

STOREY COUNTY COMMISSION MEETING MINUTES

WEDNESDAY, JULY 5, 2006, 1:00 P.M.

COURTHOUSE, DISTRICT COURT ROOM, 26 SOUTH B STREET
VIRGINIA CITY, NEVADA

JOHN FLANAGAN
CHAIRMAN

HAROLD SWAFFORD
DISTRICT ATTORNEY

GREG HESS
VICE CHAIRMAN

JAMES G. MILLER
SHERIFF

MAGGIE LOWTHER
RECORDER/AUDITOR

DOREEN BACUS
CLERK/TREASURER

1:00 P.M. CLOSED SESSION: Pursuant to NRS 288.220 (4) for the purpose of conferring with the county's management regarding labor negotiations with Association/Operating Engineers Local union No. 3.

PRESENT: John Flanagan, Greg Hess, Bob Kershaw, Harold Swafford, James G. Miller, Maggie Lowther, Doreen Bacus, Pat Whitten, and Marilou Walling

ABSENT: Gary Hames

CALL TO ORDER 2:00 P.M.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Susan Sutton with the VCCTA introduced Bruce Bommarito to the board. Mr. Bommarito gave an update on tourism in Nevada. The tourism industry accounts for 60% of Nevada's economy. Nevada is the only state to receive a license for outbound destination marketing in China. Tourism Cares for Tomorrow is an up coming event that could possibly bring 400 people from across the United States to work on one of our historic sites. Mr. Bommarito thanked the board for their time and hoped to be back soon.

Charlie on Mill St. asked if the issue of 6 Mile would be discussed in today's meeting. Commissioner Hess informed him that they were waiting on a response from the insurance company.

Mark Amodi requested that Painted Rock be removed from the consent agenda and discussed separately. Painted Rock was removed from the consent agenda upon a motion from Commissioner Kershaw, seconded by Commissioner Hess and carried.

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.)

APPROVAL OF AGENDA FOR JULY 5, 2006.

APPROVAL OF MINUTES FOR JUNE 20, 2006 & MAY, 24, 2006.

CORRESPONDENCE

NONE

DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED

NONE

PLANNING COMMISSION MINUTES OF JUNE 15, 2006.

UNOFFICIAL MINUTES OF JUNE 15, 2006

Members Present: Vice-Chairman Virgil Bucchianeri, Bret Tyler, Austin Osborne, Lydia Hammack. Sitting Secretary C. M. Louis.

Members Absent: Chairman Douglas Walling, Larry Prater. Secretary Eileen Herrington. Also absent was Noble Brookins, whom it was advised has been removed from the Planning Commission and whose open position has been posted for applicants.

Building Official and Planning Administrator Dean Haymore was present. County Commissioners John Flanagan and Bob Kershaw were also present.

Call to Order: With a quorum present, Vice Chairman Virgil Bucchianeri called the meeting to order at the Rainbow Bend Clubhouse, Lockwood, Nevada, at 7:00 p.m.

Pledge of Allegiance

Approval of Agenda for June 15, 2006: Lydia Hammack made a motion to approve the June 15, 2006 Agenda. Bret Tyler seconded the motion. All voted aye and the motion was carried.

Approval of Unofficial Minutes for June 1, 2006. An updated version was distributed to reflect spelling corrections to the names Mountsier and Tebeau, and to correct the meeting location noted in the Call to Order to the Rainbow Bend Clubhouse in Lockwood. Lydia Hammack also noted that there was an errant "L" at the end of paragraph 9 on page 1.

With the changes so noted, Austin Osborne made a motion that the June 1, 2006 Minutes be approved. Lydia Hammack seconded the motion. All voted aye and the motion was carried.

YEE, Mildred – 2006-066 Boundary Line Adjustment/Record of Survey – Lot 53S, Division of Land Map #40621 & Lot 227, Highland Ranches SW1/4 SW 1/4 Section 21 & Portion North Half Section 29, T 18 N, R 20 E, M.D.B. & M creating new Lot 53SA being 65.4 +/- acres and 227-A being 35.78 +/- acres. Dean Haymore advised the board that the properties in question had been surveyed, a checklist of technical corrections submitted, and that Kathy Weeks and the Planning Department had signed off on the corrections.

