



State of Nevada

Department of Conservation and Natural Resources

Joe Lombardo, Governor

James A. Settelmeyer, Director

Arthur Krupicz, Administrator

Joseph Curtis, Chair

## Appendix A

### MINUTES OF THE COMSTOCK HISTORIC DISTRICT COMMISSION

**DATE:** Tuesday, January 6, 2026

**PLACE:** Comstock Historic District Commission Office, 20 North E. Street, Virginia City, Nevada 89440

**WORKSHOP MEETING:** None

**REGULAR MEETING TIME:** 5:00 pm

**CALL TO ORDER:** 5:02 pm

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**PLEDGE OF ALLEGIANCE.** The Pledge was recited.

**CONFIRMATION THAT MEETING WAS PROPERLY POSTED.** Confirmed.

**COMMISSIONER ROLL CALL.** Quorum was achieved.

Clay Mitchell – Present

Nancy Cleaves – Present

Julie Workman – Present

David Bates – Present

Calvin Dillon – Present

Tammy Hendrix – Present

Joe Curtis – Present

Mercedes de la Garza – Present

State Historic Preservation Office (SHPO) Administrator, Art Krupicz - Present

Deputy Attorney General, Alexa Ravencroft – Present

#### **APPROVAL OF THE JANUARY 6<sup>TH</sup>, 2026 MEETING AGENDA.**

Nancy Cleaves moved to approve, Mercedes de la Garza seconded. The January meeting agenda was approved unanimously.

#### **OPENING PUBLIC COMMENT.**

Comstock Historic District Commission (CHDC) Chair, Joe Curtis, opened the meeting to public comment by stating that comments relevant to the CHDC would be taken at the beginning and at the end of the meeting and at the discretion of the Chair on agenda items listed for possible action.

Comments were limited to three minutes per person and not restricted by viewpoint. It was advised that no action would be taken on any matters raised during the public comment period and all members of the public providing comment would first be asked to begin by stating their name for the record. The Chair opened the floor to the public for comment; there was no public comment and the meeting proceeded.

## **ADMINISTRATIVE ITEMS.**

- I. Chair Report- Joe Curtis began his report saying he has continued to communicate with Shelly Smith since she's been gone. They have discussed ongoing things. He has met with two or three applicants that are considering different things. He gave a presentation to the Virginia City Chamber of Commerce about the sign ordinance, general activities of the commission and how to maneuver through the commission for anything someone would want to do to a structure. He called it Historic District 101. He said it was well received. He went to Gold Hill to look at a rock wall that was struck, there are two walls on grinders bend that have been struck. The first one, they are holding their breath while they decide what to do. The second one was stuck two or three weeks ago. Joe has been in touch with an architect and an engineer regarding the repair of the wall so it would properly retain the embankment and have the same appearance as the original rock wall, which dates back into the 1880's. There are two different plans they are going back and forth on trying to decide which would be the best. Joe has also been working on scanning photographs the Historic District has received from different sources. He said there are about 160 historic photographs. To date, he has over 60 hours performing activities for the board.
- II. Commissioner Comments- Nancy Cleaves, Calvin Dillion, Julie Workman and Tammy Hendrix wished everyone a Happy New Year.

## **APPROVAL OF DECEMBER 2<sup>ND</sup>, 2025 MEETING MINUTES.**

Julie Workman said there needed to be a correction under commissioner comments. There is a comma in the wrong place. The tradition started by Burt was signing a card not the Historical Society. The comma is in the wrong place and changed the meaning. Julie Workman moved to approve with the noted correction, Calvin Dillion seconded. The December meeting minutes were approved unanimously.

## **ITEM ONE; SITE WORK ON COMMERCIAL PROPERTY.**

The property is located at 655 Six Mile Canyon Road (Mill St.), Virginia City, NV (APN 001-311-02) The project consists of the proposed installation of 500 feet of dog-eared wood fence.

Joe Curtis said he thought the proposed fence turned out to be longer. Property owner, Russ Brandon said it will be 744 feet. Joe confirmed the fence would be 744 feet long and 5 or 6 feet tall. Joe asked Russ if he would like to give a presentation. Russ turned it over to his son Ryan Brandon. Ryan said they weren't necessarily proposing the fence, they were told they had to do it per the county. He said he hasn't been shown any code or NRS that said they need to do it. He said they were told they had to do it to block the view of the equipment. He said the proposed area where the fence would have to go would not block the view of the equipment whatsoever. He said where the fence would go on their property along R Street, is 6 feet below R Street. If you are on R Street you'll look right over the fence into the yard, which is absolutely no change. The portion on Six Mile Canyon Road, being a tiered property along the property line, the fence will be below where the equipment is stored, therefore, it makes no sense to put a fence there. He said they keep the yard cleaned, it's a commercial property, so he doesn't understand why they are being forced to do this. He said nothing else is going on in town where anyone else is being forced to put a fence up. Joe Curtis asked if it's some kind of order. Ryan said it's from the Building Department and he's talked to them until he's blue in the face and no one listens. He said he

