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STOREY COUNTY COMMISSION MEETING MINUTES

TUESDAY, APRIL 5, 2005, 10:00 A.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

The meeting was called to order by Chairman Kershaw at 10:10 a.m.

PRESENT: Chairman Kershaw, Commissioner Flanagan, Commissioner Hess, Sheriff Miller, Virgil Bucchianeri sitting in for District Attorney Harold Swafford, Recorder/Auditor Maggie Lowther, Treasurer Doreen Bacus, Public Works Director Rich Bacus, Pat Whitten, Director of Administration and Budget, and Fire Chief Gary Hames.

ABSENT: District Attorney Harold Swafford and Dean Haymore, Director of Building and Planning.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT:

- Citizen Mark Kirman was present to voice his concerns about Virginia City's sewer system and what measures are being taken to address the problem. He asked if he could bring in his own engineers to study the problem. Commissioner Hess responded by stating that the commissioners were looking into the situation and that the County could bring in their own engineers.

- Austin Osborne was present and asked if the candidates for the Planning Commission vacancy would be allowed to speak today. Commissioner Hess assured him that they would be given the opportunity to address the board and that it was on the agenda.

Commissioner Hess asked that recognition of our Virginia City Muckers High School

Basketball team for winning the State Championship be postponed to a future date.

CONSENT AGENDA

APPROVAL OF AGENDA APRIL 5, 2005.

Marilou Walling recommended that discussion of the Programmatic Agreement between U.S. Army Corps of Engineers and State Historic Preservation regarding the Truckee Meadows Flood Control Project be continued. Chairman Kershaw asked if there were any other changes to be made to the agenda. There being no further changes, Commissioner Hess moved that the agenda is approved as amended. This was seconded by Commissioner Flanagan and carried.

APPROVAL OF MINUTES FOR MARCH 8, 2005 AND MARCH 15, MARCH 22, 2005.

There were no changes made to the minutes. Commissioner Flanagan moved that the minutes be approved. This was seconded by Commissioner Hess and carried.

-CORRESPONDENCE

Commissioner Hess stated that he is in receipt of a letter from Storey County Schools with regard to the new sheriff. Although he did not have the letter with him, he stated that it praised Sheriff Miller for the additional presence of law enforcement during school hours.

DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED: No maps per Kathleen Edwards from the Building Department.

DISCUSSION/ACTION: SPECIAL EVENTS (None)

LICENSING BOARD:

FIRST READINGS:

1. The Turquoise Kiva #2, General Merchandise License, located at 145-A South C Street, submitted by Nidal Abdelhady of Carson City.
2. The Turquoise Kiva, General Merchandise License, located at 35 North C Street, submitted by Nidal Abdelhady of Carson City.
3. Jewelry House, General Merchandise License, located at 71 South C Street, submitted by Nidal Abdelhady of Carson City.
4. Escurial Lodge #7 Free and Accepted Masons, located at Lodge Hall North C Street, Non-Profit Liquor License, submitted by Robert G. DelCarlo.
5. Online Business Institute, Inc. Home Business License, located at 750 Buckeye Rd. VCH, submitted by Lynn Schermerhorn.
6. Jan Link Construction, Contractor's License, submitted by Jan Link of Reno.
7. Indoff Incorporated, Out of County License, distributor of material handling equipment, submitted by John S. Ross of St. Louis, MO.
8. T & S Global, Home Business License, located at 173 Mary Lane MTE, on line sales, submitted by Sandra Overy.
9. Dennis Banks Construction, Contractors License, submitted by Dennis Banks of Reno.
10. CST Industries, Contractor License, submitted by Dave VanMol of Kansas City, KS, steel tank

contractor.

11. DEVCON Construction, Inc. Contractors License, submitted by Ryan Hornback of Milpitas, CA, general contractor.
12. Bammer Builders, Inc. General Contractor License, submitted by David Bammer of Gardnerville, NV, general building contractor.
13. The Works, Home Business License, located at 1016 South C Street, submitted by Richard Wegman of Virginia City, on line sales.
14. Sharp Edge Concrete, Contractors License, submitted by Curtis Whitney of Silver Springs.

DISCUSSION/ACTION: PLANNING COMMISSION MINUTES of March 3, 2005.