After a discussion clarifying the details of the proposed adjustment, it was established that the improved property, including the house, well, and driveway, would be in the Virginia City Ranches, and the unimproved lot would remain in the Highland Ranches. Dean Haymore noted that the applicant would remain responsible to the Homeowners Association for dues and regulations on the 10-acre side, as well as the CC&Rs, but that all minimum acres would still be met for both parcels.

Lydia Hammack made a motion that 2006-066 Boundary Line Adjustment/Record of Survey be approved and referred to the Commissioners at their next regular meeting prior to Planning approving these Minutes. Bret Tyler seconded the motion. With no further discussion, all voted aye and the motion carried.

Prior to discussion on Master Plan Amendment 2006-061 being continued from the last meeting, Dean Haymore recommended that all three Painted Rock Partners LP items again be consolidated for follow-up discussion, but reminded the board that the items would need to be voted on individually.

PAINTED ROCK PARTNERS, LP – 2006-061 Master Plan Amendment – Request by applicant from “Forestry” to “Planned Unit Development” on 2,010 +/- acres owned by Tahoe Reno Industrial Park and 160 +/- acres owned by Smith R. Trustees.

PAINTED ROCK PARTNERS, LP – 2006-062 Zone Change – Request by applicant from “Forestry” to “Planned Unit Development” on 2,010 +/- acres owned by Tahoe Reno Industrial Park.

PAINTED ROCK PARTNERS, LP – 2006-063 Zone Change – Request by applicant from “Forestry” to “Planned Unit Development” on 160 +/- acres owned by Smith R. Trustees.

Dan Mountsier of Painted Rock Partners LP reintroduced himself and his core team again present: George Georgeson, Mark Amodei, Marvin Tebeau, and a James from Cathexes Architects. Vice Chairman Vigil Bucchianeri opened the floor to continue the discussion begun last meeting. Pursuant to previous discussions with area residents (some not present), Dean Haymore shared their expressed wish that Canal Road not be tied in with the new access way from Orchard. Mr. Haymore voiced his opinion that emergency access and safety dictates a need for a Canal Road connection at the new Orchard interchange. If necessary, a controlled gate could be placed on Canal road to deter nonresidents. Area residents also wish to protect the already poor dirt road from further wear. Mr. Haymore recommended that Painted Rock not be a primary access, but a controlled secondary access restricted to emergency and official use. Dean Haymore also noted that even with the stated concerns, the area residents had expressed preference for this kind of development over other recent proposals.

Dean Haymore presented continued neighborhood concerns about sewers, water and roads in general, and reiterated from last meeting that negotiations regarding infrastructure, cost, impact, etc. would come before the board as they arise in connection to the applicable county, state and federal regulations. Further, he reminded all present that this is the first step of determining suitability, Master Plan amendment and Zone change. Lydia Hammack inquired when the board might expect to address questions of lot size, buffers and layout in consideration of area residents' quality of life. Dean Haymore responded that such issues would arise with the presentation of tentative mappings at future meetings.

Mr. Haymore reminded all present that the property is under ownership of TRI and that the applicants have the option to buy and wish to close on the property. Dan Mountsier requested that attention to the matter reflect the sense of immediacy, and Dean Haymore explained to the board that a new fiscal year is imminent and that there are multiple taxation issues to be resolved and paid before parcel maps can be submitted for consideration. Dean Haymore reminded the board that the current application defines the open space, school, interchange, emergency and public services planned which will become part of the record and will necessitate follow-through on the part of the developers.

With the absence of further discussion, Lydia Hammack recommended that the Minutes from this meeting be reviewed by the Planning Commission prior to being forwarded to the County Commissioners for their consideration at their next regular meeting.

Bret Tyler made a motion that 2006-061 Master Plan Amendment be approved, with the aforementioned stipulation. Lydia Hammack seconded the motion. With no further discussion, all voted aye and the motion was carried.

Prior to the voting on 2006-062 Zone Change, Dan Mountsier brought up the purchase of an additional 9-acre parcel by VandenBerghe Development from Tony Christensen's property along the river. Storey County would need to apply for the easement from Bureau of Reclamation to cross the TCID canal. Dean Haymore explained that only the County can apply for the easement. Further negotiation will be defined by the County Commissioners. He also explained that he had advised the developers that a park and access to it would be required at their proposed site, but that the County would neither fund nor maintain it. Similarly, they would need to assume responsibility for a bridge crossing the railroad and the river, as well as its upkeep.

