

RESOLUTION NO. 16- 445

RESOLUTION Authorizing use of County Funds for Cape-Sealing of Cartwright Road.

WHEREAS, NRS 244.137 through NRS 244.146 inclusive have conferred upon boards of county commissioners powers necessary or proper to address matters of local concern for the effective operation of county government, whether or not the powers are expressly granted to the board. If there is any fair or reasonable doubt concerning the existence of a power of the board to address a matter of local concern pursuant to this paragraph, it must be presumed that the board has the power unless the presumption is rebutted by evidence of a contrary intent by the Legislature. NRS 244.146(1)(c); and

WHEREAS, Storey County has entered into a contract with Intermountain Slurry Seal, Inc. for the cape sealing of roadways throughout Storey County; and,

WHEREAS, a portion of the contract with a value of \$114,700.00 is intended to cover the costs of cape sealing approximately 31,000 square yards of Cartwright Road within the Virginia City Highlands which are owned by the Virginia City Highlands Property Owners Association and have not been accepted for maintenance and repair by Storey County; and,

WHEREAS, the roadways within the Virginia City Highlands proposed for cape sealing are open for use by the public, are used by the Storey County Fire Protection District for fire prevention and suppression services, are used by the Storey County Sheriff's Office for law

enforcement purposes and are used by service suppliers and delivery services for the provision of goods and services to the residents of the Virginia City Highlands; and,

WHEREAS, matters of local concern are deemed to include matters that affect local public health, safety and welfare in the county, NRS 244.143((2)(a); and,

WHEREAS, the cape sealing of Cartwright Road will allow greater access of public safety and fire vehicles, safer use of the road by the residents of the area, safer access by public and private entities providing services in the area and is a function that has been provided by Storey County in the past and does thereby serve a public purpose and is a matter of local concern.

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS;

1. The Board of County Commissioners of Storey County does hereby authorize the expenditure of \$114,700.00 for the cape seal of 31,000 square yards of Cartwright Road within the Virginia City Highlands as part of its county-wide cape sealing project.

ADOPTED this 6th day of September, 2016.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: Marshall McBride
MARSHALL McBRIDE, Chairman

ATTEST:

Vanessa Stephens
VANESSA STEPHENS
Storey County Clerk/Treasurer