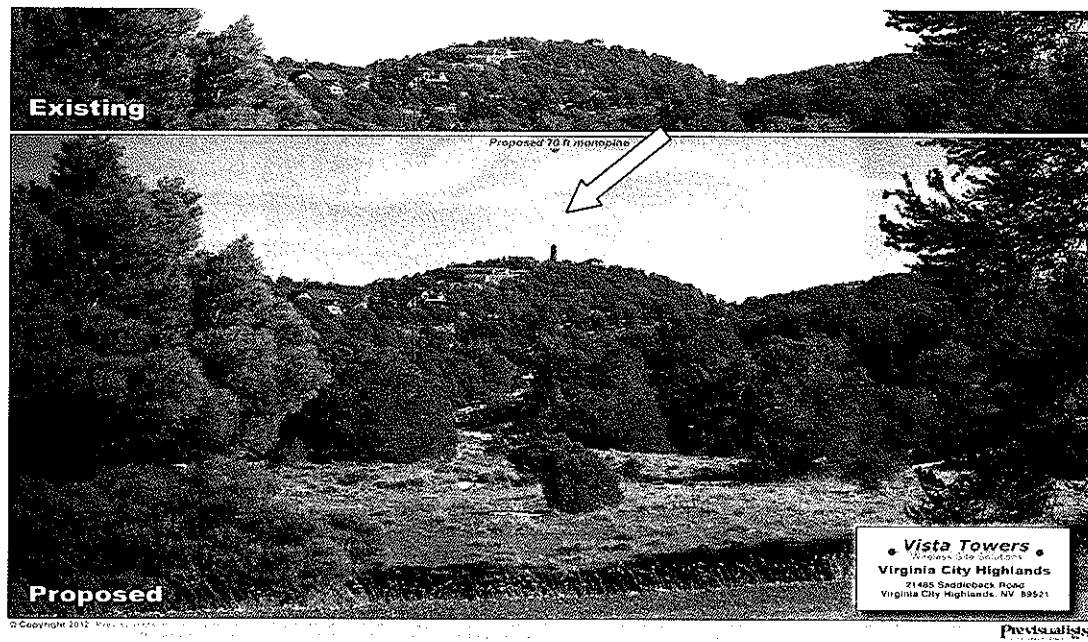


Figure 4.7: Photosimulation of view looking east from Cartwright Rd., north of Panamint Rd.

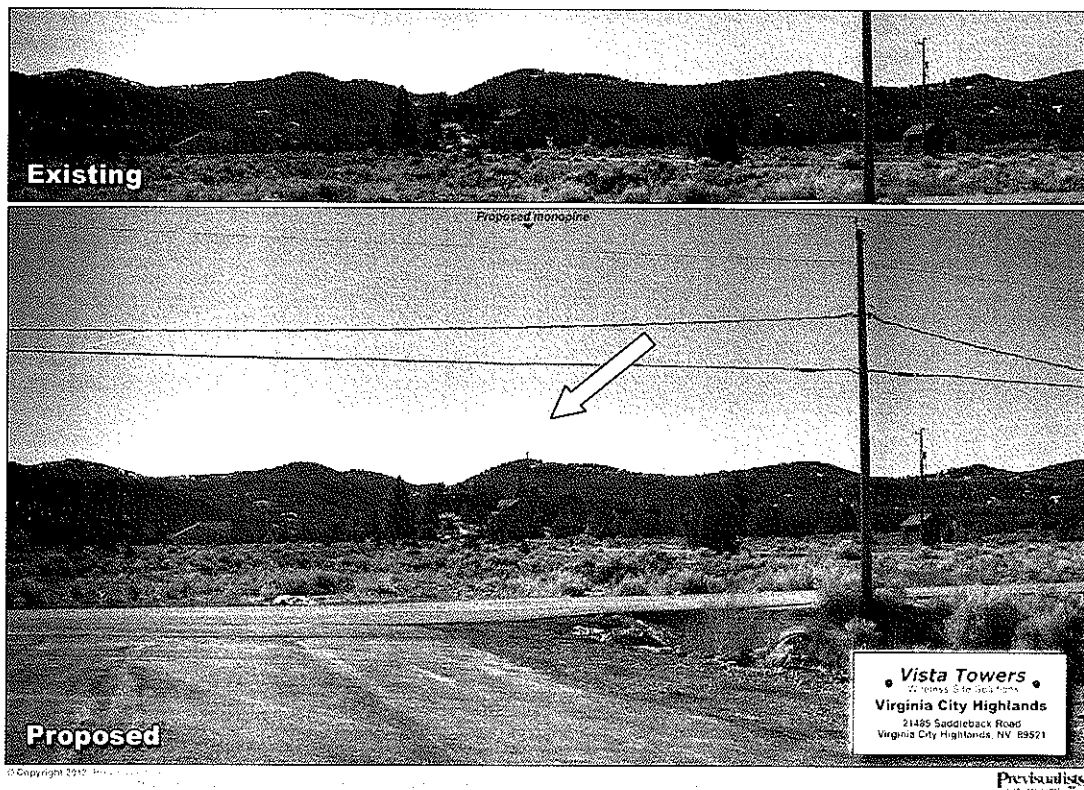


Figure 4.8: Photosimulation of view looking southwest from Fire Station No. 2

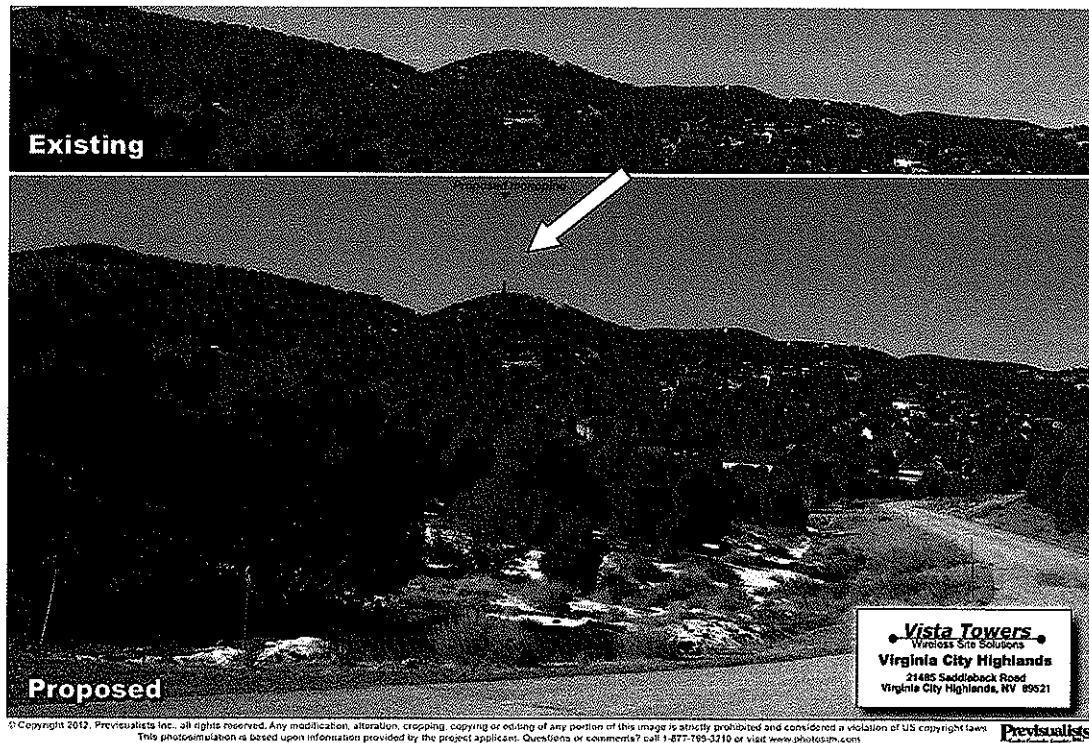


Figure 4.9: Photosimulation of view looking northwest from Lousetown Road.

V. LAND USE COMPATIBILITY & PROJECT ALTERNATIVES

The purpose and findings set forth in Section 17.40.015 (Estate Zone) of the Storey County Code state that, “The E estate zone is established for areas particularly suited for low density residential use, to further enhance the quality of life and to prohibit the development of uses which are incompatible and detrimental to a residential environment”.

The communications tower will be visible from the surrounding area; however, substantial measures, particularly the monopine design, are proposed to mitigate visual impacts that could otherwise result. Monopine towers constructed by the applicant in Nevada and hereby proposed, as compared to less effective designs shown in Figures 4.2, demonstrates considerable effort by the applicant to create a product that fits well with the surrounding environment.

Accordingly, staff recommends that the applicant is granted a special use permit to construct and operate the wireless communications facility; however, the motion for approval should be consistent with stated findings and apply the limitations detailed in the recommended motion in Section XI if this report.

VI. PUBLIC SAFETY

In addition to maintaining necessary setback from parcel boundaries, a certificate from a Nevada licensed structural engineer will need to be submitted stating that the tower meets or exceeds locally adopted International Building Code regulations and lateral wind load requirements as determined appropriate by the Storey County Building Department. Additionally, appropriate security barriers and cautionary signage will need to surround the facility to protect the public from potentially hazardous conditions.

VII. GENERAL ORDINANCE COMPLIANCE

17.12.044 (Height of Buildings) of the County Code states that, “In the R-1, R-2, E, A, PUD, and F zones, no building, manufactured building or manufactured home shall exceed a height of three stories or thirty-five feet, whichever is higher, except as may be allowed by special use permit.” It continues that, “Radio, television, and other communication masts may extend not more than forty-five feet above grade level, provided that the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances.” A perplexing question was brought to the county in 2011 as to whether a special use permit was needed for communications towers over 35’ in height or whether 45’ was the threshold for such structures over 45’ in height.

The Federal District Court of Nevada (2011) in *Taormina v. Storey County* provided an opinion regarding the applicability of 17.12.044 with regard to tower height and special use permit requirements (under Chapter 17.62 of the Storey County Code) for towers exceeding 45’ in height. The Court found that ambiguous language in Section 17.12.044 could apply to communication towers as “buildings” not to exceed 35’ without special use permit, or, “communication masts” not to be more than 45’ above grade – with no provision for special use permit provided. The Court, however, pointed to the clear applicability of Section 17.62.010 (Special Uses) to communication masts in that, “Certain uses may be permitted by the board of county commissioners in zones in which they are not permitted by this title [zoning ordinance] where such uses are deemed essential or desirable for the public convenience or welfare.” The Court ruled that, notwithstanding the provisions set forth by 17.12.044, the regulations in 17.62.010 do apply. Therefore, the requirement for special use permit applies fully to SUP Application No. 2012-014.

VIII. MASTER PLAN

The proposal is in accordance with the stated goals and objectives for public services, public safety, education, and land uses forth in Chapter 1 of the Storey County Master Plan.

Providing wireless telephone and internet to this populated region will better “protect the public safety and welfare of residents” (Goal 6.5, p. 7) by enhancing emergency communications, including “Emergency 9-1-1” services, and response times for emergency personnel. The service will increase education opportunity by facilitating efficient and reliable access to the internet (Goal 6.1 and 6.6, pp. 6 - 7). The facility also fulfills a long recognized need and desire for consistent and reliable communications in the residential area (Goal 6. 2, Objective 2.1, p. 7). The proposal “maintains a health environment for all residents of the county (Goal 9.1, Objective 1.1, p.9) by fulfilling the above and by implementing substantial measures to mitigate visual impacts that otherwise would cause substantial adverse impact to the surrounding environment.

AREA DESCRIPTION			
	LAND USE	MASTER PLAN DESIGNATION	ZONING
SUBJECT LAND	Vacant	Estate. (Lot consists of approximately 2.8 acres).	VCH-1
LAND TO NORTH	Vacant	Estate	VCH-1
LAND TO SOUTH	Vacant	Estate	VCH-1
LAND TO EAST	Vacant	Estate	VCH-1
LAND TO WEST	Permitted residence	Estate	VCH-1

IX. FINDINGS OF FACT

A. Motion for Approval.

It is hereby found that the commercial wireless communication facility under the conditions set forth in Section X of this report is in accordance with the following findings of fact:

- 10.1 The proposed commercial wireless communications facility is in accordance with the stated goals and objectives of the Storey County Master Plan by providing wireless telephone and internet to this populated region to better “protect the public safety and welfare of residents” (Goal 6.5, p. 7) by enhancing emergency communications, including “Emergency 9-1-1” services, and response times for emergency personnel; increasing education opportunities by facilitating efficient and reliable access to the internet (Goal 6.1 and 6.6, pp. 6 - 7); fulfilling a long recognized need and desire for consistent and reliable communications in the residential area (Goal 6. 2, Objective 2.1, p. 7); and “[maintaining] a healthy environment for all residents of the county (Goal 9.1, Objective 1.1, p.9) by fulfilling the above and by implementing substantial measures to mitigate visual impacts that otherwise would cause substantial adverse impact to the surrounding environment.
- 10.2 A special use permit in accordance with Section 17.12.044 and Chapter 17.62 of the County Code is required for the proposed wireless commercial communications antenna support tower as proposed by SUP Application No. 2012-014.
- 10.3 The proposed facility is in accordance with the conditions of SUP No. 2012-014 will not conflict with the purpose, intent, and other specific requirements set forth in the E-1-VCH (Estate Zone), in which the commercial wireless communication facility is proposed be located.
- 10.4 The conditions and stipulations under SUP No. 2012-014 are in accordance with the minimum requirements set forth by Chapter 17.62 of the Storey County Code and are at least as stringent as and not in conflict the applicable federal and Nevada State and Storey County regulations, including the applicable rules of the FCC and the Federal Telecommunications Act of 1996, pertaining to the construction and placement of structures and the construction and operation of commercial wireless communications towers.

- 10.5 The conditions of approval under SUP No. 2012-014 impose sufficient regulations on the wireless commercial communications facility to reasonably mitigate associated impacts on adjacent and surrounding residences and land uses.
- 10.6 Growth in the commercial wireless telecommunications industry has resulted in increased applications to municipalities for installation of wireless signal facilities. As consumer demand increases, so does the need for the industry to expand the number of antennae receiving and transmitting signals. As stated in the Federal Telecommunications Act of 1996, since more than one antenna can be co-located on a tower structure, communities, including Storey County, should encourage and require co-location wherever feasible, thereby reducing the amount of new towers being constructed on the landscape.
- 10.7 The approval of the commercial wireless communications facility will result in personal wireless communications capability including, but not limited to, cellular telephone, internet, and broadband in an existing populated area currently underserved or not served such services.
- 10.8 The approval of the commercial wireless communications facility will promote the safety of life and property for the area served by enhancing emergency telecommunications services, including "Emergency 9-1-1", for area residents and local emergency response authorities.
- 10.9 In accordance with the Telecommunications Act of 1996, the proposed facility will fill an existing gap in the ability of remote users to access the national telephone network. In this context, the relevant gap is a gap in the service currently available to remote local users, and the area being served is not already adequately served by another provider.
- 10.10 The provider applicant has demonstrated that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values...and has demonstrated a good faith effort to identify and evaluate the least intrusive alternatives, e.g., that the provider has considered less sensitive sites, alternative system designs, alternative tower designs and placement of antennae, etc.
- 10.11 In accordance with 47 (U.S.C. Section 332(c)(7)(B)(iv) of the Federal Code, the decision to approval, deny, or regulate the placement, construction, and modification of the commercial wireless communications facility is not based on electronic interference or the environmental effects of radio frequency emissions.