Representing Eagle-Picher, Skylar Burdette was present to confirm that they had been informed of the development projected for their "backyard," that issues of dust and wind tunnel effects are being addressed and mitigated, and that they intend to remain at their location and continue mining for the long foreseeable future.

At this point, Lydia Hammack called attention to the letter from area resident and attorney Lois V. McKenna Tolles which had been distributed to the board. Dean Haymore suggested she read the letter aloud into record, and she did. The board agreed to keep Ms. McKenna Tolles informed as to further developments with the project, as the letter requested. Mr. Haymore confirmed he will keep all concerned parties apprised of further progress.

Vice-Chairman Virgil Bucchianeri asked for further questions. There being none, Bret Tyler moved that **2006-062** Zone Change be **approved**, with the same stipulation as mentioned for the Master Plan Amendment. Austin Osborne seconded. With no further discussion, all voted aye and the motion was carried.

There again being no additional input, Austin Osborne moved that **2006-063** Zone Change also be **approved**, again with the same stipulation. Lydia Hammack seconded. With no further discussion, all voted aye and the motion was carried.

DETERMINATION OF NEXT PLANNING COMMISSION MEETING: Dean Haymore alerted the board that slated for the next meeting are issues involving a concrete batch plant across from Rainbow Bend, and variance requests for signage for the new Ramada Inn in Virginia City. Bret Tyler made a motion that the next meeting once again be held at the Rainbow Bend Clubhouse on July 6, 2006, at 7:00 p.m. Lydia Hammack seconded the motion; all voted aye and it was carried.

STAFF: None

APPROVAL OF CLAIMS: 1) Comstock Chronicle legal advertisement for Painted Rock Partners, \$109.26. Lydia Hammack moved to approve, Bret Tyler seconded, all voted aye, and it was carried. 2) A second ad for Painted Rock Partners at the same amount, \$109.26. Austin Osborne moved to approve, Lydia Hammack seconded, all voted aye, and it was carried. 3) Legal advertisement for the Painted Rock Master Plan in the amount of \$57.50. Bret Tyler moved to approve, Lydia Hammack seconded, all voted aye, and it was carried.

CORRESPONDENCE: June 11, 2006 letter from Lois V. McKenna Tolles, Attorney at Law, expressing desire to receive Planning Commission meeting Minutes for this and other projects involving the Painted Rock area.

PUBLIC COMMENT: Vice-Chairman Virgil Bucchianeri mentioned that he has received numerous communications from clients surprised to have been issued ofeclosure notices on properties in the highlands "S Lots" which they thought they owned outright. He will find out more about this and will advise more on the topic next meeting.

ADJOURNMENT: Vice-Chairman Virgil Bucchianeri, adjourned the meeting at 7:05p.m.

Respectfully Submitted,

C.M. Louis, Sitting Secretary

Virgil Bucchianeri, ViceChairman

FIRST RREADINGS BUSINESS LICENSE APPLICATIONS:

1. HARLES REILLY – VC Mall – Retail
2. WEEDS BE GONE – Mobile Weed Service/Out of County
3. HIGH SIERRA ALARM – Contractor/Out of County
4. ALL AUTO, Inc. – Auto Sales/Gold Hill
5. VALLEY CONCRETE CO. Inc. – Contractor/Out of County
6. CONCRETE FLOORING & INTERIOR SERVICES, INC.– Contractor/Out of County
7. LACY J DALTON PRODUCTION, LLC – Highlands Home Business/No Traffic

END OF CONSENT AGENDA

Commissioner Kershaw made a motion to approve the consent agenda, seconded by Commissioner Hess and carried.

Dean Haymore discussed the Painted Rock issue, the changes and the interchange. Painted Rock exit needs to be upgraded and not closed. Dan from the developers gave a basic overview of the project. They hope to range from entry level homes to estates. Including retail, fire, police, and schools.

