

# STOREY COUNTY COMMISSION MEETING

TUESDAY, JUNE 15th, 2010 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:** Chairman Greg Hess, Commissioner John Flanagan, Comptroller Hugh Gallagher, County Manager Pat Whitten, Vice-Chairman Bob Kershaw, Assistant Sheriff Gerald Antinoro, Recorder Sarah Jensen, Clerk-Treasurer Vanessa Dixon, Administrative Officer Holli Kiechler, Community Development Director Dean Haymore and District Attorney Harold Swafford.

### **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**

The Chair 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 June 15, 2010**

**Approval of Budget Hearing Minutes for April 5, 2010**

**Approval of Minutes for June 1, 2010**

**Correspondence** - June 15, 2010 Memo from Assessor Kathy Weeks rescinding her early retirement.

**Approval of Claims** - Payroll 6/11/2010 and Warrants 6/4/2010

**Approval of Maps** - Straighten out Storey County land between the Sheriff's Office, Jail, Justice Court, District Attorney's Office, Public Works, Community Development and the pond.

**Approval of Assessor corrections to the Tax Roll** - none

**Approval of Treasurer's Report** - none

**Acceptance of bid for Gasoline, Diesel and Furnace Oil from InterState Oil Company.**

**Acceptance of bid for Propane from Bi-State Propane.**

**Approval of Planning Commission Minutes** - May 6, 2010

**2010-020 SPECIAL USE PERMIT:** By Community Chest, Inc.

VC

Request for Special Use Permit to operate a weekly Farmers Market on APN 001-156-02 located at 106 E. Carson Street in Virginia City.

**Motion:** Approve application with all stipulations and recommended changes as shown (See Planning Commission Minutes of 5/6i/10).

**Action:** Approve, **Moved** by Bret Tyler, **Seconded** by Larry Prater.

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 6).

**2010-021 MERGER & RE-SUBDIVISION PARCEL MAP:** By Storey County

GH Request to merge three parcels 002-023-03 (100 and 110 East Dayton Toll Road), 002-023-07 (915 and 921 Highway 341), and 002-011-10 (911 Highway 341), Gold Hill, Nevada, and re-subdivide them to create two new parcels.

**Motion:** Approve application with all stipulations from the staff report (See Planning Commission Minutes of 5/6/10).

**Action:** Approve, **Moved** by John Herrington, **Seconded** by Doug Walling.

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 6).

**Approve Revised HR Policies - Form 206F - Employer Policies**  
Acknowledgement and Receipt Drug & Alcohol Free Workplace and Anti-Harassment.

**LICENSING BOARD:**

**FIRST READINGS:**

1. **STALIONS AND NESS ENTERPRISES dba UNDERTAKER** – General / 37 N. C St., VC
2. **HIGHLANDS HOME IMPROVEMENT** – General / 21635 Delta Drive, Reno

**END OF CONSENT AGENDA**

**Motion:** Approve Budget Hearing Minutes for April 5, 2010, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Chairman Hess.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

Chairman Hess read a memo from Assessor Kathy Weeks regarding the rescinding of her early retirement into record.

**Motion:** Approve Consent Agenda excluding Budget Hearing Minutes for April 5, 2010, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

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

Clerk-Treasurer Vanessa Dixon

1. Storey County had the second highest turnout of voters in the State at 56.7%. Thanked Mr. Whitten, the pole workers and team leaders, the Sheriff's Office and the Fire Department for their help. The Early Voting in Lockwood was successful and the idea of also holding Early Voting in the Highlands is being considered.
2. Submitted a grant for a new audio/video system for the courtroom.

Community Development Director Dean Haymore

1. Provided a layout of the Street Light Enhancement Project showing the new restrooms, the proposed headframe, kiosks, planters and fencing.

County Manager Pat Whitten

1. Recommended cancelling the July 20, 2010 meeting due to the national NACO conference being held that same week.

**DISCUSSION/ACTION:** Presentation and approval of the 2011 Transportation System Projects and work program by Nevada Department of Transportation officials.

