

## **Timeline of events that transpired at 370 Panamint Rd, VC Highlands.....**

10/13/1997 – Virginia Carrington wrote a letter to the Planning Commission in concern of towers being erected at 370 Panamint Road.

2/24/1998 – HRPOA filed their revised Architectural Guidelines with Storey County. In these guidelines it states *“Antennae of any type may not extend more than fifteen feet above the house roof ridge regardless of where the antenna is installed on the property.”*

7/1999 – Storey County Code Change 17.12.044 – Height of Buildings went into effect limiting towers. It states that towers *“...may extend not more than forty-five feet above grade level, provided the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances.”*

11/28/2000 – Rick McDowell of the Storey County Building Department visited with Midge Taormina (apparently Tom was not home) Left a copy of page 17 of the revised Storey County Building Codes. In this letter, Tom admits that he is now aware of the building code change. Also admits the sizes of his towers at that time and that he was told that the larger tower (80' HAAT at the time) would be “grandfathered” in.

4/13/2001 – A letter sent to Mr. Taormina from Lydia Hammack of the HRPOA. In this letter Lydia explains to Tom the antennae wording in the Architectural Guidelines. She also enclosed a copy of the Architectural Guidelines and explained that one of his towers would be grandfathered in under the old guidelines. She stated *“Any antenna installed after February 24, 1998 must be removed or lowered to comply with the guidelines.”* In this letter Lydia also made reference to the revision of the County Building Codes in July 1999.

2001-2007 – Many towers were erected, taken down, modified or moved, some were even erected on neighboring properties.

Problem - How could the County allow Tom to erect illegal towers after being warned of the code change? How could the County allow Tom to erect illegal towers on neighboring properties? These structures not only violated neighboring properties, but also Storey County codes and NRS codes.

4/25/2008 – Tom sent the monopole towers to the paint shop.

6/2/2008 – Tom visited the painter.

6/2/2008 – Letter (assuming it is the “Wet Stamped” seal in Tom’s application) Signed and sealed by Timothy Wolden of Artisan Engineering.

Problem 1 - Timothy’s stamp is an Oregon stamp. Timothy is not licensed in the State of Nevada which is where the towers are located. Why did the building department allow this?

Problem 2 - Timothy states that he used a wind loading value of 80 mph. Doesn't Storey County Code call for 100 mph?

6/7/2008 – Towers are delivered to 370 Panamint Road

Problem - Kind of put the cart before the horse. Tom bought the towers before having a building permit.

6/8/2008 – Official complaint from Michelle Adkins to Craig Chancellor – President VC Highland Ranches POA for further action.

6/10/2008 – Michelle Adkins visited the Storey County Building Department to question them about the tower delivery at 370 Panamint and was told that there was nothing they could do. I explained to them that they were structures and should require a permit. They again said that there was nothing they could do. The lady at the front desk also said that there were other complaints that day in regards to the poles that had been delivered at 370 Panamint Road.

Problem – Why then did Tom apply for a building permit?

6/27/2008 – Building permit # 8354 was issued after the county had received complaints about the existing towers and proposed new towers.

Problem 1 - No height and no limitations are specified on the permit.

Problem 2 - The "Total Valuation" is listed at \$5,000. Didn't Mr. Taormina's attorney say that Tom had \$65,000.00 invested in them? Were the proper fees paid?

Problem 3 - Did any building inspector ever sign the permit? The copy that I can find does not have an inspector signature.

7/1/2008 – (interesting that it is just 5 days after the permit was issued) DDA Laura Grant drafted a letter saying that she recommends that the County is entitled to enforce its height limits at 45'.

7/7/2008 – (6 days after Mrs. Grant sent her letter) Dean Haymore sent a letter to Mr. Taormina stating that he must obtain the required Variance on height before he may continue under Permit #8354.

7/8/2008 – 11:00 am - Phyllis Blake & Michelle Adkins had a meeting with Dean Haymore, Pat Whitten & Laura Grant in Dean's office to discuss the towers. In that meeting, after being told repeatedly that Tom's towers were not classified as "structures", Michelle Adkins had to get Dean Haymore to read the Storey County Building Code definition of "structure" and to admit that Tom's towers were in fact "Structures" according to the SCC definition of "Structure".

Problem 1 – Why would a resident of the county have to get the head of the Building Department to read the County Codes and get him to understand the meaning of the code that he is required to enforce?

Problem 2 - Dean Haymore's department is the one that physically went to the Taormina's residence back in 2000 and handed them a copy of the very same codes.

Problem 3 – I was told on many occasions by different County personnel that the County revised its codes back in 1999 as a direct result of what was being erected at 370 Panamint?

7/11/2008 – Michelle Adkins submitted a Nuisance Complaint to the County Commissioners Office in Storey County.

Problem – To date nothing has been done with this complaint. According to NRS 244.360 - "Whenever a written complaint is filed with the county clerk alleging the existence of a nuisance, as defined in [NRS 40.140](#), within the county, the county clerk shall notify the board of county commissioners, who, except as otherwise provided by subsections 5 and 6, shall forthwith fix a date to hear the proof of the complainant and of the owner or occupant of the real property whereon the alleged nuisance is claimed to exist not less than 30 nor more than 40 days subsequent to the filing of the complaint."