Mark Amodi discussed the approval of the Planning Commission. He explained that there will be minimal impact for current residents. Storey County currently does not have many homes/growth to support the work force. Taxes, operations, and land planning would all benefit the county. He is aware of the concerns of some of the local residents, and have and will continue to do what ever they can to work together. They are also working very closely with the EPA, NDOT, and Storey County. This new development has the potential to increase the county by 12,000 residents. He asked that

we keep in mind that at one time the county was much larger than that, with most people living on the hill.

The decision of the planning Commission was approved upon a motion from Commissioner Kershaw, seconded by Chairman Flanagan and carried. Commissioner Hess abstained from the vote due to the fact that his uncle owns property in the area.

DISCUSSION/ACTION: Gary Longaker/Nevada Rural Housing Authority. Consideration and possible action; transfer of Storey County's private bond cap allocation and certification of cap.

CJ Mantley, Chief Financial Officer for Nevada Rural Housing Authority, was there on Gary Longaker's behalf. She discussed NRHA's history and their future goals.

The transfer of Storey County's private bond cap allocation and certification of cap was approved upon a motion by Commissioner Hess, seconded by Commissioner Kershaw and carried.

DISCUSSION/ACTION: Nevada Department of Transportation to discuss/approve the proposed 2007 work program for Storey County found in the 2007-2016 Transportation System Projects.

Jeff Fontaine from the Nevada Department of Transportation addressed the board regarding planned and ongoing projects for Storey County. Jeff also wanted feedback from the county. NDOT currently has two super projects in the works, the Carson City Freeway, and the Galena Bridge. Nevada is growing very rapidly with the travel rate exceeding the state's population. Jeff explained that NDOT is experiencing a short fall in funds, people are buying less fuel, and driving more fuel efficient vehicles. To help deal with this short fall, Governor Kenny Guinn created a task force to look over the projects and the funding.

Commissioner Hess asked if they would be helping with Six Mile Canyon. NDOT has turned the road over to Federal Highways, they are currently evaluating all the roads they have been given, and are in the process of prioritizing them.

Jeff gave a brief break down of what to expect to see in the next year.

- \$900,000.00 in slope repair, grading, and paving along 341 and 341.

- Over 1 million in 341 and 342 repairs, sealing, guard rail, work on NDOT yard, and expansion joints in Lockwood.

NDOT is also looking into the possibility of putting rumble strips on Geiger Grade. A study of the HW 50 corridor is underway evaluating the limited access and need to keep the traffic moving.

Richard Bacus brought up his concern for the condition of the gutters and curbs, and the need for a stop light at the intersection of 341 and HW 50. Jeff said that he would look into the condition of the curbs and gutters. The stop light is an issue that can be looked into along with the HW 50 Corridor study; NDOT has received an application from Lyon County with the same request.

Cynthia from the audience wanted to know what could be done to move the rumble strips up on the list. She drives the grade twice a day and has had countless near misses. She would like to see the rumble strips put in before any guard rails.

Sheriff Miller mentioned that he would like to see more traffic signs along the grade, in hopes that it will help with the control of speeding.

Pat Whitten has concerns about Exit 22 not rating high on the priority list. Bradley feels that the yield sign is in the wrong spot. Dean explained the way the road is set up, and the other issues they are currently experiencing with the Exit.

Jeff thanked everyone for their time and feedback. The Nevada Department of Transportation's proposed 2007 work program for Storey County found in the 2007-2016 Transportation System Projects was approved upon a motion by Commissioner Hess, seconded by Commissioner Kershaw and carried.

DISCUSSION/ACTION: First Reading of Ordinance 06-202 Amendment to chapter 8.10 of the Storey County Code for facilities that obtain a Special Use Permit and do not dispose of any waste on the land at the facility.

DA Harold Swafford read the ordinance into public record. Waste Management had their legal council draft and review the ordinance, seeing no problems. No motion needed.

STAFF REVIEW/COMMITTEE REPORTS

Sheriff Miller reported that the 4th of July went off very smoothly with no major issues. They had to enforce the gun rules with the gunfighters, and made three arrests.

Richard Bacus received the evaluation from the insurance company on the county pool. The insurance recommends that the diving boards be removed, it is only a recommendation and not required.

