

# STOREY COUNTY COMMISSION MEETING

TUESDAY, APRIL 1<sup>ST</sup>, 2008 2:00 P.M.

DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

GREG "BUM" HESS  
CHAIRMAN

HAROLD SWAFFORD  
DISTRICT ATTORNEY

BOB KERSHAW  
VICE-CHAIRMAN

JAMES G. MILLER  
SHERIFF

JOHN FLANAGAN  
COMMISSIONER

VANESSA DIXON  
CLERK-TREASURER

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### Roll Call.

**Present:** Administrative Officer Marilou Walling, Chairman Greg Hess, Clerk Treasurer Vanessa Dixon, Commissioner John Flanagan, Comptroller Hugh Gallagher, County Manager Pat Whitten, Director of Public Works Mike Nevin, District Attorney Harold Swafford, Fire Chief Gary Hames, Senior Planner Vince Angle, Sheriff James Miller, Vice Chairman Bob Kershaw.

### CALL TO ORDER AT 2:00 P.M.

The meeting was called to order by the Chair at 2:00 p.m.

### PLEDGE OF ALLEGIANCE

Chairman Hess led those present in the Pledge of Allegiance

### PUBLIC COMMENT

None

### 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.)

**Approval of Agenda for April 1<sup>st</sup>, 2008**

**Approval of Minutes for March 4<sup>th</sup>, 2008**

**Approval of Minutes for March 18<sup>th</sup>, 2008**

## Correspondence

### Approval of Maps to be recorded

Mr. Angle stated that he has three maps to be approved; he added that the maps are for the TRI area.

Chairman Hess asked who the maps were for.

Mr. Angle stated that the maps are from; Insurance Auto Auction, Ret Wiggen, and a third party that wished to remain private.

**Motion:** Approve maps to be recorded, **Action:** Approve, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan.

### Approval of Planning Commission Minutes

AT-08-01 : Zoning Ordinance/Findings

Initiation by the Planning Commission for a text addition to the Storey County Zoning Ordinance. This addition would add findings to all planning case types including Special Use Permits, Variances, Zone Changes, Master Plan Amendments and Planned Unit Developments.

Bret Tyler made a motion to approve the Findings addition to the Zoning Ordinance with the two corrections in wording. Lydia Hammack seconded the motion, and with no further discussion, all voted aye and the motion carried.

2008-021 Abandonment - by Western

Title

VC

Requesting the abandonment of the north half of Page Street between C and D Streets being about 25'± along C and D Streets, and 100'± along the already abandoned southerly portion and Lot 3 of BLK 195 of Virginia City.

(Continued from the September 6, 2007 meeting).

1. The project shall comply with all applicable County ordinances, plans, reports, materials, et., as submitted. In the event of a conflict between said plans, reports, materials and County ordinances, County ordinances in effect at the time the building permit is applied for, shall prevail.
2. Prior to the recordation of the order of abandonment, the applicant shall deposit with the County Clerk a check made payable to the Storey County Recorder for the recording fee.
3. The order of abandonment shall provide public utility easements for existing utilities including Storm Drains and Sanitary Sewers,

unless the utilities are relocated to the approval of the servicing Utility Company and County Public Works Department prior to issuing the order of abandonment.

4. No buildings or structures including fences shall be erected within the public utility easement. Any fencing or landscaping that is placed within the public utilities easement shall be approved by the Public Utilities Director and can be removed by the County at any time for access to existing utilities and shall be replaced at the property owner's expense should they chose to do so.
5. A surveyor must be hired to do the appropriate maps to be filed along with any other documents within a one year period. The one year time period regarding this condition begins with the date of the County Commissioners' approval of this abandonment application. If this is not completed as required within the one year, this abandonment becomes null and void.

Austin Osborne made a motion to approve the application with the change in wording to condition 4. Larry Prater seconded the motion and with no further discussion, all voted aye and the motion carried.

The Parcel Map application was continued and does not require review of the Commissioners at this time. The change to condition 4 is already done above which was requested by the motion.

### **Approval of Claims and Statement of Activities**

#### **LICENSING BOARD:**

##### **FIRST READINGS:**

1. **COLEMAN ELECTRIC COMPANY, Inc.-** Contractor / Minden NV
2. **KB DRILLING COMPANY, Inc.-** Home Business/Contractor / VC Highlands NV
3. **MEPT RENO INDUSTRIAL CENTER, LLC -** Out of County / Seattle WA
4. **LINDOO INSTALLATIONS, Inc.-** Contractor / N Aurora IL
5. **MODERN STORAGE, LLC-** General / TRI- McCarran NV
6. **MOYER CONSTRUCTION-** Contractor / Carson City NV

### **END OF CONSENT AGENDA**

**Motion:** Approval of Consent Agenda, **Action:** Approve, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan

## **DISCUSSION/ACTION: Staff Review/Committee Reports**

### **Fire Chief Gary Hames**

1. Chief Hames advised the Board that the department recently responded to a full cardiac arrest in TRI area. He added that it was Battalion Chief Atkins, Firefighter Whitlock, and Firefighter/Paramedic Arroyo who responded to the scene. The men had a great save and he would like to thank them.
2. Chief Hames stated that AED training has been completed and the units should be in place by the end of next week in the Courthouse, Building Department, Senior Center, and Justice Complex. We have also partnered with the School District and they are expecting 4 AEDs.