guessed the board needs to approve it. Joe asked if there was an offset from the street down the embankment. Ryan said the property line is three quarters down the embankment. Joe asked if standing on the street, will you be looking over the fence? Ryan answered, exactly. Ryan said the new drainage ditch on the street blows out every year and if it does that it will take out a portion of the fence along with it. Joe asked if the fence would go to the corner of R Street and Mill then down Mill? Ryan answered yes, that's what they are talking about. From the driveway to the original shop, down R to the corner, to the other driveway, then down to the driveway below that. Joe asked if there would be a traffic hazard if you couldn't see traffic one way or the other. Ryan said he thought it would be because the fence would be keeping with the lot line which is up against Mill Street. He said there are also underground utilities to watch out for, and the fence will be a forty-to-fifty-thousand-dollar expense that he thinks will do nothing. Joe said he thought it was supposed to be a solid wood fence and asked what kind of wood it would be. Ryan said the county told them to pick a fence and have it approved. Joe asked if they considered chain link fence. Ryan jokingly said he was going to do cyclone fence. He would like someone to give them information on why and how, if it's a code or an NRS they are going against. He said when they ask, they just get pointed in different directions. Joe said one of the concerns with the fence is there are height limits within the Historic District. In very unusual circumstances they have allowed a six-foot privacy fence because of a condition or problem. Normally, five feet tall is the highest and four feet is the standard. Joe said he had contact from someone in the county who mentioned this would be coming through the commission. Joe says he was told the application would be for a six-foot solid dog-eared type of fence. He said he thought redwood was mentioned. Joe asked the commissioners if they had questions or comments. Clay Mitchell said his recollection was that the fence was a condition of the special use permit because of the use of the land. It was put on as a condition because neighbors were complaining that they didn't want to see stuff. Ryan said there were no written complaints or history. Clay said he was aware, but they came to the meeting and that was the public comment. Ryan interjected, one of them. Clay agreed and said this was an attempt at rectifying this. He told Ryan they could talk after the meeting and said he thought it was kind of useless as well. Ryan said since it's burdensome maybe some other means could be found and he's tried to talk to someone about it but keeps being sent the same thing. Joe Curtis thought that cost is in the guidelines for consideration. Clay Mitchell answered that it is not a consideration for the commission, it says quite explicitly, cost is not a reason for us to change what we approve. From the county perspective that's a different thing. His take is this, keeping the two separate, he's happy to chat afterwards to see if something can be worked out with the county. From this body's perspective, let's approve of something that's appropriate then we'll see if we can make some sort of concessions. If it doesn't have to be built, great. If they have to change it, it comes back. If we get something approved, that gets a hurdle out of the way, then we can talk about if there are ways to appeal it or get something clarified on the county side. Joe asked Mercedes de la Garza if she was raising her hand. Mercedes replied no, but she was looking at the guidelines, and it said the fence type should not exceed five feet. Joe agreed and asked if there were other board members' comments. Nancy Cleaves asked Ryan Brandon if the community development specifically told them that they needed a six-foot fence. He replied yes ma'am. She commented that it wouldn't comply with the CHDC guidelines. Ryan said they'd be happy to keep pushing it out, in his opinion it's a complete waste of time. Nancy asked Ryan if they were told the fence had to be solid. Ryan replied, "Yes". Clay Mitchell said the whole point from the County's side was to create a visual barrier. He said they try to make it match up on the County side with guidelines wherever they can so that they are aligned. Clearly here, what we're asking for doesn't match up. He thinks this body should take whatever action it thinks is appropriate. If it means it's not acceptable, then it's not acceptable and then we can go back to the County and say it doesn't work. Nancy Cleaves said what comes to her mind, is this seems like industrial property and that there are different types of fencing around industrial property up here. For instance, the water department is surrounded by a metal fence, not a solid wood