B. Motion for Denial.

Should a motion be made to deny the commercial wireless communications facility, the following findings of fact with explanation why should be included in that motion:

- 10.12 The proposed facility is not accordance with one or more of the stated goals and objectives of the Storey County Master Plan.
- 10.13 The proposed facility, even with reasonable conditions and mitigation, will conflict with the purpose, intent, and other specific requirements set forth in the E-1-VCH (Estate Zone), in which the commercial wireless communication facility is proposed be located.
- 10.14 No reasonable level of conditions imposed under SUP No. 2012-014 would be sufficient to

reasonably mitigate visual, safety, or other potential impacts on adjacent and surrounding residences and land uses.

- 10.15 The applicant has not demonstrated that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values...and s/he has not demonstrated a good faith effort to identify and evaluate the least intrusive alternatives, e.g., considering less sensitive sites, alternative system designs, alternative tower designs and placement of antennae, etc.
- 10.16 In accordance with 47 (U.S.C. Section 332(c)(7)(B)(iv) of the Federal Code, the decision to deny the application for the commercial wireless communications facility is not based on the electronic interference or environmental effects of radio frequency emissions.

X. RECOMMENDED CONDITIONS OF APPROVAL

All of the following conditions shall be met to the satisfaction of Storey County Community Development Department staff, unless otherwise noted:

1. Special Uses. Special Use Permit (SUP) No. 2012-014 shall be for the purpose of installing and operating a commercial wireless communication antennae tower as defined and regulated pursuant to the advisory motion made by the Storey County Planning Commission and approved by the Board of Storey County Commissioners on property located at 21485 Saddleback Road (APN 003-101-66), Virginia City Highlands, Storey County, Nevada. The operation shall remain in compliance with all of the provisions set forth by this SUP and federal, Nevada State, and Storey County codes and regulations, including applicable regulations the Telecommunications Act of 1996 and the applicable rules under Federal Communications Commission (FCC). Issuance of this SUP does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.
2. Requirements. The Permit Holder shall apply for all required permits and licenses, including building and fire permits, for the project within twenty four (24) months from the date of final approval of SUP No. 2012-014, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This SUP shall remain valid as long as the Permit Holder remains in compliance with the terms of this SUP and Storey County, Nevada State, and federal regulations. No construction or permitting for construction shall commence prior to issuance of the SUP and a valid Storey County Building Permit.
3. Closure/Abandonment. In the event that the tower and facility becomes decommissioned or is absent of any permitted wireless carriers and antennae for a period of three consecutive years, Storey County shall reserve the right to deem the facility abandoned and mandate the monopine tower and facility to be removed within 180 days thereof at the Permit Holder's expense. The applicant shall reserve the right to appeal the decision of abandonment. The process for the appeal shall be as pursuant to Chapter 17.60 and 17.62 of the Storey County Code. Removal and reclamation shall include complete removal of the entire facility including the monopine, monopole tower, antennae,

electrical wiring and connections, accessory buildings and structures, foundations and pads, and all other appurtenances. Reclamation of the site to a condition reasonably existing prior to development shall be completed to the satisfaction of Storey County. Under no circumstances shall Storey County, its officers, and representatives bare any cost or responsibility for the removal of said facilities or reclamation of the site.

4. Transfer of Rights. This SUP shall inure to the record owner of the Subject Property and to the Permit Applicant (Vista Towers, LLC) and shall run with the land. Any and all transfers of SUP No. 2012-014 shall be advised in writing by Certified Mail to Storey County Community Development Department at least 90 days prior to assignee taking over operation of facility. The operators of the facility must sign and accept all conditions and requirements of SUP No. 2012-014.
5. Indemnification/Insurance. The Permit Holder warrants that the future use of land will conform to the requirements of Storey County, State of Nevada, and applicable federal regulatory and legal requirements; further, the Permit Holder warrants that continued and future use of the land shall so conform. The Permit Holder and property owner(s) agree to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this SUP. The Permit Holder shall maintain satisfactory liability insurance for all aspects of this operation under SUP No. 2012-014 for a minimum amount of \$1,000,000.00 (one million dollars) and provide proof thereof to Storey County prior securing rights to the SUP.
6. Emergency Telephone. Any persons located on the premises in connection with maintenance, repairs, or other work on the premises shall be made aware to dial Storey County Emergency Services Direct-Connect 775.847.0950 (in lieu of 9-1-1) when dialing emergency service from **cellular telephone. Emergency 9-1-1 still applies to landline telephones.**
7. Site Security. The entire facility shall be secured by a six-foot high fence sufficient in design to maintain appropriate security for the premises. Exterior accessory building walls may also be utilized for this purpose as appropriate. The Permit Holder may top the fence with three strands of barbed wire if allowable by the Virginia City Highlands Property Owners Association (VCHPOA). The fence shall be color coated in accordance with the requirements under "Coloration and Appearance" of this SUP. Video security surveillance, while not hereby required, may be installed within the facility but shall in no way infringe or intrude upon on the personal privacy on adjacent or area properties and residences. The tower shall be appropriately designed to prevent unauthorized climbing.
8. Cautionary Signage. Signage shall be installed at the main port of entry (i.e., facility gates) stating the company's name, site address, and 24-hour company management emergency contact phone number(s). Signage shall indicate all potential hazards and safety requirements associated with entering the facility.

9. Emergency Management Plan. A comprehensive emergency management plan shall be developed by the Permit Holder and submitted for approval to the Storey County Fire Department for review and approval prior to securing rights to the SUP. The plan shall include, but not be limited to, the following in case of failure of the communications facility or related appurtenances: (1) Permit Holder's emergency contact phone number(s); (2) emergency contact procedure, including for Emergency Dispatch 9-1-1 and Storey County Emergency Direct-Connect 775.847.0950; (3) documenting and reporting procedures; (4) post structure failure management, clean-up, reclamation, and material disposal; (5) electrical system shut-down procedure; (6) disclosure and management of hazardous materials (e.g., asbestos) or other conditions (e.g., radiation), if applicable; (7) post structure failure damage reporting and treatment of affected neighboring properties; and (8) emergency access, staging, and egress.
10. Necessity to Local Jurisdiction. In accordance with Section 17.62.010 of the Storey County Code, the applicable provisions of the Storey County Master Plan, and applicable regulations under the Telecommunications Act of 1996 in determining that the commercial communications facility enhances the safety and wellbeing of the community, the Permit Holder shall collaborate with Storey County to develop a mutually acceptable plan by which county-owned emergency radio communications repeater antennae may be installed and operated on the monopole structure (as compatible with all other commercial carriers and wireless equipment thereon or proposed to be placed thereon) and by which necessary ground support equipment may be placed and operated within the facility parameters. This condition of approval recognizes that Storey County shall be responsible for all costs for acquiring, installing, maintaining, operating (i.e., utility costs), and repairing the county-owned antennae, ground support equipment, and other appurtenances, including any associated financial burdened by the Permit Holder, but Storey County shall not be assessed any fee or other charge for said use of the tower and facility. County-owned equipment placed upon exterior portions of the facility shall comply with the visual design requirements under this SUP and/or the VCHPOA.
11. Carrier Capacity. The monopine support structure shall be capable in design to co-locate no less than four commercial wireless carriers. The Permit Holder is hereby encouraged to co-locate additional carriers as the facility may accommodate in accordance with the conditions of this SUP.
12. Plans Submittal. The Applicant shall provide Storey County Community Development Department site plans, drawn to scale, which shall include dimensions of existing and proposed structures, as applicable, setback dimensions, and driveway dimensions. All other submittals applicable to a valid Building Permit shall also apply.
13. Setbacks. In accordance with Section 17.40.050 of the Storey County Code, minimum setbacks area as follows: (a) front yard, 30 feet; (b) rear yard, 40 feet; and (c) side yards, 15 feet. The minimum setback requirement shall apply to towers, antennae, foundation pads, and buildings. Additionally, the monopine shall be located no closer than its total height plus 10 percent of its total height, from grade level to uppermost tip, to any

residential structure existing at the time of approval of the SUP.

14. Antenna Limitations. The monopine and facility shall be used exclusively for commercial wireless communications. The towers shall not be used to support amateur or other non-commercial radio antennae, or lights, flags, banners, pennants, etc. Storey County emergency repeaters and antenna shall be exempt from this requirement.
15. Noise. Power generator(s) (also to include “alternator(s)”) shall be muffled and remain within a sound-insulated structure, encasement, or sound buffer walls (such as concrete masonry unit walls) sufficient to attenuate noise to or below the limitations set forth by Chapter 8.04 of the Storey County Code within 100’ of the facility. The generator shall only operate during power outages and periods of maintenance or repair. All other noise emitted from the facility, except during times of periodic maintenance and repair, shall not exceed 40 dBA at a point of 100’ from the antenna tower, equipment shelter, or any other noise emitting device or facility within the premises.
16. Area Lighting. There shall be no outdoor lighting, including security and other area lighting, permitted on the premises except under the following circumstances: outdoor lighting is managed by an automated motion detector system that maintains all lights “off” unless motion is detected, at which point lights may remain “on” for no more than four minutes; and all outdoor lights are shielded in accordance with Section 08.02.04 of the Storey County Code (“Dark Skies”). Illumination of the premises during times of maintenance and repair shall be exempt from the limitations of this section.
17. Beacon Lighting. The tower, antennae, and other appurtenances thereto shall not be constructed or altered to a height that would necessitate Federal Aviation Association (FAA) beacon lighting or special applied coloration. Unless required otherwise by the FAA, beacon lighting shall be prohibited. There shall be no direct or indirect illumination of or on any tower or antenna system. The FAA shall be the responsible agency for requiring, or not requiring, beacon lighting or other signaling devices to be applied to the structures.
18. Facility Coloration and Appearance. The facility shall be developed in accordance with the plans and drawings submitted as part of SUP Application No. 2012-014. The Permit Holder shall be responsible for maintaining the facility’s appearance in accordance with the requirements of terms and conditions of this SUP. Additionally, the Permit Holder shall obtain approval from the VCHPOA for colors and composition of equipment shelters, buildings, and other appurtenances, but not the monopine structure which shall remain in accordance with the design criteria under this Section of the SUP. In the event that a conflict arises between this Section and the requirements imposed by the VCHPOA, the more stringent shall apply with regard to exterior colors and composition of said portions of the facility. The following criteria shall be incorporated into the design of the communications tower and facility prior to a Building Permit being issued:
 - a. The monopine tower shall at a minimum exhibit the appearance of a natural coniferous tree similar in structure, design, branch density, overall branch

coverage, and coloration as illustrated in SUP Application No. 2012-014 and enclosed as Exhibit B of the SUP approval. The monopole structure may be void of branches and other foliage from grade level to a point no higher than 12', thus exhibiting a bare "tree trunk".

- b. Storey County Community Development shall reserve the right to require additional "branch" or foliage density, but no more than 3 branches per foot on monopole structure, necessary to effectively conceal antennae, dishes, and other applied devices in order to create an appearance that is consistent with the proposed design.
 - c. The exterior finish of the monopole structure, equipment shelters, antennae, dishes, accessory structures, and fencing shall be non-reflective, dull in appearance, and similar in color and hue to the submitted monopine photo renditions. If it becomes unclear as to the color required for the monopole structure and said surfaces, Kelly Moore "Sudan Brown" or a similar color of any brand shall be the required color. Coloration of monopine branches and foliage shall be similar in appearance and variation as the submitted renditions.
 - d. No antennae, dishes, or applied device shall protrude beyond the dense foliage of the monopine branches. "Needle sleeves" and/or other appropriate camouflage shall be placed over such devices to further facilitate blending with the overall monopine.
 - e. At least 75 percent of all ground surfaces visible from outside the facility, including all exposed cuts, fills, and graded slopes, shall be re-vegetated with native non-invasive plant species and/or surfaced with aggregate, large rocks, or other material of a color and hue similar to the immediate surrounding environment;
 - f. No advertising shall be permitted anywhere on the facility, with exception of signage in accordance with the applicable requirements under these conditions;
 - g. The Permit Holder shall be responsible for maintaining and repairing the monopine and facility, as necessary, to remain in compliance with these design requirements. Failure to maintain and repair the monopine and facility in accordance herewith shall be deemed violations of the requirements of this SUP. All vandalism or graffiti to the facility shall be remedied by the Permit Holder within seven calendar days of acknowledgement.
19. Vegetation Removal. Trees, shrubs, and other vegetation and ground surfaces shall be preserved to the extent feasible.
20. Electrical Distribution and Controls. The location, routing, and alignment of exterior electrical and communication controls, associated wiring, and power lines (except those now existing) shall be approved by the Building Department, when applicable.

XI. LEGAL REQUIREMENTS

At the conclusion of the hearing, the Planning Commission shall take such action thereon as it deems warranted under the circumstances and shall announce and record its action by formal resolution, and such resolution shall recite the findings of the Planning Commission upon which it bases its decision. Conditions of approval shall be included in the resolution. The resolution shall be sent to the Board of County Commissioners within twenty-one (21) days of approval of the minutes by the Planning Commission. The decision of the Planning Commission in the legislative matter of granting, granting with conditions, or denying the special use permit shall be advisory only to the Board of County Commissioners.

XII. PROPOSED MOTIONS

This section contains a motion to approve SUP Application No. 2012-014 as recommended by staff and an alternative motion to deny said SUP based on findings but not recommended by staff. The motion for approval is in accordance with stated findings under Section IX (Subsection A) of this report well as federal, Nevada State, and Storey County regulations. Should a motion be made to deny SUP Application No. 2012.014, the findings under Section IX (Subsection B) should be included as part of that motion.

A. RECOMMENDED MOTION: Based on findings of fact contained in Subsection A of Section IX of this report and compliance with all conditions and stipulations stated forth in this report, staff moves to recommend that the Storey County Planning Commission approves SUP Application No. 2012-014 to construct and operate a commercial wireless communications tower in accordance with the conditions set forth in Section X of this report.

B. ALTERNATIVE MOTION: Based on findings of fact contained in Subsection B of Section IX of this report, and contrary the recommendation for approval by county staff, the Storey County Planning Commission may chooses to deny SUP Application No. 2012-014 to construct and operate a commercial wireless communications tower.

Prepared by Austin Osborne, Senior Planner

Exhibits:

- Exhibit A: SUP Application No. 2012-014
- Exhibit B: Need for height rationale statement

APPENDIX 3: APRIL 5, 2012 AMENDMENT TO THE STAFF REPORT

Storey County Planning Commission

April 5, 2012

SUP Case No. 2012-014 (Vista Towers/Kuffner Monopine Tower)

Revised List of Recommended Conditions of Approval

Proposed Amendments: The following replaces Section IX Recommended Conditions of Approval for Staff Report 2012-014. Text to be added is **bolded**. ~~[Strikethrough]~~ text is to be deleted.

X. RECOMMENDED CONDITIONS OF APPROVAL:

Condition No. 15: Amend as follows:

Noise. Power generator(s) (also to include "alternator(s)") shall be muffled and remain within a sound-insulated structure, encasement, or sound buffer walls (such as concrete masonry unit walls) sufficient to attenuate noise to or below the limitations set forth by Chapter 8.04 of the Storey County Code within 100' of the facility. The generator shall only operate during power outages, ~~[and]~~ periods of maintenance or repair~~[-]~~, **and up to three times per seven day period to recharge system batteries and self-lubricate. Operation for said maintenance and recharging shall be limited to no more than three thirty-minute intervals per month and shall take place on weekdays (Monday thru Friday) between the hours of 9:00 a.m. and 4:00 p.m.** All other noise emitted from the facility, except during times of periodic maintenance and repair, shall not exceed 40 dBA at a point of 100' from the antenna tower, equipment shelter, or any other noise emitting device or facility within the premises.