Chairman Hess stated that a lot of people don't understand that when we pass large budgets for departments like Fire it is not just for the fire service, it includes things like public safety and paramedics.

Mr. Nevin complimented the Fire Department on the excellent job they have done on AED and CPR training.

Mr. Whitten stated that there are now 60 employees that are CPR certified.

### **Public Works Director Mike Nevin**

1. Mr. Nevin informed the Board that the 1<sup>st</sup> draft of the revised water ordinance should be ready for the next meeting. It has been reviewed by the District Attorney and the adjustments are being made.
2. Mr. Nevin stated that the waste water treatment plant is in need of 2 new blowers. The blowers run 24 hours a day 7 days a week. He added that the current ones have been "band aided" as far as they can be "band aided" and he has allocated \$43,000.00 in the current year budget for replacement.

### **County Manager Pat Whitten**

1. Mr. Whitten stated that due to the rescheduling of the budget workshop he, Chairman Hess, and Comptroller Hugh Gallagher were able to attend a water hearing held by the Legislature. Chairman Hess gave some stellar testimony and the message has stayed the same, which is as the County plans for the future those plans are based on how much water we know we have. Mr. Whitten added that he was very glad that they were able to attend.

### **Senior Planner Vince Angle**

1. Mr. Angle stated that he has correspondence from the Division of Water Resources; the letter discusses the water right relinquishment program. The Division was requesting a response from the County as to what our plans are. Mr. Angle stated that he has informed the Division that the County is planning

to write our own ordinance. A representative will be visiting the County for a tour and to make any suggestion he may have.

2. Mr. Angle reminded the Board that the next Planning Commission meeting will be at the Lockwood Community Center. The meeting will cover the request for a zone change in TRI.

**DISCUSSION/ACTION:** Special purchase for patrol vehicles

Sheriff Miller stated that he has been in negotiations with the County Manager regarding the purchase. He introduced Lieutenant Chris Parsons for further explanation.

Lieutenant Parsons informed the Board that it has been 3 years since the last purchase and this is a request for four new vehicles. The goal is to have a modern fleet. The department would like to make the purchase during the current budget year to avoid impacting the next budget. Lieutenant Parsons added that the current vehicles have an average of 130,000 plus miles on them.

Mr. Whitten added that we have been working with Mr. Gallagher and Ms. Walling on this and that there is a rush to get it done so that we don't miss out on the current model year. He added that they are still looking at leasing options for future needs. A few of the vehicles that are being replaced will be used as "hand me downs" for other departments. The vehicles will be great for small trips. Mr. Whitten explained that the funds that will be used will come from unused funds in last year's budget.

Lieutenant Parsons stated that the total cost will be \$120,000.00 and that the purchase will be done through the State of Nevada Purchase Program.

Vice-Chairman Kershaw asked if the "hand me downs" would fill some of the vehicle request in the upcoming budget workshop.

Mr. Whitten stated that they will, and that there are a few options.

**Motion:** Approval of special purchase for patrol vehicles, **Action:** Approve, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan.

**DISCUSSION/ACTION:** Possible financial impact the following initiative pursuant to NRS 295.095: A petition for an ordinance adopting the Storey County Master Plan (SCMP) and amending land use planning procedures to save open space by changing the approval process for large residential subdivisions and planned unit developments.

Mr. Whitten stated that there are at least 3 people involved in this. Per NRS when we, the County Clerk, is presented with a petition it must go before the County Board to determine if the petition would pass what the economic impact may be. Mr. Whitten added that this is a safe guard put in by the State so that the voters are aware of the full impact of a petition, specifically on local government. He stated that the initiative has been broken down by Mr. Angle and after some research he has determined the following;

1. A special election would carry a cost of approximately \$55,000.00.
2. 3 public workshops may cost \$3000-\$4000.
3. Lost revenues from possible subdivisions are undeterminable.

Mr. Whitten asked that this be continued to determine any other economic impacts, he asked that if the Board has any other ideas please let us know.

**Motion:** Continue item to the next agenda, **Action:** Postpone, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

**DISCUSSION/ACTION:** Second Reading of Ordinance 08-207 Amending Chapter 10.04 of the Storey County Code regarding sections 10.04.010 and 10.04.020, general traffic regulations.

