

Exhibit N – Excerpt from County Commission Minutes, June 7, 2011

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).
The Chair called for a recess at 2:49 P.M.

Reconvened by call of The Chair at 3:04 P.M.

DISCUSSION/POSSIBLE ACTION: Approve, Amend, Ignore, Reject, or Remand the action recommended by the Planning Commission in regards to the Application for Special Use Permit (SUP Application No. 2011-010) of Thomas Taormina. Item continued from the May 3 meeting of the Board of County Commissioners

Chairman Kershaw stated that this is a continuance of a previously heard item and asked that only new public comment is made. Senior Planner Austin Osborne stated that at the County Commission meeting of May 3rd, 2011, a timeline of actions was requested for further review. A staff timeline from 1997 to present was presented along with supporting documents such as building permits, building permit applications, emails and letters of correspondence. Mr. Osborne explained the submitted Enclosures with specific notes to Enclosure #5 as a timeline submitted by Tom Taormina's legal Council, Fred Hopengarten. County Manager Whitten submitted a suggested Alternative Motion F and asked for further clarification of "a relative". Mr. Hopengarten stated that he had no disputes to any of the dates in the timeline and asked to pass Motion F.

Chairman Kershaw asked for any additional Public Comment. Buddy Morton, a Virginia City Highlands resident, presented his own timeline. He wished for the laws to be enforced and all violations be fined. Mr. Morton continued to explain his presentation listing dates, events and violations involving the towers as well as a nuisance complaint that he had filed himself. He asked why a fence and a sidewalk are taxed but the towers are not. Mr. Morton asked for a written document stating that the Commissioners will address all the violations from the past 14 years. He then publically submitted another nuisance complaint. A round of applause followed from the audience.

Jed Margolin, a Virginia City Highlands resident, questioned the new negotiation to permit a relative, not just Tom or Midge Taormina, to keep the towers. He expressed concern that if the County doesn't give Mr. Taormina what he wants, he will sue the County again which will cost the County money. Mr. Margolin compared this situation to the Cordevista project where the County has the right to control its own destiny.

Kathleen Stormoen, a Virginia City Highlands resident, added information on the taxing of personal property and spoke of the permit process. She spoke of safety issues and encroaching on neighboring property.

Vice-Chairman Hess expressed his discomfort with how the towers were erected and the total disregard for neighbors. He would rather not have any towers obstructing the view of the entrance to the Highlands but may entertain a few 45 foot towers. Commissioner Sjovangen said it appears that everyone involved made errors.

Motion: Maintain all existing amateur HAM radio towers which have received approved Storey County building permits and deny those which have not been erected with an approved building permit, in no case will any tower exceed 45 feet in height, and to deny SUP 2011-010 and the owner of property should be in compliance with this within 90 days and if the house sells, forecloses or the passing, only towers with permits may stay, **Action:** Approve, **Moved by** Commissioner Sjovangen, **Seconded by** Vice-Chairman Hess and Chairman Kershaw.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

District Attorney asked to be authorized to negotiate with Mr. Hopengarten that as long as a Federal Case is started within 60 days, the County Codes won't be enforced.

LICENSING BOARD:

SECOND READINGS:

1. DAVIS COMPANY, INC. - Contractor / 2485 Sutro Street, Reno
2. HARDESTY'S GENERAL REPAIR - Contractor / 120 N. Main Street, Yerington
3. COMSTOCK NITES - Nonprofit / 76 North C Street, VC
4. AM POWER SYSTEMS - Home Business / 340 Prospector Road, MT
5. ENVIRONMENTAL PROTECTION SERVICES - Contractor / 3579 Hwy 50 E, Carson City
6. KEITH SHAMBLIN CONSTRUCTION, INC. - Contractor / 128 Hillcrest Circle, Dayton
7. E CONKLIN RESTORATION - Contractor / 46 Hardy Drive, Sparks
8. SIERRA PAINTING, INC. - Contractor / 265 Golden Lane, Reno
9. JACKSON QUALITY DRYWALL - Contractor / 2528 Business Parkway, Suite B, Minden
10. SCHLUTER SYSTEMS, L.P. - General / 100 Germany Circle, TRI

Mr. Haymore asked to continue Schluter Systems as they are still building.

Motion: Continue Second Readings of Licensing Board Item #10, Schluter Systems, **Action:** Approve, **Moved by** Commissioner Sjovangen, **Seconded by** Vice-Chairman Hess.