Director of the Department of Transportation, Susan Martinovich, introduced her staff and highlighted their goals of becoming more open, transparent and user friendly. The \$200 million in stimulus money that was received is going to be spent on over 70 projects, not on just one or two large projects. Storey County's project is the overlay of Six Mile Canyon which is currently out to bid. For every dollar spent in transportation, a \$1.50 is gained back via jobs and materials along with years of benefits for users. Partnerships with law enforcement and education on Highway Safety have led to a decrease in fatalities for the past four years. They are not just a road agency but also deal with transit and bicycle programs. Focus has been on traveler information such as calling 511 for road closures before travelling as well as the Freeway Service Patrol who work to reduce congestion. NDOT is operating on a lean budget but plan to have projects ready to go in the event funds become available. They will continue with micro surfacing, mill and fill and the Street Light Enhancement Project. Vice-Chairman Kershaw mentioned the lack of a direct connection from the south end of Storey County to the north end. Mr. Whitten thanked Ms. Martinovich for keeping the Virginia City NDOT yard open, being a great "go to" person, the extra iron for Tunnel 6 and rumble strips.

**Motion:** Approve the 2011 Transportation System Projects and work program by Nevada Department of Transportation, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** Canvass the Primary 2010 election held June 8, 2010.

Chairman Hess read the Summary Report for the Primary Election held June 8, 2010 into record.

**Motion:** Approve the Canvassing of the Primary 2010 election held June 8, 2010, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** Acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2010/2011 funds.

Jim Norton of Warren Reid Insurance introduced Doug Smith, Chief Risk Officer, and delivered the bad news of a 14.8% increase due to re-appraisal, loss and exposure. He stated that there are other alternatives other than the POOL. Chairman Hess stated that information the rates were based on appeared incorrect and recommended revisiting the proposal. Doug Smith acknowledged the displeasure and agreed to re-work the quote.

**Motion:** Continue acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2010/2011 funds, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** First Reading, General /Liquor /Cabaret License: Ponderosa Saloon, Cheryl A. Bailey.

First Reading only, no action required.

**DISCUSSION/ACTION:** First Reading, General /Liquor License: Maynard Station, Thomas & Nancy Cleaves.

Thomas and Nancy Cleaves were present to answer any questions.

First Reading only, no action required.

**DISCUSSION/ACTION:** Approval of necessary transfers for fiscal budget 2009-10 by June 30,2010.

Mr. Whitten explained that this is a routine measure to close out the fiscal year. This will authorize the Comptroller and the County Manager to transfer small administrative amounts.

**Motion:** Approval of necessary transfers for fiscal budget 2009-10 by June 30, 2010, **Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** Resolution 10-304 – Augmentation Fire District Fund.

Mr. Whitten clarified the Fire District and explained that this is a procedural measure to reimburse the county for funds spent on other district fires or fires covered under Interlocal Agreements.

**Motion:** Approval of Resolution 10-304 – Augmentation Fire District Fund,  
**Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** Gary Longaker, Executive Director of the Nevada Rural Housing Authority (NRHA), requesting approval of Resolution 10-305 to transfer unused 2010 Private Activity Bond (PAB) Cap allocation to the NRHA.

Gary Longaker shared the most recent annual report. He spoke of the homes in the area currently in the program. He mentioned that the county incurs no liability with these transfers. Mr. Whitten mentioned that this does not affect the potential bonding or cap availability on Tunnel 6.

**Motion:** Approval of Resolution 10-305 to transfer unused 2010 Private Activity Bond (PAB) Cap allocation to the NRHA, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** Second Reading: Ordinance 10-229 An Ordinance amending Storey County Code 3.12.010 to repeal the twilight provision of said ordinance relating to the Virginia and Truckee Railroad and to continue the imposition of the tax on sales for an indefinite period of time.

Mr. Whitten highlighted the sections that were specifically targeted. This process will allow this item to be included on the upcoming ballot.

**Motion:** Approval of Ordinance 10-229 An Ordinance amending Storey County Code 3.12.010 to repeal the twilight provision of said ordinance relating to the Virginia and Truckee Railroad and to continue the imposition of the tax on sales for an indefinite period of time., **Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** Second Reading: Ordinance No. 10-230 An Ordinance amending the Storey County code by changing section A, adding a new section B and moving the old section B to create a new section C, to establish rules concerning public consumption of alcoholic beverages on public property within Storey County.