XII. PROPOSED MOTION

The following Recommended Motion is amended to reflect the above change(s) to the Recommended Conditions of Approval:

A. RECOMMENDED MOTION: Based on findings of fact contained in Subsection A of Section IX of the staff report and compliance with all conditions and stipulations stated forth **therein and proposed hereby to be amended**, staff moves to recommend that the Storey County Planning Commission approves SUP Application No. 2012-014 to construct and operate a commercial wireless communications tower in accordance with the conditions set forth in Section X of this report.

B. ALTERNATIVE MOTION: (See staff report)

APPENDIX 4: JUNE 19, 2014 SC COMMISSIONER'S OFFICE AND PLANNING STAFF RECOMMENDATION SUMMARY

Storey County Commissioners' Office

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Virginia City, NV 89440
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Storey County Courthouse
26 South B Street, Virginia City

Storey County Commissioners' Office and Planning Division Staff Recommendation Summary

Meeting Date: June 19, 2012

Agenda Item: DISCUSSION / POSSIBLE ACTION: Approve, Amend, Ignore, Reject, or Remand the action recommended by the planning commission on April 5, 2012, and the approval of the Board of Storey County Commissioners on May 21, 2012, in regards to the Application for Special Use Permit (SUP Application No. 2012-014) for Vista Towers proposal to install one "monopine" commercial wireless communications tower on property located in the Virginia City Highlands.

Summary Notes:

At its April 5, 2012, hearing, the planning commission heard comment from county staff, the applicant, and members of the public regarding an SUP application to construct and operate a "monopine" commercial wireless communications antenna support structure (tower) on a +/- 2.8 acre estate residential parcel owned by Carman Kuffner. Based on findings presented by staff, the planning commission voted unanimously to recommend approval of the special use permit.

The Board of County Commissioners at its May 21, 2012, hearing took comments from county staff and the public. The applicant was not present. Staff recommended that the planning commission's recommendation be approved, but with the condition that the applicant secure at least one carrier prior to construction. Staff cited findings under the Telecommunications Act of 1996 as the purpose of this addition. The Commission voted unanimously to approve the wireless telecommunications facility as recommended, but with at least two wireless carriers required prior to construction.

After the meeting, the applicant claimed that the corporate approval protocols for each wireless carrier company differ making it impossible to secure two or more carriers concurrently. The applicant requested an adjustment to the respective condition that is consistent with standard business practice for wireless carriers. Accordingly, staff recommends that the applicant be required to secure at least one carrier prior to construction.

Legal counsel suggests that applicant is provided opportunity to challenge this condition to the Commission and request that the approval of his SUP be amended as recommended in this summary. Legal counsel also advises that this and other land use action items of the planning commission are placed outside of the Commission's consent agenda.

As recommended by staff at the May 21 Commission meeting and in accordance with the findings shown in this summary, staff maintains that the proposed facility is a speculation tower, on which up to four contracted commercial wireless carriers (e.g., AT&T) may lease space for their antennas and

support equipment. A motion for approval should be subject to the applicant securing at least one binding lease with a carrier prior to securing rights to the SUP and construction.

Staff Recommendation:

There are two motions presented from which to choose. These motions remain unchanged from the staff recommendation presented at the May 21, 2012, hearing. The motions are summarized as follows: (A) approve SUP Application No. 2012-014 as recommended by staff and the planning commission; and (B) an alternative motion to deny said SUP based on findings but not recommended by staff or the planning commission. The motion for approval is in accordance with the Findings of Fact Subsection A, Exhibit A as well as federal, state, and county regulations. Should a motion be made to deny the SUP application, the findings under Subsection B should be included as part of that motion.

Staff recommends the following amendment (***bold italicized***) to Condition No. 2 approved by the planning commission. The added text will better align it with staff recommended Findings of Fact:

2. Requirements. ***Prior to issuance of a SUP No. 2012-014 and any Building Permit, the Applicant must submit to the Community Development Department proof of a binding contract with at least one commercial wireless carrier to be located on the tower.*** The Permit Holder shall apply for all required permits and licenses, including building and fire permits, for the project within twenty four (24) months from the date of final approval of SUP No. 2012-014, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This SUP shall remain valid as long as the Permit Holder remains in compliance with the terms of this SUP and Storey County, Nevada State, and federal regulations. No construction or permitting for construction shall commence prior to issuance of the SUP and a valid Storey County Building Permit.

A. RECOMMENDED MOTION: Based on the advisory motion of the Storey County Planning Commission; findings of fact contained in Subsection A, Exhibit A; and compliance with all conditions recommended by the planning commission, including amendment to Condition No. 2 shown herein, staff moves to recommend that the Board of Storey County Commissioners approve SUP Application No. 2012-014 to construct and operate a commercial wireless communications tower.

B. ALTERNATIVE MOTION: Based on findings of fact contained in Subsection B, Exhibit A, and contrary the recommendation for approval by county staff and the Storey County Planning Commission, the Board of Storey County Commissioners may chooses to deny SUP Application No. 2012-014 to construct and operate a commercial wireless communications tower.

Prepared by Austin Osborne, Senior Planner

Exhibit A: Findings of Fact

Exhibit B: Official minutes of the April 5, 2012 planning commission meeting

Exhibit A: Findings of Fact

A. Motion for Approval.

It is found that the commercial wireless communication facility under the recommended conditions of approval is in accordance with the following findings of fact. ***Finding 10.12 is added as recommended by legal counsel.***

- 10.1 The proposed commercial wireless communications facility is in accordance with the stated goals and objectives of the Storey County Master Plan by providing wireless telephone and internet to this populated region to better “protect the public safety and welfare of residents” (Goal 6.5, p. 7) by enhancing emergency communications, including “Emergency 9-1-1” services, and response times for emergency personnel; increasing education opportunities by facilitating efficient and reliable access to the internet (Goal 6.1 and 6.6, pp. 6 - 7); fulfilling a long recognized need and desire for consistent and reliable communications in the residential area (Goal 6.2, Objective 2.1, p. 7); and “[maintaining] a healthy environment for all residents of the county (Goal 9.1, Objective 1.1, p.9) by fulfilling the above and by implementing substantial measures to mitigate visual impacts that otherwise would cause substantial adverse impact to the surrounding environment.
- 10.2 A special use permit in accordance with Section 17.12.044 and Chapter 17.62 of the County Code is required for the proposed wireless commercial communications antenna support tower as proposed by SUP Application No. 2012-014.
- 10.3 The proposed facility is in accordance with the conditions of SUP No. 2012-014 will not conflict with the purpose, intent, and other specific requirements set forth in the E-1-VCH (Estate Zone), in which the commercial wireless communication facility is proposed be located.
- 10.4 The conditions and stipulations under SUP No. 2012-014 are in accordance with the minimum requirements set forth by Chapter 17.62 of the Storey County Code and are at least as stringent as and not in conflict the applicable federal and Nevada State and Storey County regulations, including the applicable rules of the FCC and the Federal Telecommunications Act of 1996, pertaining to the construction and placement of structures and the construction and operation of commercial wireless communications towers.
- 10.5 The conditions of approval under SUP No. 2012-014 impose sufficient regulations on the wireless commercial communications facility to reasonably mitigate associated impacts on adjacent and surrounding residences and land uses.
- 10.6 Growth in the commercial wireless telecommunications industry has resulted in increased applications to municipalities for installation of wireless signal facilities. As consumer demand increases, so does the need for the industry to expand the number of antennae receiving and transmitting signals. As stated in the Federal Telecommunications Act of 1996, since more than one antenna can be co-located on a tower structure, communities, including Storey County, should encourage and require co-location wherever feasible, thereby reducing the amount of new towers being constructed on the landscape.
- 10.7 The approval of the commercial wireless communications facility will result in personal wireless communications capability including, but not limited to, cellular telephone, internet, and broadband in an existing populated area currently underserved or not served such services.
- 10.8 The approval of the commercial wireless communications facility will promote the safety of life and property for the area served by enhancing emergency telecommunications services,

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including "Emergency 9-1-1", for area residents and local emergency response authorities.

- 10.9 In accordance with the Telecommunications Act of 1996, the proposed facility will fill an existing gap in the ability of remote users to access the national telephone network. In this context, the relevant gap is a gap in the service currently available to remote local users, and the area being served is not already adequately served by another provider.
- 10.10 The provider applicant has demonstrated that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values...and has demonstrated a good faith effort to identify and evaluate the least intrusive alternatives, e.g., that the provider has considered less sensitive sites, alternative system designs, alternative tower designs and placement of antennae, etc.
- 10.11 In accordance with 47 (U.S.C. Section 332(c)(7)(B)(iv) of the Federal Code, the decision to approval, deny, or regulate the placement, construction, and modification of the commercial wireless communications facility is not based on electronic interference or the environmental effects of radio frequency emissions.
- 10.12 *As recommended by legal counsel and required by NRS Chapter 278, the re-hearing of SUP Application No. 2012-014 will provide the applicant opportunity to state concerns and request adjustments regarding the SUP conditions of approval.*

B. Motion for Denial.

Should a motion be made to deny the commercial wireless communications facility, the following findings of fact with explanation why should be included in that motion:

- 10.13 The proposed facility is not accordance with one or more of the stated goals and objectives of the Storey County Master Plan.
- 10.14 The proposed facility, even with reasonable conditions and mitigation, will conflict with the purpose, intent, and other specific requirements set forth in the E-1-VCH (Estate Zone), in which the commercial wireless communication facility is proposed be located.
- 10.15 No reasonable level of conditions imposed under SUP No. 2012-014 would be sufficient to reasonably mitigate visual, safety, or other potential impacts on adjacent and surrounding residences and land uses.
- 10.16 The applicant has not demonstrated that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values...and s/he has not demonstrated a good faith effort to identify and evaluate the least intrusive alternatives, e.g., considering less sensitive sites, alternative system designs, alternative tower designs and placement of antennae, etc.
- 10.17 In accordance with 47 (U.S.C. Section 332(c)(7)(B)(iv) of the Federal Code, the decision to deny the application for the commercial wireless communications facility is not based on the electronic interference or environmental effects of radio frequency emissions.

Prepared by Austin Osborne, Senior Planner

Exhibit B: Official minutes of the April 5, 2012 planning commission meeting

Minutes of April 5, 2012

MEMBERS PRESENT:

Virgil Bucchianeri, Lydia Hammack, John Harrington, Larry Prater, Bret Tyler and Doug Walling.

MEMBERS ABSENT: Laura Kekule

OTHERS PRESENT:

Senior Planner Austin Osborne, District Attorney Bill Maddox, DA Intern Scott Walker, Commissioner Bill Sjovangen, and Sergeant Jeff Bowers.

CALL TO ORDER:

With a quorum present, Chairman Doug Walling called the meeting to order at the Virginia City Highlands Fire Station at 6:00 P.M.

Pledge of Allegiance

APPROVAL OF AGENDA FOR April 5, 2012

Motion: Approval of Agenda, **Action:** Approve, **Moved** by Lydia Hammack, **Seconded** by John Harrington.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

APPROVAL OF MINUTES FOR March 1, 2012

Motion: Approval of Minutes, **Action:** Approve, **Moved** by John Harrington, **Seconded** by Bret Tyler.

Vote: Motion carried by roll call vote (summary: Yes = 4, Abstain = Lydia Hammack).

2012-014 SPECIAL USE PERMIT: By Kuffner/Vista Towers (Virginia City Highlands)

Applicant is requesting a Special Use Permit for APN 003-101-66, 21485 Saddleback Rd, Virginia City Highlands, to install and operate an 85' Stealth "Monopine" Commercial Wireless Communications Tower capable of accommodating up to four wireless carriers.

Misako Hill, Vista Towers, gave a brief Power Point presentation and explained how this tower would facilitate co-location and therefore reduce the potential number of future wireless communication towers in the area. Ms. Hill said that her company, Vista Towers, had a good working relationship with several commercial wireless carriers. At this time AT&T and Verizon are planning to use this tower. Once the construction is done, on-site maintenance only occurs once a month or when an emergency arises. The new construction materials really do make the pole look like a pine tree. Vice-Chairman Tyler asked about the site visits and wanted to limit the number and time that the visits occurred. Senior Planner Osborne replied that it could be part of the conditions of approval.

Chairman Walling asked what kind of maintenance was required. Ms. Hill said that most of the maintenance was electric monitoring and perhaps one to two hours on site once a month.

Planning Commissioner Hammack had many questions about how the support buildings were constructed and that they and the fences would conform to the architectural requirements from the CC&R's of the VCHPOA. Senior Planner Osborne replied that the wording in the conditions of approval could be tightened up to make this a requirement pursuant to said Homeowner's Association.

Planning Commissioner Harrington asked what kind of lighting would be used. Senior Planner Osborne replied that Condition 16 covered the lighting requirements and that they would have to adhere to the Dark Skies Ordinance of the county as well.

Planning Commissioner Prater commented that he had been to the site and noticed trees that had been blown over and asked how the winds would affect the tower. He also felt that a non pine tower might be better. Ms. Hill replied that the building permit would address the structural and there would be a soils report to go along with that application. Senior Planner Osborne also added that the tower is engineered and he stated that the tower would have to meet minimum county wind load requirements.

Vice-Chairman Tyler asked how many carriers are currently on the tower that is in Virginia City. Senior Planner Osborne said that

there are currently two carriers with capacity for another. The tower proposed here will be able to handle four carriers, he said.

Planning Commissioner Hammack asked about the effects of the weather which would cause fading of the artificial foliage on the tower. Ms. Hill explained that Vista Towers does maintenance and replacement so that the visual always

looks the same.

Chairman Walling asked about the configuration of the tower for three carriers. Senior Planner Osborne explained that this application is only for the tower but that when he gave his presentation that there was a picture showing the tower with three carriers.

Carol Morrell, Storey County, asked about the noise from the generator. Senior Planner Osborne said that he had changed the condition regarding the generator after discussing with Dan Davis, the Engineer for Vista Towers. Vice-Chairman Tyler commented that he lived 200ft from a cell tower and that there is no noise.

Jed Margolin, Storey County, commented that the Highlands took a hard line against manufactured buildings and suggested they check into Tough Sheds buildings. He went on to say that lattice towers are not good because they kill lots of birds. Mr. Margolin said that he felt that the hours for the generator should be from 11am till 3pm. He wanted to know how many users could talk on their phones at the same time. Ms. Hill could not answer that question as she only represents Vista Tower and not the carriers. Mr. Margolin said that he was in favor of the tower. Senior Planner Osborne chimed in stating that it's the tower we are approving and that particular type phone coverage is dependent upon the carriers located on the tower.

Blain Redwine, Storey County, wanted to know if alternate sites had been looked at. Senior Planner Osborne said that Community Development Director Dean Haymore had worked with the applicant looking at sites and it was decided that this was the best site for the tower. Senior Planner Osborne sited line-of-site to area residents and the wireless grid receptors at Mt. Rose and Pevine as reasons this site was good for the communications tower. Mr. Redwine asked if consideration had been made by the county regarding the drop in property value due to the tower location. Senior Planner Osborne answered that case law and text by the FCC has determined that property values are not impacted, and in some cases are increased, with visually mitigated cell towers such as stealth monopine designs.

One gentleman, Storey County, asked if the tower would interfere with dish or TV service. Ms. Hill replied that it would not.

Cynthia Kennedy, Storey County, asked if there were two towers next door what the FCC case law said about the property value.

Mr. Margolin said that the decision should be based on requiring FCC certification. Senior Planner Osborne replied that it was one of the conditions already in the staff report.