fence. Joe said that fence is around the pond, and he thinks it predates the commission. Nancy disagreed and said it was put in after she moved up there and she's been there twenty-six years. Joe said maybe it's for safety. Mercedes de la Garza says it's not the commissions place to try to override the County's request if it's a condition or special use permit, but they can make comments based on the esthetic. She suggested this is just a hurdle he needs out of the way so he can go back and argue whether he needs it or not. It's not the commission's place to say whether it should or should not be there. She wanted to know if there was an example of the dog ear, she didn't see it in the application. Is it something with the corners nicked off and it's a solid fence? Clay confirms that description was correct. Mercedes said if that's what they're requesting she doesn't have an issue with it from a design guideline standpoint or a historical standpoint which is our territory in the conversation. Joe asked if height was an issue for her. Mercedes said no because she thinks the guidelines are probably written for where it's more dense. It doesn't say that, but it talks about the variety of different fences, and this is a more industrial area. Joe asked if it is classified industrial or more residential-commercial? Ryan Brandon answered commercial-residential. Camela and Russ Brandon said that the sewer plant is the neighbor below them. Ryan said it has a chain link fence around it. Nancy Cleaves said she doesn't have a problem with the fence except for the height. She said if the Brandons can work something out with the county they are welcome to come back. Ryan said they discussed the possibility of planting trees. Nancy thought landscaping would look good. Russ Brandon showed the commission a picture of the property and explained where the fence would go and how the road is much higher so the fence wouldn't block the view of his property. Nancy Cleaves wanted to add that not specifically this body, but the preservation officers in the past have approved metal fencing. If the Brandons come back with a different proposal that is agreeable to the county, we have them all over the district. Joe asked if they (the county) are trying to hide it or is it a safety issue. Clay answered, hide it. Camela Brandon wondered if they put a fence along Six Mile Canyon if someone slides on the ice, goes through the fence and gets injured, do they have liability that the county forced on them? Would the county have liability too? She also wondered about snowplows throwing snow against the fence. Joe says the commission's only concern is the fence appearance. Nancy Cleaves pointed out that the CHDC construction standards are available on the internet and the guidelines for fences are page (inaudible). Calvin Dillon asked if the commission is only focused on appearance and once it's passed here were just okaying the battle? He thought the commission should just see if it meets the standards, then drop it in the counties lap and let them fight over it. Several of the commissioners agreed. Joe said the commission's only concern is if it is appropriate for the area, whether it is meeting the guidelines that we use for fencing and does it have an appropriate visual feel. Nancy said, looking at the COA, they are proposing a six-foot fence and that does not comply with the guidelines. Clay Mitchell said he had one more question. He asked the Brandons if it will make their life easier if the board approves or denies the fence. Ryan replied, deny because it's asking for six feet and that doesn't work. Clay Mitchell moved to deny the application based on it not meeting the design standards. Nancy Cleaves seconded. The motion was unanimously denied.

## **ITEM TWO; ADOPTED REGULATION OF THE COMSTOCK HISTORIC DISTRICT COMMISSION, LCB FILE NO. R016-24. (INFORMATION ONLY)**

Joe asked if Clay got the email from Robin Reed (Deputy Administrator and Deputy SHPO). Clay said he looked at the email briefly and the new regulations have been approved. There is a process to get them codified by the LCB but they have jumped through all the hurdles, so we are operating under those guidelines at this point. He thanked everyone for the work on it; it was a big lift. He continued, we've talked about things that may and may not happen with the commission, we looked back and asked if these put us in a tough spot if we made changes in the organization. It appears they were written well enough that they work for whatever direction we end up going. That was a concern, we didn't want to put ourselves in a corner by passing these new regulations as we checked them, it seems that everything

is going to work out fine regardless of what we end up doing as far as structure goes. He thanked everyone again for their hard work getting them through. Joe said he wanted to thank Clay for his efforts working on the regulations and going to the legislature and trying to convince people one way or the other and to make some understanding of their thoughts versus our thoughts. Clay jokingly thanked Joe and said he wasn't good for much, but he could talk to politicians.

#### **CLOSING PUBLIC COMMENT.**

Joe Curtis stated that public comments may be limited to 3 minutes per person at the discretion of the chair for specific agenda items. Comment will not be restricted based on the viewpoint. No action will be taken on any matters raised during the public comment period that are not already on the agenda. All those providing comments are asked to begin by stating their full name for the record. The Chair opened the floor to the public for comment. The Chair opened the floor to the public for comment; there was no public comment.

#### **ADJOURNMENT.**

Joe Curtis asked if there was a motion to adjourn. Nancy Cleaves moved to adjourn. Mercedes de la Garza seconded. Adjournment was approved unanimously.

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**MEETING ADJOURNED: 5:38 pm**

Minutes transcribed by Kimberly Johnston from the recording and reviewed by Joe Curtis.