Dean Haymore gave thanks to those who helped to get the Building dept. building new sighting. The senior citizen building is moving along well, painting and carpet are about all that is left. Commissioner Kershaw asked how much carpet is needed; he can get a good price on new casino carpet. Marilou informed Dean that if needed there is an extra \$30,000.00 in the budget that was originally intended for the health nurse. On July 9th the phones will be working at the new Sheriff's office and it will be ready for them to move in.

Pat Whitten informed the board that they missed the deadline to put an advisory question on the Primary Ballot. If they would like to put one on the general ballot they only have twelve days left. Commissioner Kershaw received a call from Tom Grady regarding the bike path. The Rainbow Bend Home Owners Association is going to send out a questionnaire to the residents asking their opinions.

Pat Whitten introduced Dave Ballard as the new communications director.

Maggie Lowther asked that the \$250 fiscal year limit be placed on the next agenda for the possibility of removing it.

DISCUSSION/ACTION: Gary Hames, approval of Storey County Fire Department and Sierra Fire Protection District Mutual Operating Agreement.

Pat Whitten was present on the behalf of Gary Hames. The same contract as last year, and it his recommendation that it be signed.

The new agreement was passed upon a motion from Commissioner Hess, seconded by Commissioner Kershaw and carried.

DISCUSSION/ACTION: Contract with Storey County Sheriff employees Association Operating Engineers Local Union No. 3.

Pat Whitten recommended that it be signed. He was very pleased with the way negotiations went.

Contract was approved upon a motion by Commissioner Hess, seconded by Kershaw and carried.

DISCUSSION/ACTION: First reading of Ordinance 06-203 amending the Storey County Code 5.04.200 and 5.08.020 requirements for fortuneteller, astrologer, clairvoyant, medium, palmist, and phrenologist business licenses.

DA Harold Swafford read the ordinance into the record. The 2nd reading will be July 18th, 2006.

DISCUSSION/ACTION: Appoint member to vacancy on the Storey County Planning Commission.

There are currently two candidates for the position. Commissioners decided not to take any action until next meeting when both could be there.

DISCUSSION/ACTION: Bids for furnace fuel, diesel fuel, and propane. Bids for paving materials/hot mix and transportation costs.

Chairman Flanagan read the bids as follows:

Pro-Gas

Propane: Rack + \$00.14

(Building Dept., Courthouse, Fire Depts., Public Works, St. Mary's Art Center, School Dist., Senior Center, Sheriff Dept., and 4th Ward Museum.)

Granite Construction Co.

No bids given for hot mix, cold mix, or transportation cost do to the fluctuation in oil prices.

Interstate Oil

Regular Unleaded Gasoline

Public Works Dept.: Rack + .0975

Fire Dept. Lockwood: Rack + .0975

Sheriff Dept. Lockwood: Rack + .0975

Fire Dept. Mark Twain: Rack + .11

Fire Dept. VC Highlands: Rack + .0975

Unleaded Mid-Grade Gasoline

Public Works Dept.: Rack + .0975

Fire Dept. Lockwood: Rack + .0975

Sheriff Dept. Lockwood: Rack + .0975

Fire Dept. Mark Twain: Rack + .10

Fire Dept. VC Highlands: Rack + .0975
#2 Diesel Engine Fuel
Public Works Dept.: Rack + .0975
Fire Dept. Lockwood: Rack + .0975
Fire Dept. Mark Twain: Rack + .11
Fire Dept. VC Highlands: Rack + .0975
#2 Diesel Furnace fuel Oil
Middle School: Rack + .0975
Grammar School: Rack + .0975
Fire Dept. VC: Rack + .0975

Sierra Fuel Co.

Regular Unleaded Gasoline and Unleaded Mid -Grade Gasoline
Public Works Dept.: Rack + .18
Fire Dept. Lockwood: Rack + .16
Sheriff Dept. Lockwood: Rack + .16
Fire Dept. Mark Twain: Rack + .18
Fire Dept. VC Highlands: Rack + .18
#2 Diesel Engine Fuel
Public Works: Rack + .18
Fire Dept. Lockwood: Rack + .16
Fire Dept. Mark Twain: Rack + .18
Fire Dept. VC: Rack + .18
#2 Diesel Furnace Fuel Oil
Middle School: Rack + .18
Grammar School: Rack +.18
Fire Dept. VC: Rack +.18

Ferrell Gas

Propane Rack + .215
Yearly Tank Rental \$1.00 per tank
(Building Dept., Courthouse, Fire Depts., Public Works, St.
Mary's Art Center, School Dist., Senior Center, Sheriff Dept., and
4th Ward Museum.)