Gary Schmidt, candidate for State Assembly, said that the contract with the carriers could also have conditions. Senior Planner Osborne then presented a Power Point presentation and went over regulations, illustrations, and the findings of fact (copy available in the Planning Office).

Planning Commissioner Herrington said that he would like to see the condition beefed up to give the Architectural Committee of the VCHPOA more control over the structure and fences. Senior Planner Osborne agreed that this could be done but that the monopine structure itself should be left to the engineer and the conditions of the SUP.

Mr. Margolin said that he saw no problem with the regular maintenance on site being done between the hours of 9 to 5. Karen who lives in the 40-Acre Parcels commented that there is a real need for this service for times of emergency. She told of two separate times when it was needed due to fire hazards.

Mr. Redwine brought up the site location again and wanted to know if a study had been done on the appropriate siting. Ms. Hall answered the question three times using different wording each time. Planning Commissioner Prater commented that he has lived out in the Highlands for 35 years and the location was the best for the 360 degree range of service. Senior Planner Osborne again explained how Director Haymore had worked with the applicant and his qualifications. District Attorney Bill Maddox commented that Mr. Redwine was only being argumentative at this point and it was time to move on.

Anna Redwine, Storey County, said that she thought the purpose of these meeting was to be argumentative and let everyone speak what was on their mind.

Ms. Kennedy asked about using Geiger Peak for the tower. Senior Planner Osborne explained that it was not likely suitable since 180 degree range of service would be going nowhere.

Planning Commissioner Prater asked about the involvement of Karen Kuffner whose property the tower is located. Senior Planner Osborne explained that they were the property owner only and would be leasing a portion of their property to Vista Towers. They still had enough land to be able to build a residence if they wished to in the future.

Motion: Approval of Application with all conditions from the Staff Report and to include the changes discussed and requested by the Planning Commissioners, **Action:** Approve, **Moved** by Virgil Bucchianeri, **Seconded** by John Harrington.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Conditions of approval with changes are as follows:

1. Special Uses. Special Use Permit (SUP) No. 2012-014 shall be for the purpose of installing and operating a commercial wireless communication antennae tower as defined and regulated pursuant to the advisory motion

made by the Storey County Planning Commission and approved by the Board of Storey County Commissioners on property located at 21485 Saddleback Road (APN 003-101-66), Virginia City Highlands, Storey County, Nevada. The operation shall remain in compliance with all of the provisions set forth by this SUP and federal, Nevada State, and Storey County codes and

regulations, including applicable regulations the Telecommunications Act of 1996 and the applicable rules under Federal Communications Commission (FCC). Issuance of this SUP does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.

2. Requirements. The Permit Holder shall apply for all required permits and licenses, including building and fire permits, for the project within twenty four (24) months from the date of final approval of SUP No. 2012-014, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This SUP shall remain valid as long as the Permit Holder remains in compliance with the terms of this SUP and Storey County, Nevada State, and federal regulations. No construction or permitting for construction shall commence prior to issuance of the SUP and a valid Storey County Building Permit.
3. Closure/Abandonment. In the event that the tower and facility becomes decommissioned or is absent of any permitted wireless carriers and antennae for a period of three consecutive years, Storey County shall reserve the right to deem the facility abandoned and mandate the monopine tower and facility to be removed within 180 days thereof at the Permit Holder's expense. The applicant shall reserve the right to appeal the decision of abandonment. The process for the appeal shall be as pursuant to Chapter 17.60 and 17.62 of the Storey County Code. Removal and reclamation shall include complete removal of the entire facility including the monopine, monopole tower, antennae, electrical wiring and connections, accessory buildings and structures, foundations and pads, and all other appurtenances. Reclamation of the site to a condition reasonably existing prior to development shall be completed to the satisfaction of Storey County. Under no circumstances shall Storey County, its officers, and representatives bare any cost or responsibility for the removal of said facilities or reclamation of the site.
4. Transfer of Rights. This SUP shall inure to the record owner of the Subject Property and to the Permit Applicant (Vista Towers, LLC) and shall run with the land. Any and all transfers of SUP No. 2012-014 shall be advised in writing by Certified Mail to Storey County Community Development Department at least 90 days prior to assignee taking over operation of facility. The operators of the facility must sign and accept all conditions and requirements of SUP No. 2012-014.
5. Indemnification/Insurance. The Permit Holder warrants that the future use of land will conform to the requirements of Storey County, State of Nevada, and applicable federal regulatory and legal requirements; further, the Permit Holder warrants that continued and future use of the land shall so conform. The Permit Holder and property owner(s) agree to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this SUP. The Permit Holder shall maintain satisfactory liability insurance for all aspects of this operation under SUP No. 2012-014 for a minimum amount of \$1,000,000.00 (one million dollars) and provide proof thereof to Storey County prior securing rights to the SUP.
6. Emergency Telephone. Any persons located on the premises in connection with maintenance, repairs, or other work on the premises shall be made aware to dial Storey County **Emergency Services Direct-Connect 775.847.0950** (in lieu of 9-1-1) when dialing emergency service from **cellular telephone. Emergency 9-1-1 still applies to landline telephones.**
7. Site Security. The entire facility shall be secured by a six-foot high fence sufficient in design to maintain appropriate security for the premises. Exterior accessory building walls may also be utilized for this purpose as appropriate. The Permit Holder may top the fence with three strands of barbed wire if allowable by the Virginia City Highlands Property Owners Association (VCHPOA). The fence shall be color coated in accordance with the requirements under "Coloration and Appearance" of this SUP. Video security surveillance, while not hereby required, may be installed within the facility but shall in no way infringe or intrude upon on the personal privacy on adjacent or area properties and residences. The tower shall be appropriately designed to prevent unauthorized climbing.
8. Cautionary Signage. Signage shall be installed at the main port of entry (i.e., facility gates) stating the company's name, site address, and 24-hour company management emergency contact phone number(s). Signage shall indicate all potential hazards and safety requirements associated with entering the facility.

Holder and submitted for approval to the Storey County Fire Department for review and approval prior to securing rights to the SUP. The plan shall include, but not be limited to, the following in case of failure of the communications facility or related appurtenances: (1) Permit Holder's emergency contact phone number(s); (2) emergency contact procedure, including for Emergency Dispatch 9-1-1 and Storey County Emergency Direct-Connect 775.847.0950; (3) documenting and reporting procedures; (4) post structure failure management, clean-up, reclamation, and material disposal; (5) electrical system shut-down procedure; (6) disclosure and management of hazardous materials (e.g., asbestos) or other conditions (e.g., radiation), if applicable; (7) post structure failure damage reporting and treatment of affected neighboring properties; and (8) emergency access, staging, and egress.

10. Necessity to Local Jurisdiction. In accordance with Section 17.62.010 of the Storey County Code, the applicable provisions of the Storey County Master Plan, and applicable regulations under the Telecommunications Act of 1996 in determining that the commercial communications facility enhances the safety and wellbeing of the community, the Permit Holder shall collaborate with Storey County to develop a mutually acceptable plan by which county-owned emergency radio communications repeater antennae may be installed and operated on the monopole structure (as compatible with all other commercial carriers and wireless equipment thereon or proposed to be placed thereon) and by which necessary ground support equipment may be placed and operated within the facility parameters. This condition of approval recognizes that Storey County shall be responsible for all costs for acquiring, installing, maintaining, operating (i.e., utility costs), and repairing the county-owned antennae, ground support equipment, and other appurtenances, including any associated financial burdened by the Permit Holder, but Storey County shall not be assessed any fee or other charge for said use of the tower and facility. County-owned equipment placed upon exterior portions of the facility shall comply with the visual design requirements under this SUP and/or the VCHPOA.
11. Carrier Capacity. The monopine support structure shall be capable in design to co-locate no less than four commercial wireless carriers. The Permit Holder is hereby encouraged to co-locate additional carriers as the facility may accommodate in accordance with the conditions of this SUP.
12. Plans Submittal. The Applicant shall provide Storey County Community Development Department site plans, drawn to scale, which shall include dimensions of existing and proposed structures, as applicable, setback dimensions, and driveway dimensions. All other submittals applicable to a valid Building Permit shall also apply.
13. Setbacks. In accordance with Section 17.40.050 of the Storey County Code, minimum setbacks area as follows: (a) front yard, 30 feet; (b) rear yard, 40 feet; and (c) side yards, 15 feet. The minimum setback requirement shall apply to towers, antennae, foundation pads, and buildings. Additionally, the monopine shall be located no closer than its total height plus 10 percent of its total height, from grade level to uppermost tip, to any residential structure existing at the time of approval of the SUP.
14. Antenna Limitations. The monopine and facility shall be used exclusively for commercial wireless communications. The towers shall not be used to support amateur or other non-commercial radio antennae, or lights, flags, banners, pennants, etc. Storey County emergency repeaters and antenna shall be exempt from this requirement.
15. Noise. Power generator(s) (also to include "alternator(s)") shall be muffled and remain within a sound-insulated structure, encasement, or sound buffer walls (such as concrete masonry unit walls) sufficient to attenuate noise to or below the limitations set forth by Chapter 8.04 of the Storey County Code within 100' of the facility. The generator shall only operate during power outages and during routine recharge and maintenance intervals. Maintenance/recharge operation shall be limited to three thirty-minute intervals per week and shall take place on weekdays (Monday thru Friday) between the hours of 11:00 a.m. and 3:00 p.m. Other maintenance and repair, except during emergencies, shall be limited to 9:00 a.m. and 5:00 p.m. during said weekdays. All other noise emitted from the facility, except during times of periodic maintenance and repair, shall not exceed 40 dBA at a point of 100' from the antenna tower, equipment shelter, or any other noise emitting device or facility within the premises.
16. Area Lighting. There shall be no outdoor lighting, including security and other area lighting, permitted on the premises except under the following circumstances: outdoor lighting is managed by an automated motion detector system that maintains all lights "off" unless motion is detected, at which point lights may remain "on" for no more than four minutes; and all outdoor lights are shielded in accordance with Section 08.02.04 of the Storey County Code ("Dark Skies"). Illumination of the premises during times of maintenance and repair shall

17. Beacon Lighting. The tower, antennae, and other appurtenances thereto shall not be constructed or altered to a height that would necessitate Federal Aviation Association (FAA) beacon lighting or special applied coloration. Unless required otherwise by the FAA, beacon lighting shall be prohibited. There shall be no direct or indirect illumination of or on any tower or antenna system. The FAA shall be the responsible agency for requiring, or not requiring, beacon lighting or other signaling devices to be applied to the structures.
18. Facility Coloration and Appearance. The facility shall be developed in accordance with the plans and drawings submitted as part of SUP Application No. 2012-014. The Permit Holder shall be responsible for maintaining the facility's appearance in accordance with the requirements of terms and conditions of this SUP. Additionally, the Permit Holder shall obtain architectural review and approval from the Virginia City Highlands Property Owners' Association (VCHPOA) for the design and type of equipment shelters, buildings, fences, and other appurtenances related to the facility, but not the monopine structure which shall remain in accordance with the design criteria under this SUP. A Certificate of Approval from the VCHPOA shall be submitted to the Community Development Department prior to the issuance of a Building Permit. The following elements shall be incorporated into the design of the facility, unless regulated otherwise by the VCHPOA, and telecommunications monopine tower:
- a. The monopine tower shall at a minimum exhibit the appearance of a natural coniferous tree similar in structure, design, branch density, overall branch coverage, and coloration as illustrated in SUP Application No. 2012-014 and enclosed as Exhibit B of the SUP approval. The monopole structure may be void of branches and other foliage from grade level to a point no higher than 12', thus exhibiting a bare "tree trunk".
 - b. Storey County Community Development shall reserve the right to require additional "branch" or foliage density, but no more than 3 branches per foot on monopole structure, necessary to effectively conceal antennae, dishes, and other applied devices in order to create an appearance that is consistent with the proposed design.
 - c. The exterior finish of the monopine, including the monopole structure, branches, and foliage shall be similar in color and hue to the submitted monopine renditions. If it becomes unclear as to the color required for the monopine support structure, Kelly Moore "Sudan Brown" or a similar color of any brand shall be the required color. Unless required otherwise by the VCHPOA, exterior finishes for the remaining facility structures, buildings, fences, etc., shall be in accordance with the above requirements.
 - d. No antennae, dishes, or applied device shall protrude beyond the dense foliage of the monopine branches. "Needle sleeves" and/or other appropriate camouflage shall be placed over such devices to further facilitate blending with the overall monopine.
 - e. At least 75 percent of all ground surfaces visible from outside the facility, including all exposed cuts, fills, and graded slopes, shall be re-vegetated with native non-invasive plant species and/or surfaced with aggregate, large rocks, or other material of a color and hue similar to the immediate surrounding environment;
 - f. No advertising shall be permitted anywhere on the facility, with exception of signage in accordance with the applicable requirements under these conditions;
 - g. The Permit Holder shall be responsible for maintaining and repairing the monopine and facility, as necessary, to remain in compliance with these design requirements and/or those imposed by the VCHPOA. Failure to maintain and repair the monopine and facility in accordance herewith shall be deemed violations of the requirements of this SUP. All vandalism or graffiti to the facility shall be remedied by the Permit Holder within seven calendar days of acknowledgement.
19. Vegetation Removal. Trees, shrubs, and other vegetation and ground surfaces shall be preserved to the extent feasible.
20. Electrical Distribution and Controls. The location, routing, and alignment of exterior electrical and communication controls, associated wiring, and power lines (except those now existing) shall be approved by the Building Department, when applicable.

End of Conditions.

DETERMINATION OF NEXT PLANNING COMMISSION MEETING:

Motion: Next Planning Commission meeting to be held at 6:00 p.m. on May 3, 2012, at the Storey County Courthouse, Virginia City, Nevada. **Action:** Approve, **Moved by:** Lydia Hammack, **Seconded by:** John Harrington.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Page 9 of 10

CLAIMS: NONE

CORRESPONDENCE: NONE

PUBLIC COMMENT:

Gary Schmidt said that he is running for the State Assembly in District 39. District 39 now encompasses Storey County, Dayton, Mound House and Douglas County. Mr. Schmidt gave a brief campaign talk and then commented on the meeting and how good it was to see everyone able to express their opinions.

Lance Gilman commented that he was happy to be at the meeting and felt that the Planning Commission had done a good job.

Eileen Harrington said she liked to watch her husband at work.

Cynthia Kennedy said that she was impressed with the article in the paper about Planning Commissioner Bret Tyler and his artwork.

STAFF:

Senior Planner Osborne informed the Planning Commissioners that the zoning ordinance updates are just about ready to go to the District Attorney for his review. The zoning maps are now with the Douglas County GIS and should be ready for review in about four months.

PLANNING COMMISSIONER COMMENT:

Planning Commission Prater and Planning Commissioner Hammack said that they appreciated the decision of the board tonight.

ADJOURNMENT: Chairman Doug Walling adjourned the meeting at 8:00 P.M.

The Planning Commission minutes as stated above are a summary of the proceeding and are not a verbatim record. The meeting held on the above date was recorded on the Storey County portable recording system.

Respectfully Submitted,

Donna Giboney, Sitting Secretary

Doug Walling, Chairman



Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 10 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/Possible Action: Special Use Permit 2014-016.** By Jim Minar on behalf of Supergraphics located at 1 South C Street, Virginia City, Storey County, Nevada at a business commonly known as the Bucket of Blood Saloon (APN: 001-085-11). The applicant requests a Special Use Permit for the placement of a mural on the exterior portion of the building.