7/15/2008 – Crane present at Taormina property supposedly for "Maintenance" and to remove the towers that encroached on neighboring properties. Dean Haymore emailed Tom and warned him stating "I understand you have a crane out there working. I once again advise you to cease work on those towers until we get this worked out thru the DA's office. My only other option is to issue an STOP WORK ORDER."

7/16/2008 – Code Compliance Inspection Report issued by Shannon Gardner on permit #8354. States that *"Owner has been advised that Storey County now is of the opinion that a Special Use Permit is required for the construction of towers over 45' in height, that towers are defined as structures in Storey County Code and therefore are subject to set-back requirements. A Special Use Permit has not been applied for at this time. Owner has been advised that continued construction of tower components is at own risk, and that the erection of towers over 45' in height with anchors encroaching set-backs may not be approved by Storey County Officials."*

7/17/2008 – Tower #1 that was supposedly erected in 1997 was raised from 70' to 140'. This is one day after being issued a Code Inspection Report listed above.

Problem 1... The Taormina's WERE fully aware of what they were doing and knew exactly what they were trying to get away with. ). This tower should NOT be allowed to stay in its present state. If it is allowed to stay, I would like to ask if this kind of action is acceptable to Storey County?

Problem 2... Was the base for this tower designed for the additional height of this tower?

7/17/2008 – Stop Work Order issued stating Storey County Ordinance 15.12.010 – Building Permit Required – *"It is unlawful for any person, corporation, municipal corporation, association, club, business*

*trust, estate, or any group combined thereof to erect, construct, relocate, or alter any sign, building, or structure within the county without first obtaining a building permit from the building official.”*

10/18/2011 – Man working on tower.

Problem – See Storey County Code 15.12.010 definition.

8/12/2008 – Submitted a petition with 106 signatures against the towers to Pat Whitten.

9/9/2008 – Email to Dean Haymore including pictures of trespasses and easement violations that occurred that day.

12/31/2008 – Buddy Morton submitted a Nuisance Complaint to the County Commissioners Office in Storey County

1/1/2009 – Buddy Morton sent letter to the Storey County Commissioners and Storey County Assistant District Attorney in regards to code violations. Specifically SCC 17.8.010, SCC 17.88.020, SCC 15.08 & NRS 244.360.

1/9/2009 – Buddy Morton sent a letter to the County Recorder, the County Commissioners, the County Manager and ADA Laura Grant, referring to the abatement of nuisance. In his letter he cites NRS 244.360, NRS 40.140, SCC 17.88.010, SCC 17.88.020.

7/30/2009 – Crane in use at 370 Panamint under the assumption that “maintenance” was being performed. In an email quote from Shannon Gardner “Some antennae on existing towers are damaged or have blown down from winds. Damaged antennae will be replaced with new antennae. I am told by Mr. Taormina that new antennae will be of higher quality to withstand our wind speeds.”

Problem 1 - Tower #1 (the one that was illegally raised on 7/17/2008) suddenly had an array attached to it... after the tower was raised to 140’ and prior to this date, there was never an array on that tower. This would not be considered “maintenance”, it would be classified as an alteration and also modifying without proper permits on an illegal tower. This also proves that Tom is not 100% truthful with his statements to the County in regards to his plans. Note that we do have pictures to prove this.

Problem 2 - Are these towers really safe??? Arrays have “blown down from winds”!!!!? Really?? Note that this IS a residential neighborhood and we do occasionally get very windy days.

Problem 3 - All of the towers over 45’ are ILLEGAL STRUCTURES. None of these towers/arrays should have been there to begin with.

Note: Please see [http://www.consultpr.com/Repairs\\_2009.htm](http://www.consultpr.com/Repairs_2009.htm) in regards to this maintenance. Please take note of the pictures with all the wires hanging on the side of a wooden structure (is that to code?) If the link does not work, I have a copy saved to my computer that I can send.

07/2009 – According to the Storey County Recorders Web-site, apparently this is the last time the Taormina's made a payment on their mortgage. They are now in default, dragging their neighbors and the County through this process. A process of which should have been taken care of years ago.

2008 to current – Many e-mails, letters, pictures have been recorded and documented. They can be supplied upon request.

??/??/20?? – letter from NDF explaining there is no danger to Virginia City Highlands residence in the event of a forest fire and their properties being able to be properly protected.

Problem... No letter on record

??/??/20?? – Date taxes were assessed and paid on towers. I am taxed on my split rail fence, how much are the Taormina's taxed on their towers and anchors?

??/??/20?? – Fines assessed for violations.

Problem... Never been fined. Please address this in a public forum.

The deliberate and unlawful actions by the Taormina's over the last 11 years have been blatantly calculated and have been executed under Storey County's watch. These towers are in direct violation of Storey County and NRS codes. These violations are unacceptable and require action. As citizens of this county, we are asking for our rights to be observed and for the violators to be punished. We request our representatives to stand up for our rights and address the current existing violations at 370 Panamint Road. We would also request that these violations be addressed in a public meeting.