Mr. Whitten explained the purpose for the Ordinance is to target open glass containers. Resident Mark Phillips asked if the \$1,000 fine was excessive. District Attorney Swafford explained that the violation is a misdemeanor and is punishable by up to a \$1,000 fine and/or 6 months incarceration.

**Motion:** Approval of Ordinance No. 10-230, **Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** Second Reading: Ordinance No. 10-231 An ordinance amending the Storey County code by changing section 10.04.010 by removing NRS Chapter 484 and replacing with NRS Chapter 484a, 484b, 484c, 484d and 484e and by changing section 10.04.020 by removing NRS Chapter 484 and replacing with NRS Chapter 484a, 484b, 484c, 484d and 484e.

District Attorney Swafford clarified the Ordinance as a clean up measure to make the NRS and County Code verbiage match so traffic fines are collected by the County, not the State.

**Motion:** Approval of Ordinance No. 10-231, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

**DISCUSSION/ACTION:** First Reading: Ordinance 10-232 An Ordinance amending Storey County Code by adding new language to Chapter 5.04 and Chapter 3.60.050, establishing rules concerning the issuing of business licenses within Storey County relating to late or unpaid property taxes.

Mr. Whitten explained the attempt of the Ordinance is to stop licenses from being issued or renewed if there are unpaid taxes regardless of whether the applicant is a tenant, legal owner or landlord of the intended place of business. This will also tightened up the same issue for transient lodging tax.

First Reading only, no action required.

**DISCUSSION/ACTION:** Wes Henderson – NACO Government Affairs Coordinator: Informational update on NACO activities. Discussion Only.

Wes Henderson outlined the issues and concerns that NACO is currently addressing. The Annual Conference will be held July 16-20<sup>th</sup> in Washoe County. The 2011 Session will face challenges such as the \$3 billion budget shortfall, sunsets on revenue generators, no federal stimulus, reapportionment and an increased number of freshmen legislators. Various NACO workshops were presented. Vice-Chairman Kershaw thanked Mr. Henderson for his work. Commissioner Flanagan asked if there would be another special session in which Mr. Henderson said maybe depending on the actions of Congress. Mr. Whitten mentioned that if there is a special session, we do not have a state senator since ours resigned. Mr. Haymore mentioned that the NFIP has cancelled the flood insurance program. This will affect all counties with concerns that private companies will charge extremely high rates. Mr. Henderson said he could put that issue on the agenda for discussion.

Discussion Only, No Action required.

**LICENSING BOARD:**

**SECOND READINGS:**

3. **SCHELL CREEK CONSTRUCTION, INC.** - Contractor / 222 Silver Street, Elko
4. **VIRGINIA CITY BAKED GOODS - General** / 28 North C Street, VC
5. **T. L. CURTIS ENTERPRISES** - Professional / 10615 Copper Lake Dr., Reno
6. **FRONTIER TRADING POST - General** / 145 South C Street, VC
7. **AIR POLLUTION TESTING, INC., -- General** / 5530 Marshall Street., Arvada, CO
8. **NOBLE TECHNOLOGIES CORP-** General/1280 Alexandria Ct, TRI

Mr. Haymore recommended approving items # 3, #5, #6 and #7.

**Motion:** Approve Licensing Board Second Readings #3, #5, #6 and #7, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

Mr. Haymore asked to continue Item # 4 due to construction not being complete and Item #8 due to incomplete inspections.

**Motion:** Continue Licensing Board Second Readings #4 and #8, **Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=2).

#### **BOARD COMMENT**

Vice-Chairman Kershaw reported on his conference in Montana that they talked about public lands and giving more control to the states and counties.

Chairman Hess sent thoughts and prayers to the families of Linda Gallagher who passed away the previous Monday.

#### **ADJOURNMENT**

The meeting was adjourned by call of The Chair at 3:23 P.M.

Respectfully submitted by:

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Jessie Fain, Deputy Clerk-Treasurer

*Please note that these minutes have not yet been approved and are subject to revision at the next meeting. These minutes are presented in a summary format and are not verbatim.*