

STOREY COUNTY COMMISSION MEETING MINUTES

TUESDAY, SEPTEMBER 6, 2005, 2:00 P.M.

DISTRICT COURTROOM, COURTHOUSE 26 SOUTH B STREET
VIRGINIA CITY, NEVADA

BOB KERSHAW, CHAIRMAN
JOHN FLANAGAN, VICE CHAIRMAN
GREG HESS, COMMISSIONER

DISTRICT ATTORNEY
HAROLD SWAFFORD

SHERIFF
JAMES G. MILLER

RECORDER/AUDITOR
MAGGIE LOWTHER

CLERK/TREASURER
DOREEN BACUS

CALL TO ORDER The meeting was called to order at 2:00 p.m. by Chairman Kershaw.
PRESENT: Chairman Kershaw, Vice Chairman Flanagan, Commissioner Hess, District Attorney Harold Swafford, Chief Deputy Recorder/Auditor Billie Cole, Sheriff Miller Marilou Walling, Pat Whitten, and Gary Hames.

ABSENT: Doreen Bacus, Rich Bacus, Dean Haymore.

•PLEDGE OF ALLEGIANCE

•PUBLIC COMMENT Lorraine DuFresne informed the board there will be a Cajun Bar B Que on Saturday at noon at the Bucket of Blood parking lot to raise money for the victims of Katrina.

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 SEPTEMBER 6, 2005.

APPROVAL OF MINUTES FOR AUGUST 16, 2005

-CORRESPONDENCE

DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED

DISCUSSION/ACTION: SPECIAL EVENTS:

1. Ferrari Club of America, September 17, 18, 8:00 a.m. to 5:30 p.m., close SR 341 from Silver City to the Bridge, will require three reserve deputies per day @ \$75.00 per reserve per day.

Marilou advised the board this special event has already been approved and letters of approval have gone out.

2. BADCO/FASTGIRL, motorcycle rally September 22,23,24, 25, from 8:00 a.m. to 11:00 p.m. Contact Brad Lackey of Pleasant Hill, CA. Hundreds of motorcycle riders ride to VC. Insurance and letter from Delta Saloon attached (on application but not attached)

3. Virginia City Motorcycle Marathon (VCMM), annual Marathon to Tonopah and return to Virginia City October 21 & 22, parade on the 22nd at 5:00 p.m. Contact Aglaee Del Carlo, or Leone Stahl of Virginia City.

LICENSING BOARD:

FIRST READINGS

1. The Ole Brass Rail 55 North C Street, submitted by Monte J. Gieffels and Betty S. Gieffels of Reno general business license application.

2. Jackrabbit Plumbing submitted by Daniel L. Pendleton of Genoa new construction, service plumbing, heating and boilers, contractors' license.

3. Canine College West, submitted by Sarah Anderson of Virginia City, home business, dog training and behavior modification, service to be provided at dog owners home.

4. Wilford Excavating, Inc. submitted by Olen Wilford of Washoe Valley, contractors license excavation, underground utilities, site grading.

PLANNING COMMISSION MINUTES FROM AUGUST 4, 2005, THE PLANNING COMMISSION WILL APPROVE THEIR MINUTES ON SEPTEMBER 1, 2005.

1. YEIER/SAUER # 2006-001 Boundary Line Adjustment - E Pond & Road parcel + W Pond & Road Parcel + SAUER Triangle. Victor Magistrali presented, followed by much discussion and questions. With Noble Brookins abstaining, Lydia Hammack moved to approve, seconded by Austin Osborne and carried.

2. CON VIRGINIA MINING COMPANY #2006-004 Boundary Line Adjustment - Blocks 51,52,53, within the NE 1/4 of Sec 29T17NR21E creating four new parcels in each block for a total of 12 new parcels.

The Planning Commission Minutes do not indicate the exact location of these boundary line adjustments or what exactly is to be adjusted.

END OF CONSENT AGENDA

Commissioner Flanagan moved to approve the consent agenda, seconded by Commissioner Hess and carried.

STAFF REVIEW/COMMITTEE REPORTS

Gary Hames informed the board that all three firemen attending the Paramedic Classes have

passed their required state examinations and commended these firefighters for their dedication of one and one half years of training on their own time. There will be a press release for those completing the courses, and Gary added with the Paramedic training and qualifications the need for care flight will be greatly reduced, as these people will be able to provide emergency medical treatment to patients not available to the EMT's.