District Attorney Harold Swafford read the ordinance into the record.

(A full copy of the ordinance is available in the Storey County Clerk/Treasurer Office.)

**Motion:** Approval of ordinance 08-207, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

**DISCUSSION/ACTION:** Approval of an inter-local agreement between Churchill, Douglas, Lyon, Mineral, Pershing and Storey County, the Consolidated City/County of Carson City; and the Cities of Fernley, Fallon, Lovelock and Yerington.

Mr. Whitten stated that this is a renewal of a previous agreement for affordable and obtainable housing. He added that it is a great program and recommended that it be approved.

Chairman Hess added that it is a terrific program for the residents of Storey County.

**Motion:** Approve inter-local agreement between multiple counties, **Action:** Approve, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan.

**DISCUSSION/ACTION:** 2008 Ballot Questions

Mr. Angle stated that he has 3 finalized questions that are being reviewed by Mr. Whitten. He added that he is talking to other jurisdictions and hopes to bring it back before the Board very soon.

**LICENSING BOARD**

**SECOND READINGS**

1. **NO EQUAL CONSTRUCTION-** Home Business / Virginia City NV
2. **AARMETA, LLC-** General / Rainbow Bend NV
3. **SIERRA PINES CONSTRUCTION, Inc.-** Contractor / Reno NV
4. **TRI-SIGNAL INTEGRATION, INC.-** Contractor / Sparks NV
5. **ANRO ENTERPRISES-** Out of County / Sun Valley NV
6. **OUTDOOR and RESORT PROPERTIES, LLC-** Home Business / VC Highlands NV
7. **ANRO ENTERPRISES-** Out of County / Sun Valley NV
8. **PARADIGM ELECTRIC, Inc.-** Contractor / Sparks NV
9. **MARIO CIUCCI TRACTOR SERVICE, LLC-** Out of County / Dayton NV
10. **MASSAGE by PAULA-** Massage/Therapeutic / Virginia City NV
11. **SIGNATURE LANDSCAPES, LLC-** Contractor / Reno NV
12. **MONITRONICS FUNDING, LP-** Out of County / Dallas TX
13. **MONITRONICS SECURITY, LP-** Out of County / Dallas TX
14. **MIBU SERVICER, Inc. -** Out of County / McKinney TX
15. **WOODEN ART-** General Retail / Virginia City NV (*Change in Ownership*)
16. **SUGAR LOAF MOUNTAIN MOTEL-** General (*new owners*) / Virginia City NV  
*3/14/08 Temporary/Partial issued for rooms 2, 3, 4, 5, 6, 7, 8 and 11*
17. **PETSMART -** General / TRI- McCarran NV  
*3/17/08 Partial C of O for Shell and Offices*

Mr. Angle asked that items 16 and 17 be continued and the remaining be approved.

**Motion:** Approve items #1-#15, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

**Motion:** Continue items #16 and #17, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

## **PUBLIC COMMENT**

Mark J. Phillips commented that the Minutes from March 18, 2008 have now been approved and stated that he may obtain a copy of the waiting list for water hook-ups. Mr. Phillips explained that he has visited Public Works to obtain a copy of the list. The list that was presented to him only has names on it. He would like a copy of the list in its entirety so that he may continue his research before accusing anyone of anything.

Mr. Nevin stated that he may have the list that shows the name and parcel number of the property, but not the mailing or physical address of the applicant.

Chairman Hess stated that we are all a little confused and asked Mr. Phillips what his allegations are.

Mr. Phillips stated that he would file an official complaint with the Ethics Commission if he felt that it were needed and that he has nothing else for the Board.

Fire Chief Hames stated that he would like to thank Ms. Walling for securing a grant to pay for the AEDs.

Ms. Walling stated that it was Mr. Guevin who did the work.

Mr. Nevin advised the Board that the flag is not currently flying above the Courthouse due to an issue with the flag pole. Once it is repaired the flag will be raised again.

## **BOARD COMMENT**

Vice-Chairman Kershaw gave an update on his ongoing cell phone bill issue with Sprint. After changing the zip code on his address he did not receive the bill, he went online to view the bill and the taxes are still incorrect. He added that he will keep working on it and hopes that Senator Reid's office will be able to do something in regards to zip codes.

Chairman Hess asked that we keep following up on the replacement of the nuisance officer.

Mr. Whitten stated that Ms. Dixon is still the current nuisance officer and that there is a team that is actively working on one complaint in particular.

**ADJOURNMENT**

The meeting was adjourned at the call of the Chair at 2:56 p.m.

By \_\_\_\_\_  
Vanessa A. Dixon, Clerk-Treasurer