2. **Recommended motion:** In accordance with the recommendation by the Storey County Planning Commission and Staff, the Findings under Section 6.1 of the Staff Report and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I [Commissioner] hereby move to approve with conditions Special Use Permit Number 2014-016 for the placement of a mural on the exterior portion of the building at APN: 001-085-11.

3. **Prepared by:** Dessie Redmond, Planner

Department: Planning Department

Telephone: 847-1144

4. **Staff summary:** The Applicant requests a Special Use Permit for the placement of a mural on the exterior portion of the building.

5. **Supporting materials:** Staff report, exhibits and appendices.

6. **Fiscal impact:** None on local government.

Funds Available:


Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

**STOREY COUNTY
PLANNING DEPARTMENT**

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440
Phone (775) 847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County County Commissioners

From: Storey County Planning Department

Meeting Date: September 16, 2014 at 10am

Meeting Location: Storey County Courthouse - 26 South B Street, Virginia City, Nevada 89440

Staff Contact: Dessie Redmond, Planner

File: 2014-016

Applicant: Jim Minar with Supergraphics

Property Owner: Marshall McBride

Property Location: 1 South C Street, Virginia City, Storey County, Nevada (APN: 001-085-11) at a business commonly known as the Bucket of Blood Saloon.

Figures: Figure 1-Vicinity Map; Figure 2-Zoning Map; Figures 3 & 4-Site Photos; Figures 5-Mural Mock Up; Figure 6-Abutting Land Uses

Appendix: Appendix 1-Information Submitted by the Applicant

Guiding Documents: Storey County Code Sections 17.84 Signs and Billboards, 17.03.150 Special Use Permit (conditional use), 17.10 Definitions and the Storey County Master Plan

Request: A Special Use Permit for the placement of a mural on the exterior portion of the building



Figure 1 - Vicinity Map

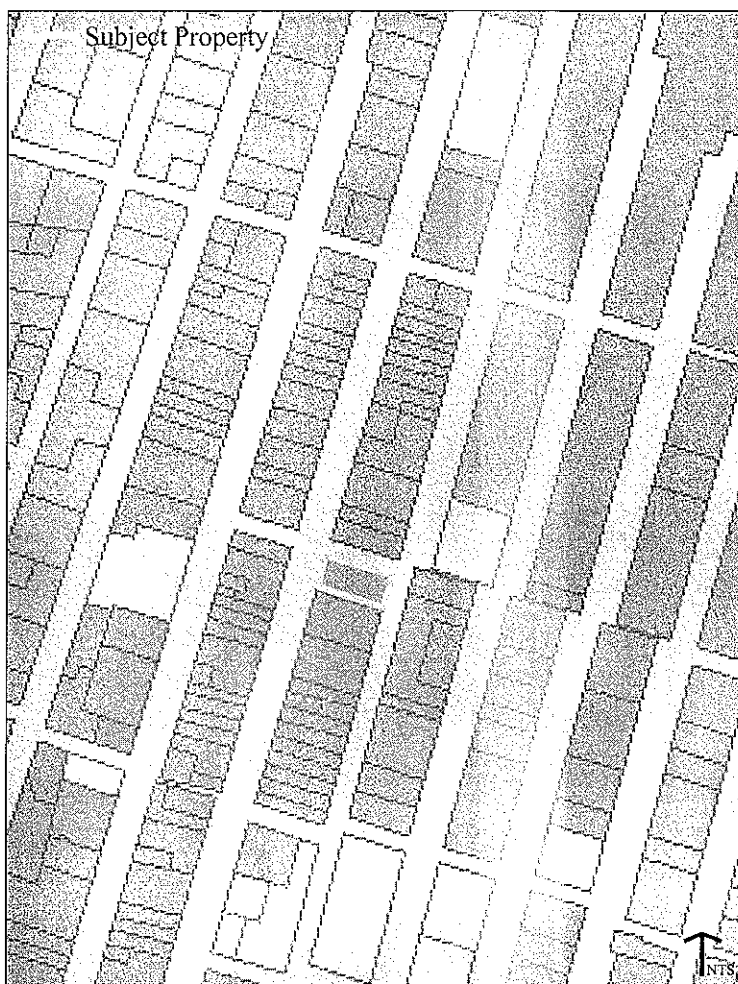


Figure 2 - Zoning Map

1. BACKGROUND & ANALYSIS

1.1 Site Location and Characteristics

The subject property is located at 1 South C Street, Virginia City, Storey County, Nevada (Assessor Parcel Number (APN) 001-085-11). The property is approximately .16 acres and is owned by Marshall McBride. Gold Hill is approximately one and one-half miles to the south, and Reno is approximately 26 miles to the northwest (Figure 1 - Vicinity Map). The subject property is zoned Commercial-Residential (CR) (Figure 2 - Zoning Map). The Bucket of Blood Saloon is located on the subject property. There is also a small attached portion of the building (Figures 3 & 4 - Site Photos) that hosts an Automatic Teller Machine (ATM).

1.2 Proposed Mural

The Applicant proposes to install a mural on the south side of the small attached portion of the subject building (Figure 5 - Mural Mock Up).

The proposed mural is a collage of historic photographs that celebrates the area's diversity and honors the past (Appendix 1 - Information Submitted by the Applicant).

The size of the mural is approximately 80 inches by 102 inches (56.5 square feet). The graphic is printed on high pressure, half-inch thick laminate. The graphic has a matte finish and is mounted with two french cleats on the

back side, at the top and bottom, and secured to the building. The edges are finished with a matt, black aluminum. There is no reflective material as part of this mural.

1.3 Application for a SUP

Storey County Code (SCC) chapter 17.10 Definitions, defines a mural as non-commercial images such as paintings or enlarged photographs applied directly onto walls and ceilings. They are usually but not always large in size. Murals typically exhibit few or no words and are not intended to advertise or otherwise bring attention to any attraction. Non-commercial images oftentimes are intended to enhance an area's beauty, highlight the community's social or historical character, or otherwise depict a message or theme that is common to the immediate community in which they are displayed.

Staff determined the proposed mural fits this definition.

In the SCC Chapter 17.84 Signs and Billboards, Section 17.84.080 General Requirements (H), it states, a Special Use Permit (SUP) is required for the application or placement of a mural. Murals proposed within the Comstock Historic District must also comply with NRS 384, this chapter, and chapter 17.48 Historic Overlay District.

1.4 Purpose and Intent of the Commercial-Residential Zone

The CR zone is intended to serve as a community focal point and provided for a center of mixed uses including single-family and multi-family residences which are integrated with commercial businesses, culture and entertainment amenities, and uses related to tourism. It is also intended to become a transportation center in the form of a destination for vehicular, public transit, and rail traffic supporting all allowable uses. In general, the zone provides for centers and uses of regional importance and provides an integrated and attractive environment for visitors and residents. It is intended to be an area of high intensity uses in which a full range of public facilities (including water, sewer, schools, law enforcement, fire protection, etc.) will generally be focused in accordance with the county master plan and connected to the immediate surrounding residential uses.

1.5 Abutting Properties Existing Uses

The subject property is mostly surrounded by commercial uses such as restaurants and parking lots which are similar uses to the subject property. The abutting land to the east is a multi-family residence (Figure 6 - Uses on Abutting Parcels). However, this abutting land use is far in distance and is not impacted because of grade separation.

1.6 Abutting Properties Zoning

The abutting properties are all zoned CR (Figure 2 - Zoning Map).

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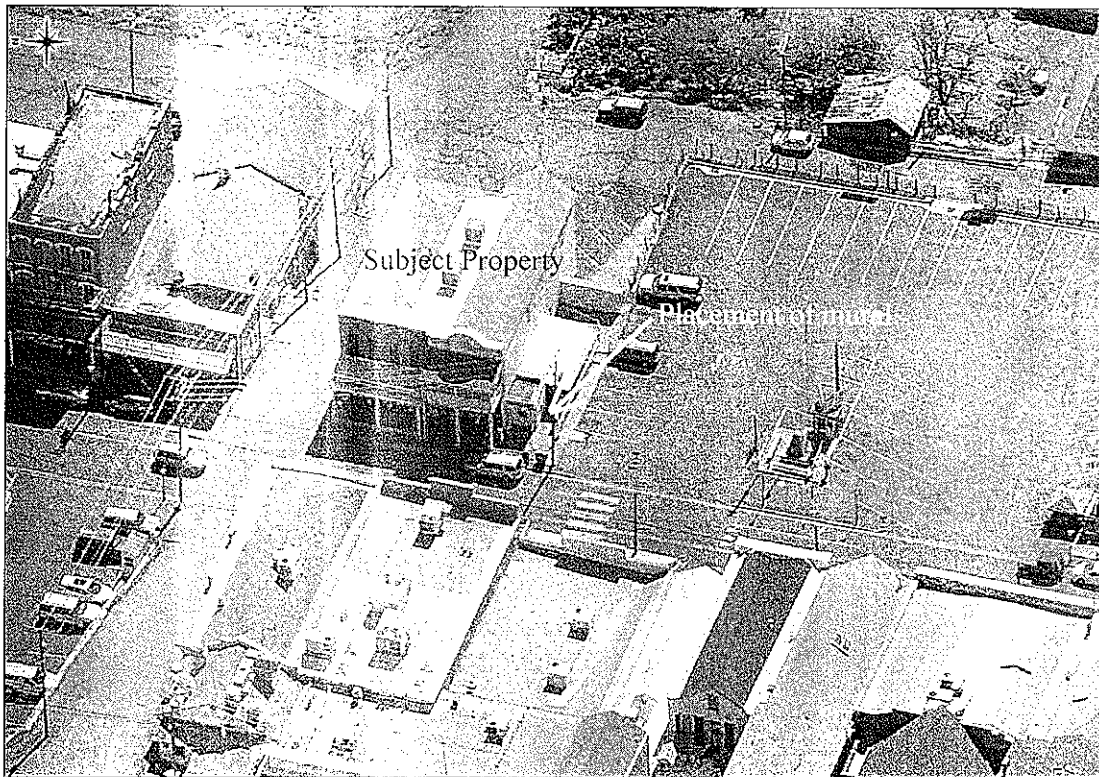


Figure 3 - Site Photo

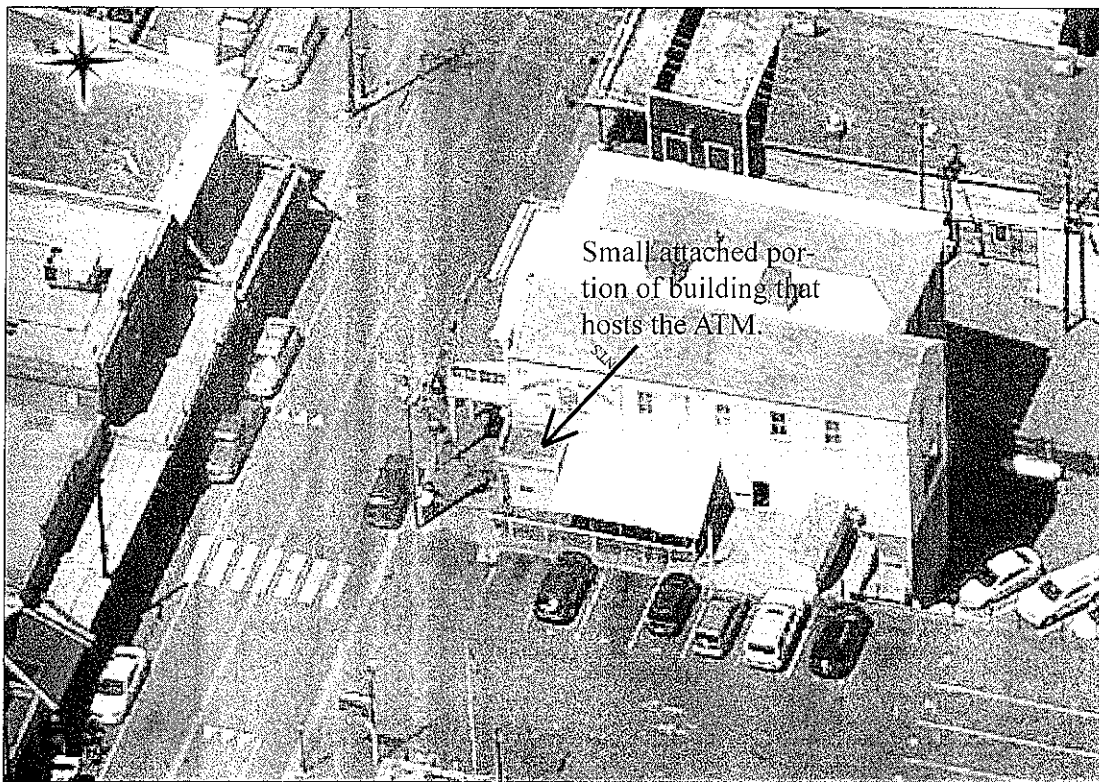


Figure 4 - Site Photo

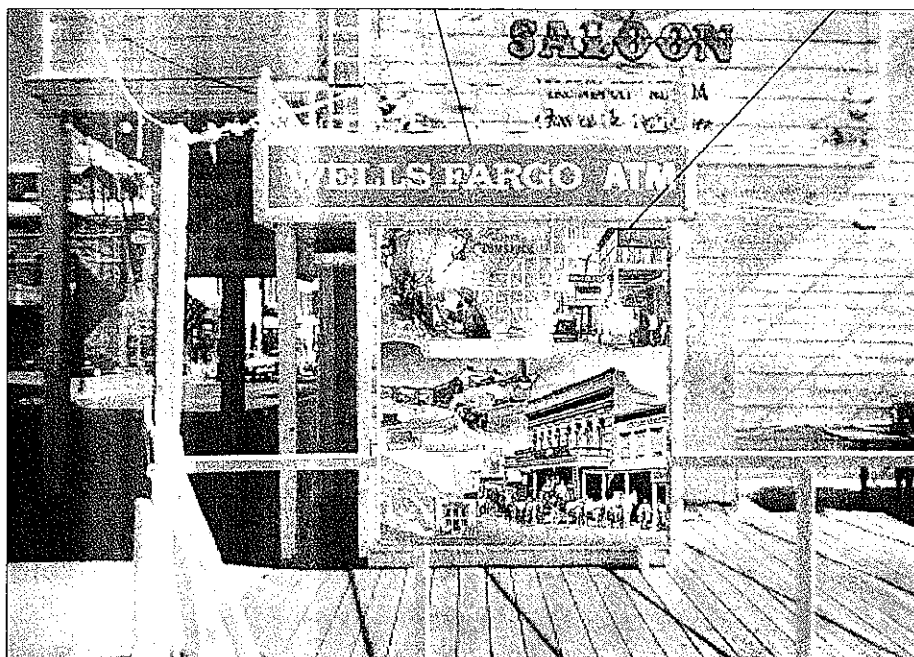


Figure 5 - Mural Mock Up



Figure 6 - Abutting Land Uses

2. GENERAL COMPLIANCE WITH STOREY COUNTY'S GUIDING DOCUMENTS

2.1 Table 1: Land Use Compatibility

The following table shows land uses, Storey County Master Plan (Master Plan) designations and zoning for the land surrounding the proposed residence. There are no evident conflicts between the proposal and SCC Title 17 Zoning or the Master Plan. The proposed mural is also consistent with the surrounding area.