Gary further advised the board the ambulance in Lockwood is inoperable and will have to be replaced, they are presently using the second out ambulance from Virginia City to cover Lockwood.

Pat Whitten explained to the board that NEXTEL has merged with SPRINT and when using the cell phones in some areas there will be a Spanish Message transmitted.

Pat submitted a question for Rich Bacus on the maintenance of the Mustang Road on the Washoe County side as to who is responsible for maintenance, Storey or Washoe? Kershaw stated that perhaps Waste Management would be responsible for the maintenance, as they use the road the most, he will check with Waste Management personnel and see what they say.

Pat reviewed his request to the DA for an opinion relating to CC&R's and Architectural Review Board approval prior to building permits being issued, adding that there is a developer in the Highlands who is refusing to submit his plans to the ARB. After some discussion regarding the authority of both the CC&R's and the ARB it was the decision of the board to continue with the approval procedure as always. Pat also advised the board that Dean is sitting on two requests for street abandonments and wanted to know where the moratorium is? Commissioner Hess stated that the committee will review the streets and get back to the board.

DISCUSSION/ACTION: Bill Tamietti request for commercial water/sewer hookups at 880 South C Street, Virginia City, residence with a commercial shop inside the residence.

Commissioner Hess informed the board he had spoken to Mr. Tamietti this morning prior to the meeting and advised him that he may need to apply and pay for a commercial and residential water/sewer fee and go on the residential waiting list for a water hook up. Commissioner Hess then moved to continue this matter until Public Works Director Bacus returns from vacation and discuss it with him, seconded by Flanagan and carried.

DISCUSSION/ACTION: Kathy Weeks, Storey County Assessor request for correction for tax exempt status for Comstock Cemetery Foundation properties.

Commissioner Flanagan moved to approve the corrections as requested by Assessor Kathy Weeks, with parcels 1-271-03, 1-273-05 and 1-274-05 and be coded exempt for the upcoming year, seconded by Hess and carried.

DISCUSSION/ACTION: Health insurance for all employees except for those covered under Operating Engineers Local Union.

Carol Ingalls presented a spread sheet showing group insurance coverage for county employees not covered under the OELU, she recommended that the county stay with St. Mary's Health and change to ANTHEM for vision, life, and dental based on quotes from

several other carriers.

Commissioner Hess moved to accept the group coverage as presented by Ms. Ingalls, to renew with St. Mary's for health, change to ANTHEM for vision, dental and life insurance, seconded by Flanagan and carried.

Pat advised the board that Carol should be commended for the effort she has put into finding the best and most reasonable coverage for county employees.

DISCUSSION/ACTION: Approval of Claims

Payroll in the amount of \$258,956.90 and warrants in the amount of \$230,558.72 were approved upon motion by Commissioner Flanagan, seconded by Hess and carried.

DISCUSSION/ACTION: TREASURER'S AFFIDAVIT AFFIRMATION OF MAILING OF TAX NOTICES (ORIGINAL TAX BILLINGS) FOR SECURED TAXABLE PARCELS

DISCUSSION/ACTION: Final programmatic agreement for the Truckee Meadows Flood Control Project.

Mr. Richard Perry, Archeologist introduced Mr. Tim Kelleher, Project Manager and explained that State Historic Preservation Officer, Ronald James has also received a copy of this agreement.

Mr. Perry explained that access to private property will be acquired from the property owner and if the owner does not give them permission to the archeological survey they will not go onto their property, further any artifacts that are discovered will be the property of the property owner and not removed by the survey team, they will however, recommend that future plans for development on a site be adjusted to avoid disturbance of the area.

Kershaw stated that the board took a tour with the Army Corps of Engineers of the area and the local residents do have questions regarding the Flood Control Project.

Commissioner Hess commented that TRI personnel are not at all in favor of the proposed flood plan as it has been presented, and suggested that this agreement be presented to Lance Gilman and Bob Sadar of TRI for review prior to the Board of Commissioners signing the agreement.

Mark Edwards, a resident from the Truckee River area asked what the reason is for the county to concur with the agreement?

After considerable discussion regarding the survey, the flood control project and right of entry to private property Commissioner Hess moved to not approve the agreement at this time but submit it to TRI for review, seconded by Commissioner Flanagan and carried.