Carson Valley Oil, Inc.

Regular Unleaded Gasoline and Unleaded Mid -Grade Gasoline
Public Works Dept.: Rack + .1075
Fire Dept. Mark Twain: Rack + .09
Fire Dept. VC Highlands: Rack + .1075
#2 Diesel Engine Fuel
Public Works Dept.: Rack + .1125
Fire Dept. Mark Twain: Rack + .1125
#2 Diesel Furnace Fuel Oil
Middle School: Rack + .1125
Grammar School: Rack + .1125
Fire Dept. VC: Rack + .1125

Berry-Hinckley Industries

Regular Unleaded Gasoline and Unleaded Mid -Grade Gasoline

- Public Works Dept.: Rack + .2641
- Fire Dept. Lockwood: Rack + .2389
- Sheriff Dept. Lockwood: Rack + .2389
- Fire Dept. Mark Twain: Rack + .2539
- Fire Dept. VC Highlands: Rack + .2791
- #2 Diesel Engine Fuel
 - Public Works Dept.: Rack + .2741
 - Fire Dept. Lockwood: Rack + .2489
 - Fire Dept. Mark Twain: Rack + .2639
 - Fire Dept. VC Highlands: Rack + .2891
- #2 Diesel Furnace Fuel Oil
 - Middle School: Rack + .2741
 - Grammar School: Rack + .2741
 - Fire Dept. VC: Rack + .2741

Interstate Oil and Pro-Gas were awarded the bid upon a motion from Commissioner Hess, seconded by Commissioner Hess and carried.

At 4:00 P.M. Commissioner Kershaw had to leave.

DISCUSSION/ACTION: Resolution 06-225 requested by District Attorney Swafford request to Attorney General to prosecute Criminal Matter.

Approved upon a motion from Commissioner Hess, seconded by Chairman Flanagan and carried.

DISCUSSION/ACTION: Resolution 06-226 approval certifying tax rate for 2006-2007.

Approved upon a motion from Commissioner Hess, seconded by Chairman Flanagan and carried.

DISCUSSION/ACTION: Approval of Claims

LICENSING BOARD:

SECOND READINGS

1. CIRCLE TECHNOLOGIES– Out of County APPROVED
2. DIG FOR YOU– Contractor/Out of County APPROVED
3. GUIDENBY, INC.– Contractor/Out of County APPROVED
4. HARRIS REBAR CARSON CITY– Contractor/Out of County APPROVED
5. K.G. WALTER’S CONSTRUCTION– Contractor/Out of County APPROVED
6. LYNN’S COLLECTIBLES – General Business/Retail CONTINUED
7. R.L. MECHANICAL– Contractor/Out of County APPROVED
8. RENO SPARKS PLUMBING, LLC– Contractor/Out of County APPROVED
9. ROLL ENTERPRISES – Contractor/Out of County APPROVED
10. SAUSAGE FACTORY – Out of County Vendor CONTINUED
11. SUTRO TUNNEL MINE TOURS– General Business License

12. FIRDOUS AHMAD– KASHMIR AMERICAN ENTERPRISES–
Retail (arts & crafts) CONTINUED
13. LEONARD’S AIRPORT CAFÉ (Wal-Mart Food Services) – TRI
CONTINUED
14. HORSIN’ AROUND– Woodworking – Virginia City CONTINUED

PUBLIC COMMENT

NONE

BOARD COMMENTS

Commissioner Hess asked that the PA system in court room be fixed. Pat Whitten said he would get James on it as soon as the Sheriff’s office was complete.

Chairman Flanagan suggested that it was time to start planning for Richard Bacus’ retirement. Commissioner Hess was hopeful that Dave Cole would accept the position. Eric Pierson asked if the new Public Works Director was required to live in the county. Pat Whitten said that he believed he was.

ADJOURNMENT Chairman Flanagan called the meeting to an end at 4:15 P.M.

Respectfully Submitted,

By, _____
Vanessa Dixon