GREEN, GARY L. 2005-372 Lot Line Adjustment, Gary Green and Mike Zuber presented their request stating that nothing needed to be moved. Bret Tyler moved to approve the lot line adjustment request, seconded by Hammack and carried. (Refer to B of C minutes of March 22, 2005)

GREEN, GARY L. 2005-373 VARIANCE REQUEST FOR REAR SET-BACK

Lydia Hammack moved that the variance be approved as requested, seconded by Prater and carried.

*****END OF CONSENT AGENDA*****

DISCUSSION/ACTION: Frank-Lin Distillers regarding tax incentives. Ken Pierson, Director of Business Development, was present, as well as the Chief Financial Officer and Executive Vice President of Frank-Lin Distillers Products, Ltd., to talk to the commissioners about tax abatements. They are planning to expand their business to Storey County and have applied to the Commission on Economic Development for the Sales & Use Tax Abatement and Personal Property Tax Abatement. This will be a 330,000 foot facility in the Reno Tahoe Industrial Park. It will initially create 130 new jobs with the addition of 20 to 30 more jobs after one year. The average wage will be \$18.09 per hour. They will be going before the Commission on Economic Development on April 13, 2005, and are asking for the commissioners' endorsement of their request. Chairman Kershaw commented that this was a good deal for the county. Pat Whitten stated that Frank-Lin Distillers was a quality company. Commissioner Hess added that Frank-Lin Distillers would be bringing over \$1,000,000.00 in taxes to Storey County over the upcoming years. Pat Whitten presented a letter for Chairman Kershaw's signature. The letter is addressed to the Nevada Commission on Economic Development and acknowledges Frank-Lin Distillers' application for personal property tax abatements. Commissioner Flanagan made a motion that the commissioners formally acknowledge the application for a tax abatement. This was seconded by Commissioner Hess and carried. Chairman Kershaw signed the acknowledgment.

DISCUSSION/ACTION: Review and determine best plan for South G Street parking and traffic flow. This matter is on the agenda as a result of a letter that was read at the meeting of March 15, 2005, from Susan Sutton who is a resident on South G Street. Susan Sutton was present as well as other residents of South G Street. Public Works Director Richard Bacus stated that he and Commissioner Hess had reviewed the situation. Commissioner Flanagan had looked into the problem as well. As a solution, Mr. Bacus recommended that the County go to the south side of Ms. Sutton's porch and widen it out to the right side. He stated that the bank cannot be cut back too far

secondary to a water line, and that moving the power poles would be too costly. He stated that this would allow Ms. Sutton parking access. Commissioner Hess commented that Mr. Bacus had a good solution. Susan Sutton stated that there had been many “unfortunate events” surrounding this dilemma and that she had been reported to several agencies. She stated that there have been incidents of vandalism at her residence and that a retaining wall had been moved while she was out of town recently. She stated that she has invested a lot of time and money into fixing up her home.

According to Mr. Bacus, a portion of Ms. Sutton's garage sits about 2 to 2 ½ feet on the street. Ms. Sutton was curious as to how many other properties on the street also encroached onto the street. Mr. Bacus responded by stating that neither Jody Cousins nor Will Cormany's house encroaches onto the street. Mr. Cormany took the floor and stated that there had never been a problem on G Street until now. He stated that everyone had been able to get along and help each other out for over 30 years prior to Ms. Sutton's arrival. Ms. Sutton commented that she had never had problems with neighbors before moving onto this street. She also mentioned that there was a prior disagreement with a fence line her and one of the neighbors. Other members of the audience, including Jody Cousins, began voicing their displeasure with the situation at which point Chairman Kershaw intervened and reminded everyone that we were here to see if the County could help with the access/parking on South G Street, and that this was not the proper forum for many of their other complaints.

Sheriff Miller asked Ms. Sutton if she had reported the recent incidents of vandalism. She stated that she had reported the incidents to the Sheriff's Office.

Ms. Sutton stated that she would prefer to have this matter continued until she could look at all the options. Commissioner Hess made a motion to do so; this was seconded by Commissioner Flanagan, and carried.