Table 1: Land Use Compatibility			
Land	Land Use	Master Plan	Zoning
Applicant's Land	Commercial Business	Commerical, residential, and tourism-based land uses	CR
Land to the north	Commercial Business	Commerical, residential, and tourism-based land uses	CR
Land to the south	Parking lot	Commerical, residential, and tourism-based land uses	CR
Land to the west	Commercial Business	Commerical, residential, and tourism-based land uses	CR
Land to the northeast	Commercial Business	Commerical, residential, and tourism-based land uses	CR
Land to the east	Multi-Family Residence	Commerical, residential, and tourism-based land uses	CR

3. COMPLIANCE WITH THE STOREY COUNTY CODE

3.1 Storey County Code 17.84.080 (H)

SCC requires a special use permit for the application or placement of a mural. The Applicant has submitted an application for the proposed mural and therefore, complies with this standard.

4. COMPLIANCE WITH THE STOREY COUNTY MASTER PLAN

On page 19 of the Master Plan it states:

The economic base of a county is those activities which provide basic employment and income. Storey County's economic base shifted after World War II from mining to tourism.

It is Staff's opinion the proposed mural appears to promote tourism and economic activity in a section of town known for mature economic opportunity. Therefore, the proposed project supports the goals, objectives and recommendations of the Master Plan.

5. PUBLIC COMMENT

Staff has not received any public comment for this file as of posting date.

6. FINDINGS

6.1 Motion for Approval

The Findings are evident with regard to the requested SUP when the recommended Conditions of Approval in Section 7 - Recommended Conditions of Approval are applied. The approval, approval with conditions, or denial of a SUP must be based on Findings that indicate that the proposed use is appropriate in the location for which it is approved. The Findings listed in this subsection are the minimum to be cited in an approval; the body may include additional Findings in their decision. The Planning Commission must cite Findings in the motion for approval, approval with conditions, or denial. At a minimum, the approval must be based on the following Findings:

6.1.1 The proposed SUP complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county; and

6.1.2 The proposed SUP will be compatible with existing adjacent land uses and will not cause substantial negative impact on adjacent land uses or other properties in the vicinity. The proposed mural will enhance the immediate surrounding area with regard to tourism, promoting commerce and highlighting history of the community in which it is located; and

6.1.3 The Conditions of Approval of the proposed SUP require compliance with the applicable codes; and

6.1.4 The proposed SUP will not impose substantial adverse impacts or safety hazards on the abutting properties; and

6.1.5 The proposed SUP is in compliance with Storey County Code 17.84 Signs and Billboards; and

6.1.6 The Conditions of Approval require compliance with the regulations of the Comstock Historic District Commission.

6.2 Motion for Denial

Should a motion be made to deny the SUP request, the following findings with explanation of why should be included in that motion.

6.2.1 There are no special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance that would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification; or

6.2.2 The granting of the proposed SUP is not necessary for the preservation and enjoyment of substantial property rights of the applicant (property owner); or

6.2.3 The granting of the proposed SUP will, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property; or

6.2.4 The proposed SUP is not in substantial compliance with all Federal, Nevada State, and Storey County regulations; or

6.2.5 The proposed SUP is not in substantial compliance with and does not support the goals, objectives and recommendations of the Storey County Master Plan.

7. RECOMMENDED CONDITIONS OF APPROVAL

All conditions must be met to the satisfaction of each applicable County Department.

1. **Compliance.** The (Special Use Permit) SUP must comply with County Codes, and submitted reports, as approved.
2. **Hold Harmless.** The SUP permit holder agrees to hold Storey County, its Officers, and Representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this SUP.
3. **CHDC.** The Applicant shall obtain a Certificate of Appropriateness from the CHDC and submit the Certificate to the Planning Department prior to the placement of the proposed mural.
4. **Taxes Paid.** The Applicant must show the Planning Department evidence that all property taxes on the land are paid to-date.
5. **Null and Void.** If the SUP is not exercised within 24 months of the date of approval, unless additional time is granted by the Board with action by the Planning Commission, based upon consideration of the specific circumstances of the project, then without further action, the SUP will be null and void and no mural may be installed on the property except on the granting of a new SUP.
6. **Maintenance.** The mural must be maintained so that it remains free of graffiti and cracking, separation, splitting, ripping, chipping, and fading of exposed surfaces including, but not limited to, faces, lettering, and all structural supports.
7. **Safety.** The mural must be maintained so that it remains safe, fully upright and level.

8. POWER OF THE BOARD & PLANNING COMMISSION

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The

decision of the Planning Commission in the matter of granting the SUP is advisory only to the Board of County Commissioners and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

9. AUGUST 7: PLANNING COMMISSION MEETING

On September 4, 2014, in accordance with the recommendation by Staff, the Findings under 6.1 of this Staff Report and in compliance with all conditions of approval (1-7), the Storey County Planning Commission voted unanimously to recommend approval with conditions for Special Use Permit 2014-016 (yes = 5, nay = 0, absent = 2).

10. PROPOSED MOTIONS

This section contains two options from which to choose. The motion for approval with the Conditions of Approval is recommended by the Planning Commission and Staff, and in accordance with the Findings under Section 6.1 of this Staff Report. Those Findings should be made part of that motion. A motion for denial may be made and that motion should cite one or more of the Findings shown in section 6.2. Other Findings determined appropriate by the Board should be made part of either motion.

10.1 Recommended Motion

In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of this Staff Report and other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I [Commissioner] hereby move to approval with conditions Special Use Permit Number 2014-016 for the placement of a mural on the exterior portion of the building at APN: 001-085-11.

10.2 Alternative Motion

In accordance with the Findings under Section 6.2 of this Staff Report and/or other Findings deemed appropriate by the Board, I [Commissioner] hereby move to deny Special Use Permit Number 2014-016 for the placement of a mural on the exterior portion of the building APN: 001-085-11.

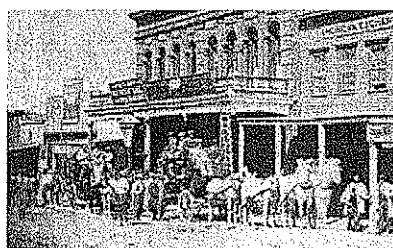
Prepared by: Dessie Redmond
Storey County Planner

APPENDIX 1: INFORMATION SUBMITTED BY APPLICANT

Virginia City Mural Key

The Wells Fargo Community Mural Program is dedicated to creating unique, custom-designed, historical artwork that respects the community's legacy, celebrates its diversity, and honors the past upon which the community was founded.

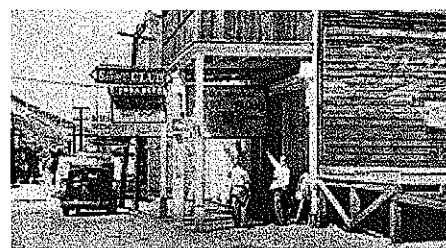
Images Courtesy Of: Library of Congress, Geography and Map Division • Library of Congress, Prints and Photographs Division • Wells Fargo Corporate Archives



The Wells Fargo office on C Street in Virginia City, 1866. Wells Fargo offices acted as centers of commerce, providing banking and express services to miners, merchants, and families.



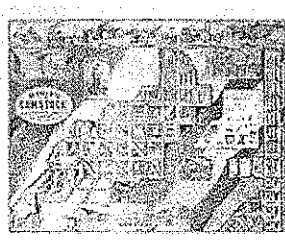
The Savage Works Mine near Virginia City, 1868. After the discovery of the Comstock Lode in 1859, Virginia City was built on the eastern slopes of Mount Davidson, perched above the intricate tunnels and shafts underfoot.



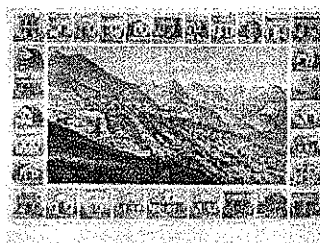
The Bucket of Blood Saloon on C Street in Virginia City, 1940. The historic saloon's structure dates back to 1876, when the building was rebuilt after the Great Fire of 1875.



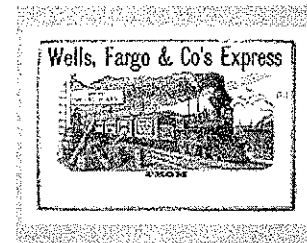
A miner at work under Virginia City, 1867. The Nevada mining boom of the 1860s prompted the development of new mining technology to support the challenging new environment.



Engraving of "Mining on the Comstock," by T. L. Dawes, 1876. The Comstock Lode discovery produced hundreds of thousands of dollars in silver and gold, and remains one of the greatest precious metal discoveries in history.



An illustration of Virginia City by Grafton T. Brown, 1861. At its peak, Virginia City had a population of over 25,000 residents and was called the "richest city in America."



Wells Fargo express shipping label. From 1852 to 1918, Wells Fargo used the fastest means available to deliver customers' business.

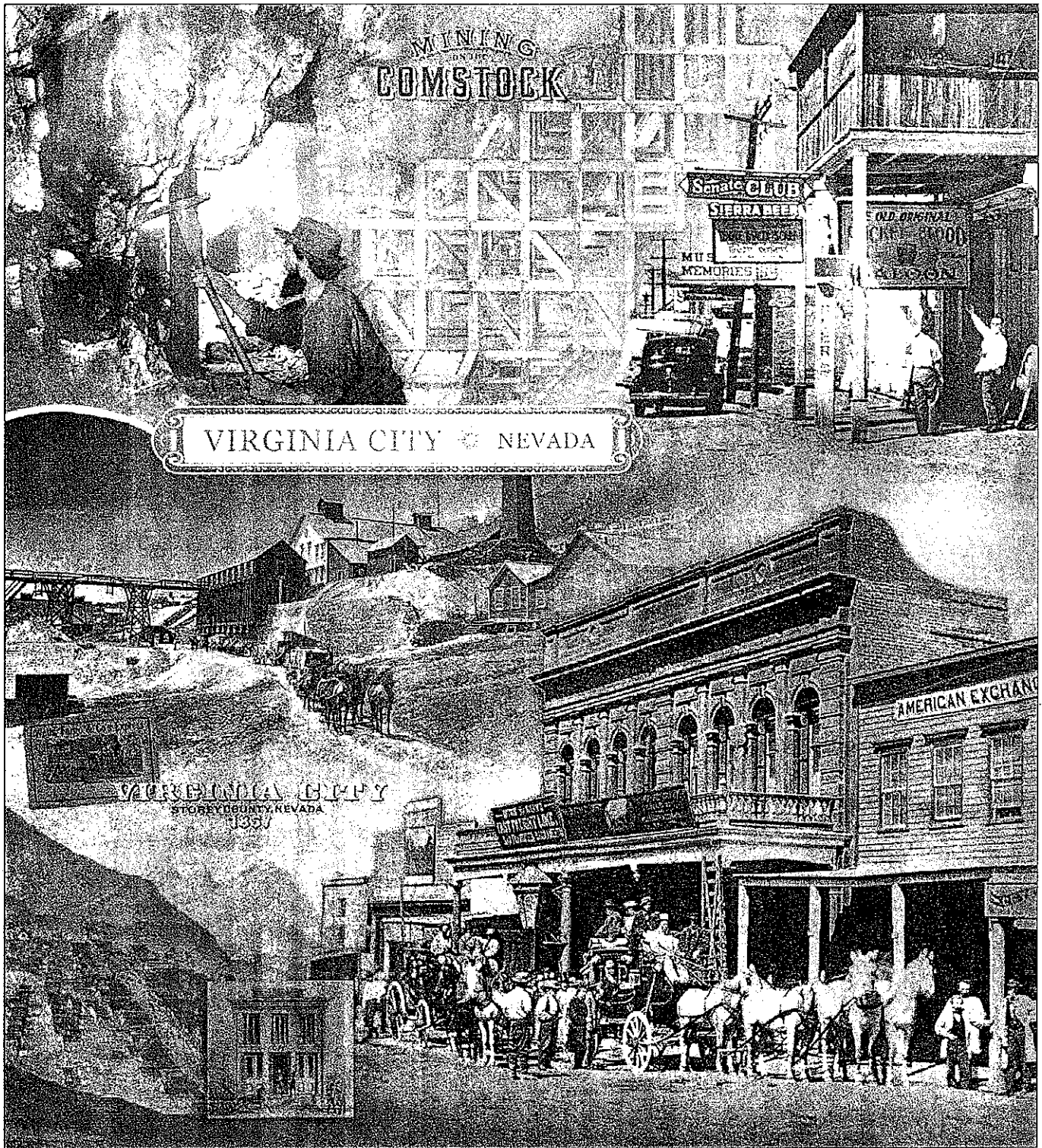


Questions? Comments?
We would like to hear from you!
Please contact communitymurals@wellsfargo.com.

Together we'll go far



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Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 16, 2014

Estimate of time required: 10 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/Possible Action: Special Use Permit 2014-016.** By Jim Minar on behalf of Supergraphics located at 1 South C Street, Virginia City, Storey County, Nevada at a business commonly known as the Bucket of Blood Saloon (APN: 001-085-11). The applicant requests a Special Use Permit for the placement of a mural on the exterior portion of the building.

2. **Recommended motion:** In accordance with the recommendation by the Storey County Planning Commission and Staff, the Findings under Section 6.1 of the Staff Report and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I [Commissioner] hereby move to approve with conditions Special Use Permit Number 2014-016 for the placement of a mural on the exterior portion of the building at APN: 001-085-11.

3. **Prepared by:** Dessie Redmond, Planner

Department: Planning Department

Telephone: 847-1144

4. **Staff summary:** The Applicant requests a Special Use Permit for the placement of a mural on the exterior portion of the building.

5. **Supporting materials:** Staff report, exhibits and appendices.

6. **Fiscal impact:** None on local government.

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

**STOREY COUNTY
PLANNING DEPARTMENT**

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440
Phone (775) 847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County County Commissioners

From: Storey County Planning Department

Meeting Date: September 16, 2014 at 10am

Meeting Location: Storey County Courthouse - 26 South B Street, Virginia City, Nevada 89440

Staff Contact: Dessie Redmond, Planner

File: 2014-016

Applicant: Jim Minar with Supergraphics

Property Owner: Marshall McBride

Property Location: 1 South C Street, Virginia City, Storey County, Nevada (APN: 001-085-11) at a business commonly known as the Bucket of Blood Saloon.