DISCUSSION/ACTION: Ken Dor representing the V & T Railroad Commission requests for road maintenance for V & T RR Phase I. Permanent crossings in American Flat Areas and other roads that may need to be kept open.

Ken Dor advised the board that Phase I will be completed in about two weeks and introduced Bob Hadfield, Chairman of the V&T Commission, Steve Oxoby and Mike Roe. He informed the board that the south access road into the area is very steep and has a very dangerous curve at the bottom of the hill and requested that the road be paved to about thirteen feet wide and twenty-two to twenty-three hundred feet long. He has talked to

Bacus and the county crew can do the paving if the RR Commission pays for the black top.

Commissioner Hess moved to approve the paving project as requested, Bob Hadfield advised the board the RR Commission will pay for the black top, seconded by Flanagan and carried.

Mr. Dor explained that there are about two at grade crossings that will need to be installed, the RR is responsible for the installation and maintenance of the crossings, if they are private property crossings the RR Commission will have to go before the PUC for approval if they are Public Crossings they will not. Both crossings are on traveled roadways but on unimproved roadways, traffic is small but the crossings are necessary.

Commissioner Hess moved that the crossings are public crossings, with a hold harmless agreement between the RR Commission and Storey County, seconded by Flanagan and carried. Hess further stated that the road will not require maintenance and will remain an unimproved roadway.

Mr. Dor asked the board which roads in the American Flat area they would like to see remain open? He further explained that the access road presently used by Silver City residents into American Flat will be cut off this road takes off the highway just across from Donovan's Mill to the right and up that canyon onto the RR right-of-way and the RR will not provide an alternate access route. Obviously the roads that follow the RR right-of-way will be out of service when the track is laid.

Bob Hadfield commended John Flanagan for all of his service on the RR Commission adding the residents of Storey County should thank him for his efforts in getting the train from Virginia City to Carson City.

Mike Roe requested a formal resolution from Storey County for the roadways and at grade crossings.

LICENSING BOARD:

SECOND READINGS:

1. High Speed Networks, LLC, submitted by Scott D. Morgan, of Reno, out of county license, consulting services internet access. APPROVED

2. Reno Floor Covering, submitted by Richard Krajewski, of Reno, out of county license, floor covering sales and service. APPROVED

3. Republic Refrigeration, Inv. Submitted by Walter Teeter of Ulla, NC, refrigeration contractor for Wal-Mart Job Site. APPROVED

4. Baker Concrete Construction, Inc. submitted by Daniel L. Baker of Monroe OH, cement construction. APPROVED

5. Ophir Assoc., submitted by Sharon Truhill of 303 So. E Street, Virginia City, home business, consulting and management service. APPROVED WITH STIPULATION THERE IS NO FOOT TRAFFIC.

6. 'OI Virginia Ink, submitted by Sharon Fujioka, of 307 North D Street, Virginia City, home business, writing and selling ads for newspapers. (no foot traffic) APPROVED

7. Virginia City Ghost Tours, submitted by Janice Oberding, of Reno, general business license, bus tour tickets to be sold by John Schafer at the Mark Twain Museum, Saloon. Approval from owner in writing. The tour will focus on the history of ghosts of

Virginia City, and pick up is from Pipers Opera House. APPROVED WITH STIPULATION THAT THE VEHICLE DOES NOT IMPEDE TRAFFIC.

8. The Brass Rail Restaurant, submitted by Frank Nigro, of Reno, family restaurant. DENIED

9. Peas and Carrots Day Care, submitted by Mary E. Rocha of 280 Wagon Wheel, MTE, daycare 6-12 children per state statute. Attached to application is a memo from Lisa Roberts, Child Care Surveyor of Division of Child and Family Services, indicating the applicant satisfactorily completed background checks, health inspection, and is waiting for fire inspection verification.

APPROVED

PUBLIC COMMENT: Nick Nicosia from the Chronicle commented on the ceremony with investigator Steve Van Rump for the return of the Bitters bottle to Piper's Opera House.

BOARD COMMENTS

John Flanagan (none)

Bum Hess (none)

Chairman Kershaw reviewed the new policy and procedure for placing items on the agenda.

There being no further business before the board the meeting was adjourned at 3:50 p.m. at the call of the Chair.

Respectfully submitted,

Lorraine DuFresne,
Clerk to the Board