DISCUSSION/ACTION: Storey County relocation of Water System tanks due to archeological survey results; rehire archaeologist for additional survey; appoint Greg Hess as project director for Water Tank Project. Public Works Director Richard Bacus stated that his department is looking at all the plans right now and hope to get everything approved later on this spring or by summer. Marilou Walling stated that she would like to have Greg Hess Sr., appointed as project director as he is already familiar with the particulars of the project. Mr. Bacus also pointed out that on Page 5 of the March 15, 2005, Minutes, it is noted that the quake zone was changed from “three to four” when it should reflect “four to three.” Commissioner Flanagan made a motion that the Minutes be corrected and that Greg Hess, Sr., be appointed as Project Director for the Water Tank Project. This was seconded by Chairman Kershaw. Commissioner Hess abstained.

DISCUSSION/ACTION: SECOND READING Ordinance 05-195, amending portions of Storey County Code Chapter 8.08, regarding refuse and trash. Clarifications of

responsibilities of hearing officer, definitions of certain trash and vehicles procedures and policies for clean up. Ordinance 04-191 adopted by the board July 6, 2004, effective November 18, 2004 will be repealed. The commissioners noted that they had reviewed the ordinance. Commissioner Flanagan made a motion to approve. This was seconded by Commissioner Hess and carried.

DISCUSSION/ACTION: Appoint member to fill hotel/motel vacancy on Virginia City Tourism Authority Board, to replace Pat Whitten. The applications of Mimi Patrick, Executive Director of the St. Mary's Art Center, and Bruce Rawhouser, the new owner of the RV Park, were reviewed. Commissioner Flanagan made a motion that Mimi Patrick be appointed to fill the vacancy. This was seconded by Commissioner Hess and carried.

Richard Bacus took this opportunity to comment about Mimi Patrick. He stated that he recently had an encounter with Mimi Patrick while he was looking at some problems down at the art center. He stated that he was very displeased with her language. Susan Sutton spoke on behalf of Mimi Patrick and stated that she looks forward to working with her and has had a strong relationship with Mimi.

DISCUSSION/ACTION: Appoint member to fill at large member to the Storey County Planning Commission to replace Lorraine DuFresne. Chairman Kershaw listed the applicants as: Austin T. Osborne, Gerald Buchanan, Edna Cudworth, Bill Sjovangen, and Sarah Jensen. Austin Osborne and Bill Sjovangen were present and each was given an opportunity to address the board. Commissioner Flanagan made a motion that Austin Osborne be appointed to fill the at-large member to the Storey County Planning Commissioner. This was seconded by Commissioner Hess and carried.

BREAK: 11:10 A.M.

RECONVENED: 11:20 A.M.

DISCUSSION/ACTION: Mandatory grease interceptors for food establishments in Virginia City; fines for violations of regulations; business license restrictions based on non compliance. Public Works Director Richard Bacus stated that the lack of compliant commercial grease trap interceptors continues to cause a major problem with the sewer lines. He suggested that the county should not renew business licenses until the business is in compliance. He stated that Mel Quenemoen of the Building Department needs to inspect the grease traps. He stated that, in order to be in compliance, a grease trap interceptor needs to be placed 30 to 40 feet away from the business' sink. Chairman Kershaw inquired as to the price tag for a compliant trap and whether or not the County should offer some type of incentive for a business to become compliant. Mr. Bacus stated that a business is probably looking at close to \$2000.00 for a new grease trap. The commissioners discussed the idea of allowing a break on the permit fees or waiving the permit fees altogether to make it more affordable for a business. Mr. Bacus also noted that chemicals from local photo shops are a problem for treatment plant.

After further discussion of the problems and the necessity of getting the businesses to comply, it was recommended that Mel Quenemoen compile a list of the noncompliant businesses and that a letter be drafted by the Building Department on behalf of the commissioners instructing the businesses on what they need to do to be in compliance by July 1. The letter should also note the waiver of permit fees.

Pat Whitten commented that the District Attorney's Office should review the Business Ordinance and make sure that there is some provision whereby the commissioners would be able to take action against a business that refuses to comply.

A motion to approve the aforementioned recommendations was made by Commissioner Hess; seconded by Commissioner Flanagan, and seconded.

APPROVAL OF CLAIMS

The following claims were submitted for approval: Warrants: \$235,535.56. Payroll: \$288,631.39, for a grand total of \$524,166.95. Motion to approve was made by Commissioner Flanagan. This was seconded by Commissioner Hess and carried.

BUDGET AND FINANCE:

Treasurer's request for direction of delinquent tax sale with descriptions of properties.