Figures: Figure 1-Vicinity Map; Figure 2-Zoning Map; Figures 3 & 4-Site Photos; Figures 5-Mural Mock Up; Figure 6-Abutting Land Uses

Appendix: Appendix 1-Information Submitted by the Applicant

Guiding Documents: Storey County Code Sections 17.84 Signs and Billboards, 17.03.150 Special Use Permit (conditional use), 17.10 Definitions and the Storey County Master Plan

Request: A Special Use Permit for the placement of a mural on the exterior portion of the building



Figure 1 - Vicinity Map

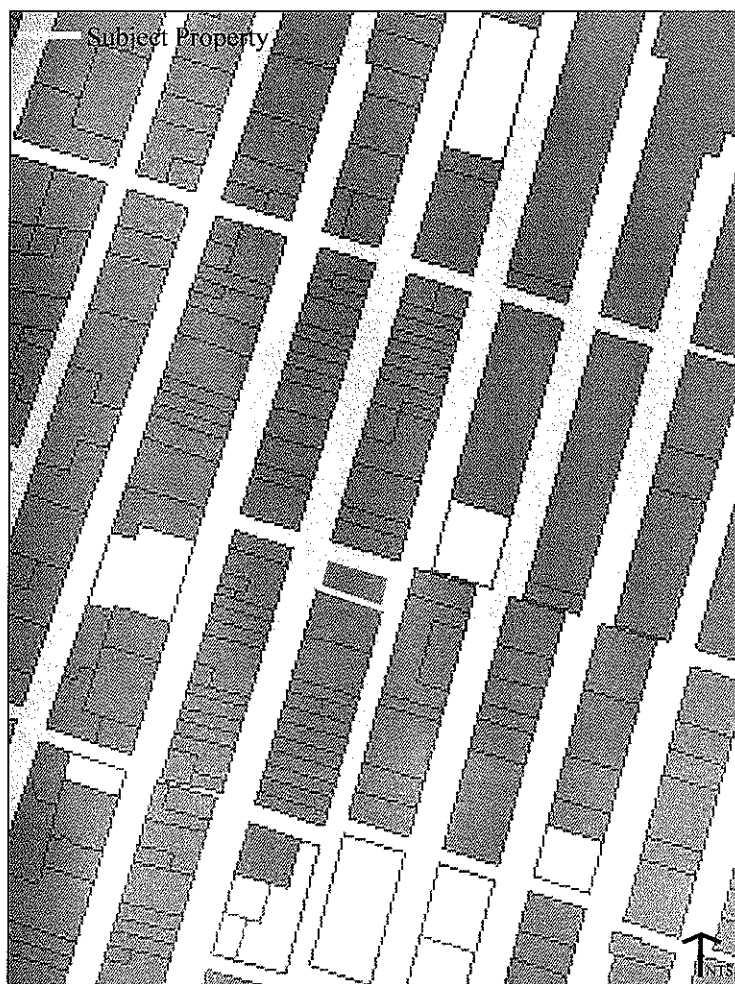


Figure 2 - Zoning Map

1. BACKGROUND & ANALYSIS

1.1 Site Location and Characteristics

The subject property is located at 1 South C Street, Virginia City, Storey County, Nevada (Assessor Parcel Number (APN) 001-085-11). The property is approximately .16 acres and is owned by Marshall McBride. Gold Hill is approximately one and one-half miles to the south, and Reno is approximately 26 miles to the northwest (Figure 1 - Vicinity Map). The subject property is zoned Commercial-Residential (CR) (Figure 2 - Zoning Map). The Bucket of Blood Saloon is located on the subject property. There is also a small attached portion of the building (Figures 3 & 4 - Site Photos) that hosts an Automatic Teller Machine (ATM).

1.2 Proposed Mural

The Applicant proposes to install a mural on the south side of the small attached portion of the subject building (Figure 5 - Mural Mock Up).

The proposed mural is a collage of historic photographs that celebrates the area's diversity and honors the past (Appendix 1 - Information Submitted by the Applicant).

The size of the mural is approximately 80 inches by 102 inches (56.5 square feet). The graphic is printed on high pressure, half-inch thick laminate. The graphic has a matte finish and is mounted with two french cleats on the

back side, at the top and bottom, and secured to the building. The edges are finished with a matt, black aluminum. There is no reflective material as part of this mural.

1.3 Application for a SUP

Storey County Code (SCC) chapter 17.10 Definitions, defines a mural as non-commercial images such as paintings or enlarged photographs applied directly onto walls and ceilings. They are usually but not always large in size. Murals typically exhibit few or no words and are not intended to advertise or otherwise bring attention to any attraction. Non-commercial images oftentimes are intended to enhance an area's beauty, highlight the community's social or historical character, or otherwise depict a message or theme that is common to the immediate community in which they are displayed.

Staff determined the proposed mural fits this definition.

In the SCC Chapter 17.84 Signs and Billboards, Section 17.84.080 General Requirements (H), it states, a Special Use Permit (SUP) is required for the application or placement of a mural. Murals proposed within the Comstock Historic District must also comply with NRS 384, this chapter, and chapter 17.48 Historic Overlay District.

1.4 Purpose and Intent of the Commercial-Residential Zone

The CR zone is intended to serve as a community focal point and provided for a center of mixed uses including single-family and multi-family residences which are integrated with commercial businesses, culture and entertainment amenities, and uses related to tourism. It is also intended to become a transportation center in the form of a destination for vehicular, public transit, and rail traffic supporting all allowable uses. In general, the zone provides for centers and uses of regional importance and provides an integrated and attractive environment for visitors and residents. It is intended to be an area of high intensity uses in which a full range of public facilities (including water, sewer, schools, law enforcement, fire protection, etc.) will generally be focused in accordance with the county master plan and connected to the immediate surrounding residential uses.

1.5 Abutting Properties Existing Uses

The subject property is mostly surrounded by commercial uses such as restaurants and parking lots which are similar uses to the subject property. The abutting land to the east is a multi-family residence (Figure 6 - Uses on Abutting Parcels). However, this abutting land use is far in distance and is not impacted because of grade separation.

1.6 Abutting Properties Zoning

The abutting properties are all zoned CR (Figure 2 - Zoning Map).

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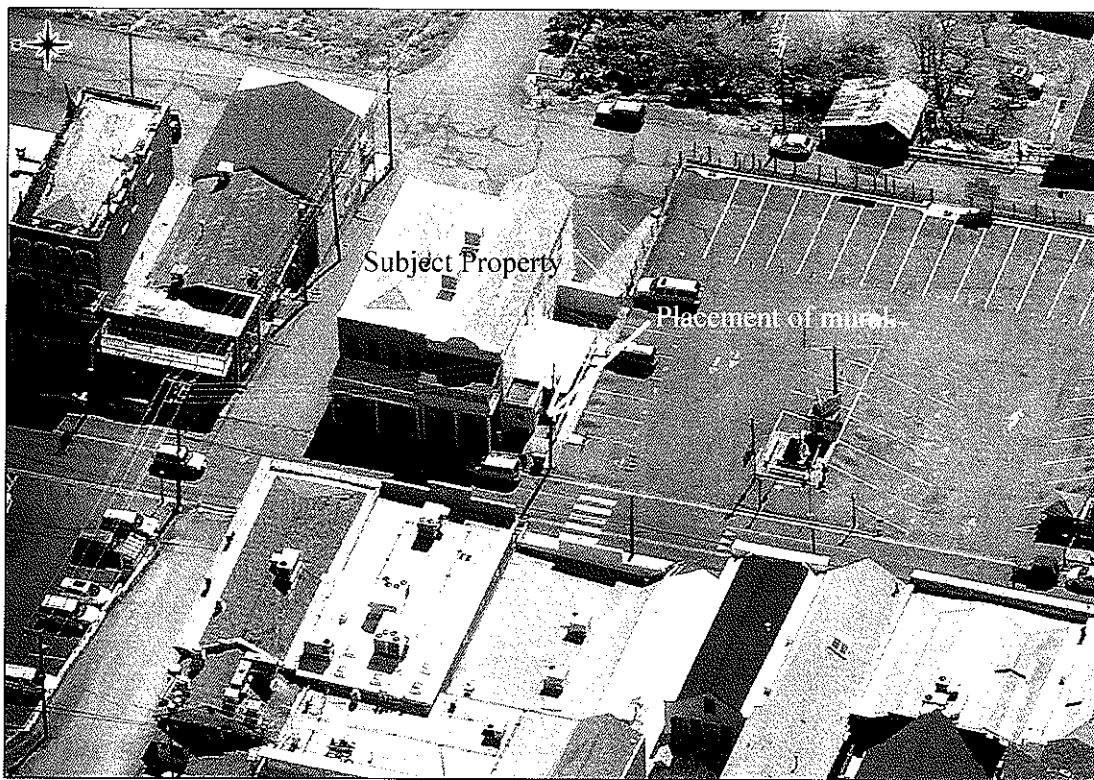


Figure 3 - Site Photo

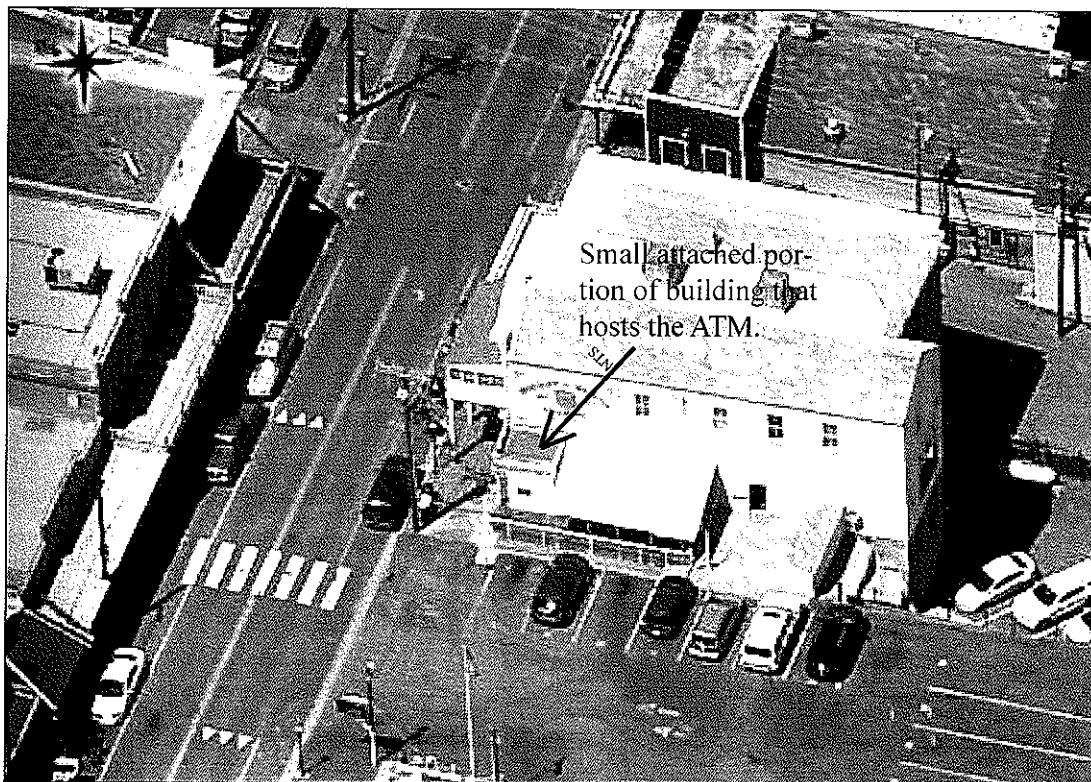


Figure 4 - Site Photo



Figure 5 - Mural Mock Up



Figure 6 - Abutting Land Uses

2. GENERAL COMPLIANCE WITH STOREY COUNTY'S GUIDING DOCUMENTS

2.1 Table 1: Land Use Compatibility

The following table shows land uses, Storey County Master Plan (Master Plan) designations and zoning for the land surrounding the proposed residence. There are no evident conflicts between the proposal and SCC Title 17 Zoning or the Master Plan. The proposed mural is also consistent with the surrounding area.

Table 1: Land Use Compatibility			
Land	Land Use	Master Plan	Zoning
Applicant's Land	Commercial Business	Commerical, residential, and tourism-based land uses	CR
Land to the north	Commercial Business	Commerical, residential, and tourism-based land uses	CR
Land to the south	Parking lot	Commerical, residential, and tourism-based land uses	CR
Land to the west	Commercial Business	Commerical, residential, and tourism-based land uses	CR
Land to the northeast	Commercial Business	Commerical, residential, and tourism-based land uses	CR
Land to the east	Multi-Family Residence	Commerical, residential, and tourism-based land uses	CR

3. COMPLIANCE WITH THE STOREY COUNTY CODE

3.1 Storey County Code 17.84.080 (H)

SCC requires a special use permit for the application or placement of a mural. The Applicant has submitted an application for the proposed mural and therefore, complies with this standard.

4. COMPLIANCE WITH THE STOREY COUNTY MASTER PLAN

On page 19 of the Master Plan it states:

The economic base of a county is those activities which provide basic employment and income. Storey County's economic base shifted after World War II from mining to tourism.

It is Staff's opinion the proposed mural appears to promote tourism and economic activity in a section of town known for mature economic opportunity. Therefore, the proposed project supports the goals, objectives and recommendations of the Master Plan.

5. PUBLIC COMMENT

Staff has not received any public comment for this file as of posting date.

6. FINDINGS

6.1 Motion for Approval

The Findings are evident with regard to the requested SUP when the recommended Conditions of Approval in Section 7 - Recommended Conditions of Approval are applied. The approval, approval with conditions, or denial of a SUP must be based on Findings that indicate that the proposed use is appropriate in the location for which it is approved. The Findings listed in this subsection are the minimum to be cited in an approval; the body may include additional Findings in their decision. The Planning Commission must cite Findings in the motion for approval, approval with conditions, or denial. At a minimum, the approval must be based on the following Findings:

6.1.1 The proposed SUP complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county; and

6.1.2 The proposed SUP will be compatible with existing adjacent land uses and will not cause substantial negative impact on adjacent land uses or other properties in the vicinity. The proposed mural will enhance the immediate surrounding area with regard to tourism, promoting commerce and highlighting history of the community in which it is located; and

6.1.3 The Conditions of Approval of the proposed SUP require compliance with the applicable codes; and

6.1.4 The proposed SUP will not impose substantial adverse impacts or safety hazards on the abutting properties; and

6.1.5 The proposed SUP is in compliance with Storey County Code 17.84 Signs and Billboards; and

6.1.6 The Conditions of Approval require compliance with the regulations of the Comstock Historic District Commission.

6.2 Motion for Denial

Should a motion be made to deny the SUP request, the following findings with explanation of why should be included in that motion.

6.2.1 There are no special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance that would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification; or

6.2.2 The granting of the proposed SUP is not necessary for the preservation and enjoyment of substantial property rights of the applicant (property owner); or

6.2.3 The granting of the proposed SUP will, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property; or

6.2.4 The proposed SUP is not in substantial compliance with all Federal, Nevada State, and Storey County regulations; or

6.2.5 The proposed SUP is not in substantial compliance with and does not support the goals, objectives and recommendations of the Storey County Master Plan.

7. RECOMMENDED CONDITIONS OF APPROVAL

All conditions must be met to the satisfaction of each applicable County Department.

1. **Compliance.** The (Special Use Permit) SUP must comply with County Codes, and submitted reports, as approved.
2. **Hold Harmless.** The SUP permit holder agrees to hold Storey County, its Officers, and Representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this SUP.
3. **CHDC.** The Applicant shall obtain a Certificate of Appropriateness from the CHDC and submit the Certificate to the Planning Department prior to the placement of the proposed mural.
4. **Taxes Paid.** The Applicant must show the Planning Department evidence that all property taxes on the land are paid to-date.
5. **Null and Void.** If the SUP is not exercised within 24 months of the date of approval, unless additional time is granted by the Board with action by the Planning Commission, based upon consideration of the specific circumstances of the project, then without further action, the SUP will be null and void and no mural may be installed on the property except on the granting of a new SUP.
6. **Maintenance.** The mural must be maintained so that it remains free of graffiti and cracking, separation, splitting, ripping, chipping, and fading of exposed surfaces including, but not limited to, faces, lettering, and all structural supports.
7. **Safety.** The mural must be maintained so that it remains safe, fully upright and level.

8. POWER OF THE BOARD & PLANNING COMMISSION

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The

decision of the Planning Commission in the matter of granting the SUP is advisory only to the Board of County Commissioners and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

9. AUGUST 7: PLANNING COMMISSION MEETING

On September 4, 2014, in accordance with the recommendation by Staff, the Findings under 6.1 of this Staff Report and in compliance with all conditions of approval (1-7), the Storey County Planning Commission voted unanimously to recommend approval with conditions for Special Use Permit 2014-016 (yes = 5, nay = 0, absent = 2).

10. PROPOSED MOTIONS

This section contains two options from which to choose. The motion for approval with the Conditions of Approval is recommended by the Planning Commission and Staff, and in accordance with the Findings under Section 6.1 of this Staff Report. Those Findings should be made part of that motion. A motion for denial may be made and that motion should cite one or more of the Findings shown in section 6.2. Other Findings determined appropriate by the Board should be made part of either motion.

10.1 Recommended Motion

In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of this Staff Report and other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I [Commissioner] hereby move to approval with conditions Special Use Permit Number 2014-016 for the placement of a mural on the exterior portion of the building at APN: 001-085-11.

10.2 Alternative Motion

In accordance with the Findings under Section 6.2 of this Staff Report and/or other Findings deemed appropriate by the Board, I [Commissioner] hereby move to deny Special Use Permit Number 2014-016 for the placement of a mural on the exterior portion of the building APN: 001-085-11.

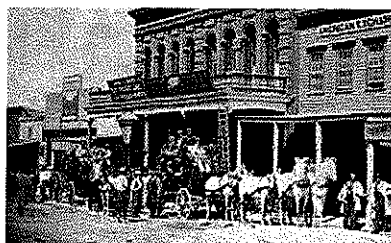
Prepared by: Dessie Redmond
Storey County Planner

APPENDIX 1: INFORMATION SUBMITTED BY APPLICANT

Virginia City Mural Key

The Wells Fargo Community Mural Program is dedicated to creating unique, custom-designed, historical artwork that respects the community's legacy, celebrates its diversity, and honors the past upon which the community was founded.

Images Courtesy Of: Library of Congress, Geography and Map Division • Library of Congress, Prints and Photographs Division • Wells Fargo Corporate Archives



The Wells Fargo office on C Street in Virginia City, 1866. Wells Fargo offices acted as centers of commerce, providing banking and express services to miners, merchants, and families.



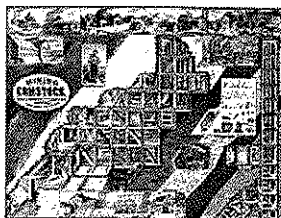
The Savage Works Mine near Virginia City, 1868. After the discovery of the Comstock Lode in 1859, Virginia City was built on the eastern slopes of Mount Davidson, perched above the intricate tunnels and shafts underfoot.



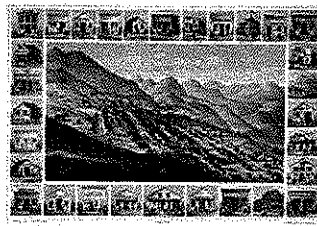
The Bucket of Blood Saloon on C Street in Virginia City, 1940. The historic saloon's structure dates back to 1876, when the building was rebuilt after the Great Fire of 1875.



A miner at work under Virginia City, 1867. The Nevada mining boom of the 1860s prompted the development of new mining technology to support the challenging new environment.



Engraving of "Mining on the Comstock," by T. L. Dawes, 1876. The Comstock Lode discovery produced hundreds of thousands of dollars in silver and gold, and remains one of the greatest precious metal discoveries in history.



An illustration of Virginia City by Grafton T. Brown, 1861. At its peak, Virginia City had a population of over 25,000 residents and was called the "richest city in America."



Wells Fargo express shipping label. From 1852 to 1918, Wells Fargo used the fastest means available to deliver customers' business.

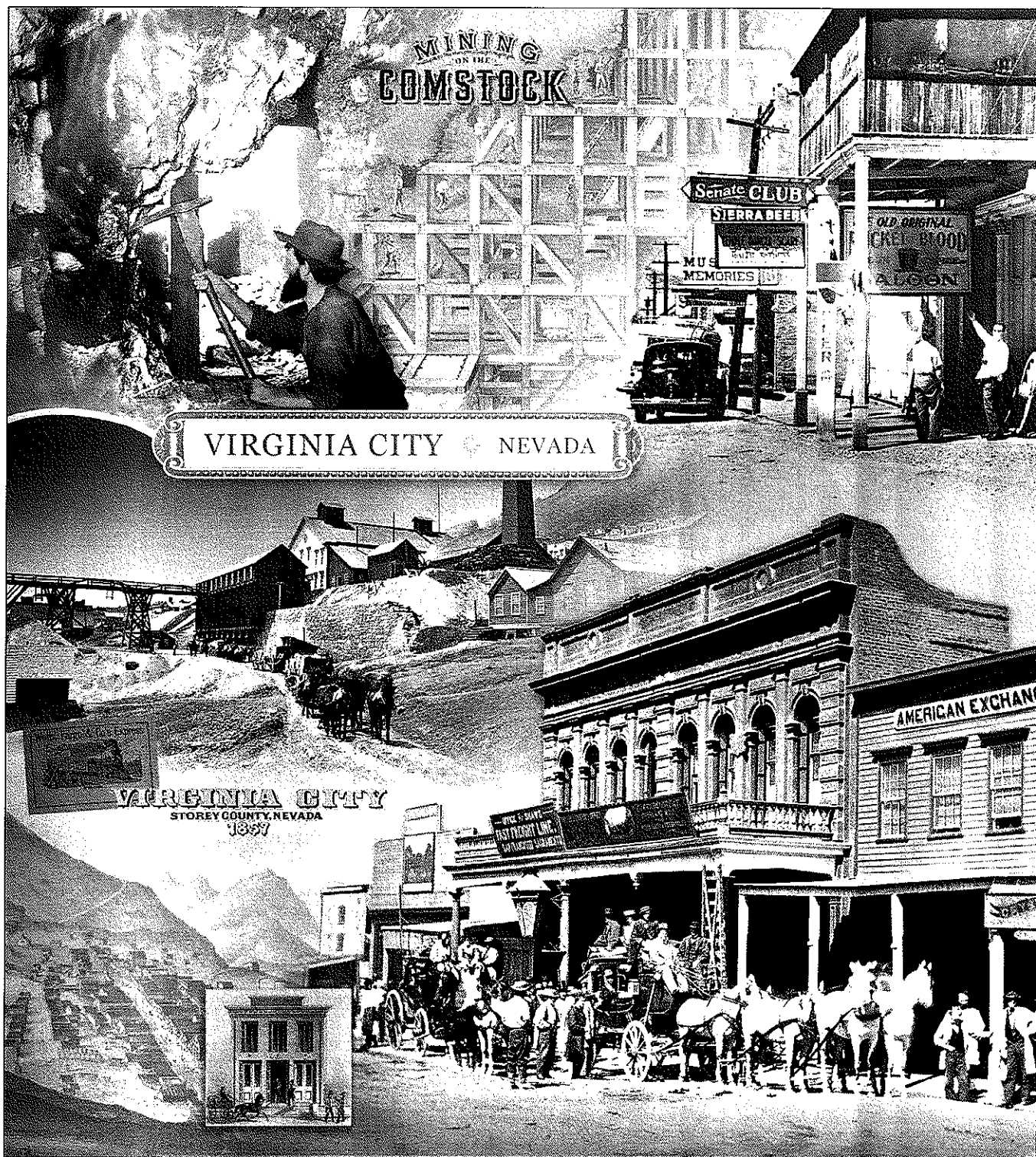


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Storey County Board of County Commissioners Agenda Action Report

Meeting date: 9-8-14

Estimate of time required: 0 - 5

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Business License Second Readings -- Approval

2. **Recommended motion:** Approval

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to Commission Meeting. The business licenses are then printed and mailed to the new business license holder.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** None

____ District Attorney

8. **Reviewed by:**

 X Department Head

Department Name: Community Development

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Storey County Community Development

Business Licensing

P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

September 8, 2014
Via email

Please add the following item(s) to the **September 16, 2014**, COMMISSIONERS Agenda:

Storey County Building Department has inspected and found that the following businesses meet code requirements necessary to operate in the county:

LICENSING BOARD SECOND READINGS

- A. **AGGREGATE RESOURCE DRILLING, LLC** – Contractor / 4080 Commercial Ave ~ Springfield, OR (rock driller)
- B. **BW CABINETS & DOORS, INC.** – Contractor / 52 Miles Road ~ Carson City (cabinet sales/installer)
- C. **PAUL BROOKS GENERAL CONTRACTOR** – Contractor / 199 East Winnie Lane ~ Carson City, NV (Contractor)
- D. **TFG CONSULTING, LLC** – General / 1273 Lariat Court ~ Minden (Consultant)
- E. **WINDAK, INC.** – Contractor / 1254 26th Street ~ Hickory, NC (servicing equipment in County)
- F. **DAVE'S HANDYMAN SERVICES** – General / 1647 Clover Leaf Drive ~ Sparks (Handyman)
- G. **ARDAGH METAL PACKAGING USA, INC.** – General / 900 Waltham Way (can mfg) **TRI**
- H. **A-Z WELDING & FABRICATION, LLC** – General / 1215 Alexandria (welding fab) **TRI**
- I. **ROSSCO ENT., dba AP STAINLESS MFG** – General / 1215 Alexandria (manufacturing) **TRI**

Inspection Required

ec: Shannon Gardner, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Assessor's Office

Sheriff's Office

Correspondence



August 29, 2014

Mr. Pat Whitten
Storey County Manager
PO Box 176
Virginia City NV 89440

Dear Pat:

Enclosed is a copy of the Bureau of Labor Statistics consumer price index for garbage and trash collection.

We have contacted the Bureau of Labor Statistics and obtained the percentage change in the Consumer Price Index Garbage and Trash Collection for the period of July 1, 2013 to July 1, 2014. Per the Bureau of Labor Statistics, the index increased 2.41% during this period. In accordance with Section 7.7.2 of the Agreement, the increase to collection rates, which the Company will put into effect as of October 1, 2014 will be 2.41%.

If you have any questions concerning the above, please contact me at 775-326-2322.

Sincerely,

A handwritten signature in black ink that reads 'Greg M. Martinelli'. The signature is fluid and cursive, with the first name 'Greg' being more prominent.

GREG MARTINELLI
Waste Management

CC: Dale Barry
John L'Angelle
Maria Davis
Dan Peterson
Daisy Chand

cc H.G.



**STOREY COUNTY
EXHIBIT A
Effective 10/1/2014**

Residential

Service	Monthly Rate	Quarterly Rate
1 can	\$14.97	\$44.91
2 can	\$19.42	\$58.26
1 can Plus cubic yard	\$21.61	\$64.83
1 64 Gal. Cart - No cubic yard	\$22.21	\$66.63
1 96 Gal. Cart plus cubic yard	\$24.69	\$74.07
1 84 Gal. Cart plus cubic yard	\$22.21	\$66.63
1 84 Gal. Senior Cart - no cubic yard	\$20.96	\$62.98
Additional Can	\$4.16	\$12.48
Additional 96 Gal. Cart	\$8.02	\$24.06
Special yard Service	\$11.42	\$34.26

**CPI
2.41%**

Commercial

Monthly Rate	1 X week	2 X week	3 X week	4 X week	5 X week	6 X week
1 Yard	\$116.44	\$232.86	\$349.29	\$465.73	\$582.17	\$698.60
2 Yard	\$161.70	\$323.42	\$485.11	\$646.82	\$808.51	\$970.24
3 Yard	\$191.69	\$383.36	\$575.03	\$766.74	\$958.42	\$1,150.10
4 Yard	\$227.62	\$455.23	\$682.87	\$910.48	\$1,138.10	\$1,374.92
5 Yard	\$377.40	\$754.78	\$1,132.17	\$1,509.57	\$1,886.98	\$2,269.72

Other Services	Rate
1 Yard - Sunday (Base Rate)	\$148.32
4 Yard Special - One time (Base Rate)	\$83.06
6 Yard Special - One time (Base Rate)	\$130.52
1 - 96 Gal Toter	\$32.62
1 - 32 Gal Can - Sunday Service - per week	\$28.66
1 - 32 Gal Can - Sunday Service - per month	\$128.13

Commercial Can Service	1 X week	2 X week	3 X week	4 X week	5 X week	6 X week
1 - 32 Gal Can	\$9.73	\$18.30	\$30.42	\$42.64	\$54.78	\$66.93
2 - 32 Gal Can	\$18.30	\$42.53	\$66.93	\$91.22	\$115.52	\$139.81
3 - 32 Gal Can	\$30.42	\$66.77	\$103.87	\$139.81	\$176.26	\$212.69
4 - 32 Gal Can	\$42.23	\$91.01	\$139.81	\$188.40	\$236.97	\$285.58
5 - 32 Gal Can	\$54.64	\$115.24	\$176.26	\$236.97	\$297.69	\$358.44
6 - 32 Gal Can	\$66.77	\$139.48	\$212.69	\$285.58	\$358.44	\$431.32

Roll Off Services

Drop Box Services	Rate
20 yard	\$104.77
30 yard	\$393.78
Porter (after 7 days)	\$38.82
Delivery Fee	\$92.55

Compactors	Rate
10 yard	\$220.08
20 yard	\$463.89
25 yard	\$628.41
30 yard	\$781.76
Comp yard	\$24.38

Other Fees	Rate
NSF Charge	\$35.85
Activation/Reactivation/all services	\$48.54
Late Fee	1.5% or \$3.00 minimum
Cart Replacement Fee (due to customer damage)	\$88.88

Transfer Station Fees

Service	Rate W/CPI	Rounded Rates
Minimum Charge	\$8.22	\$6.20
1-32 Gal Can	\$1.93	\$1.85
1-50 Gal Can	\$2.66	\$2.65
Passenger Tires	\$4.83	\$4.80
Truck Tires	\$7.45	\$7.45
Trash/Garbage	\$5.22	\$8.20
Demolition	\$14.01	\$14.00
Bulky	\$10.72	\$10.70
Freon Removal	\$28.93	\$28.80

Storey County

CPI 7/2014:	426.562
CPI 7/2013	416.505
Point Change:	10.057
% Change	2.41%

Base Diesel:	\$3.90
CPI Change	2.41%
New Diesel Base Rate:	\$3.99

Consumer Price Index - All Urban Consumers

Series Id: CUUR0000SEHG02

Not Seasonally Adjusted

Area: U.S. city average

Item: Garbage and trash collection

Base Period: DECEMBER 1983=100

Download:

59.xls

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2003	286.2	287.3	288.4	290.3	291	291.2	292	293.4	293.8	294.8	297	297.4	291.9		
2004	299.4	300.8	301.2	301.1	301.7	302.4	303.5	304.2	305.2	305.9	306.7	307.4	303.3		
2005	307.4	308.8	309.6	310.2	311.7	312.5	314.3	315.4	317.3	319.1	320.6	320.6	314		
2006	323	324.6	325.3	326.8	327.3	328.8	329.6	331.9	334.3	335.9	336.9	337.2	330.1		
2007	340.087	340.898	342.033	343.286	343.198	343.836	345.081	347.168	347.949	348.684	351.136	353.439	345.566		
2008	356.901	358.059	358.55	359.586	361.533	363.159	366.043	368.96	369.651	371.155	371.648	371.093	364.695		
2009	371.828	372.503	373.241	375.392	375.599	376.582	377.494	377.879	378.285	379.56	379.208	379.248	376.402		
2010	380.036	382.49	383.362	383.615	383.405	383.749	383.832	385.01	385.92	385.909	387.216	387.884	384.369		
2011	389.727	391.854	391.855	392.754	395.477	395.329	395.723	396.605	397.028	397.106	398.91	398.72	395.091		
2012	398.88	400.381	401.692	400.913	401.067	402.793	406.243	406.823	407.594	409.495	410.155	410.416	404.704		
2013	411.126	411.805	412.305	413.675	414.511	414.802	416.505	417.76	418.357	419.687	421.427	422.237	416.183		
2014	422.44	422.483	423.413	425.393	425.242	425.93	426.562								