Treasurer Doreen Bacus requested that the commissioners review the report indicating what properties were to be put up for sale and approve same. Motion to approve was made by Commissioner Hess; seconded by Commissioner Flanagan and carried.

LICENSING BOARD

The commissioners took this opportunity to welcome Sheriff Jim Miller.

SECOND READINGS:

1. **APPROVED:** Virginia City R.V. & Market submitted by Bruce Rawhouse of Virginia City, general and liquor license application.
2. **APPROVED:** Village Realty, submitted by Tom Clydesdale of Reno out of county real estate license application.
3. **APPROVED:** Town and Country Electric, Inc. submitted by Robert Mueller of Sparks, contractor license, electrical contractor.
4. **APPROVED:** Orius Telecommunication Services Inc. submitted by Joseph Huss of Villa Ridge, MO, contractors license placing fiber for Sierra Pacific Power.
5. **APPROVED:** Steven Roberts, of Sparks, building contractor.
6. **APPROVED:** Gold Hill Historical Society, submitted by Kim Fegert of Gold Hill, non-profit,

preservation, restoration, conservation of historical resources. (Off site work)

7. **APPROVED:** Elkhorn Construction Inc. of Evanston WY submitted by Lisa M. McLean,

General Engineering, electrical contractor's license.

8. **APPROVED:** A Charmed Life, submitted by Leanne M. Smith of Vallecito, CA for a retail

shop located at 164 S. C Street Virginia City.

9. **APPROVED:** Joys Pride, Inc. submitted by Jaci L. Rubin of Rainbow Bend, home business,

sell natural body care products through catalogs, internet and traveling to others homes for classes.

10. **CONTINUED:** Miller Organ Co. submitted by Robert Miller of Virginia City, organ-musical

instruments-sales/service/restoration/ computer repair and service.

11. **CONTINUED:** Tahoe Activities submitted by Tracy Reinhard of South Lake Tahoe, enlisting Virginia City Tourist and Bucket of Blood patrons to attend 90 minute vacation home ownership presentation.

12. **APPROVED:** Seven Mile Canyon Ranch, submitted by Peter Sorensen of Virginia City for

bed and breakfast.

13. **CONTINUED:** Mustang Memories, LLC, submitted by Cash Processing Services, LLC,

Lance Gilman, dba World Famous Mustang Ranch Museum and Souvenir Shop general license application for gift, souvenir store and Trucker's Lounge.

14. **CONTINUED:** World Famous Mustang Ranch, submitted by Cash Processing Services,
Lance Gilman general, escort and liquor license application to be located at 1011 Wild Horse Canyon Drive, McCarran, NV.
15. **APPROVED:** Integrity Fire Protection Services.

Motion to approve the second readings so noted as “approved” was made by Commissioner Flanagan; seconded by Commissioner Hess and carried. Motion to continue the second readings so noted as “continued” was made by Commissioner Hess; seconded by Commissioner Flanagan, and carried.

***BUDGET HEARING:**

Pat Whitten suggested that there be a break at this time prior to commencing the Budget Hearing. The commissioners opted to break for lunch following “Public Comment” and “Staff Reports,” and reconvene after lunch for the Budget Hearing.

PUBLIC COMMENT (None.)

STAFF REVIEW/COMMITTEE REPORTS

Fire Chief Gary Hames reported that while performing maintenance on the septic tank out at the Highlands Fire Station, it was discovered that the tank was beyond maintenance in that it was basically being held together by surrounding roots. Plans are to replace the tank.

Public Works Director Richard Bacus reported on the following items:

- The flagpole above the Courthouse was destroyed in the recent wind storm. Marilou stated that the pole was too old to be covered by insurance. Mr. Bacus also stated that the mortar was failing on the courthouse chimneys causing bricks to loosen and fall off the roof. One area by the courthouse was recently taped off because of falling bricks. Mr. Bacus recommended that the County contract out to someone who specializes in these types of repairs. Commissioner Hess commented that he would like to get up on the roof and take a look at it. Commissioner Flanagan wants the chimneys repairs and Marilou Walling agreed, stating that the Historical Commissioner will not allow the chimneys to come down. Mr. Bacus stated that he would contact a professional about getting the chimneys repaired.
- The organizers of the recent Hummer event here in town have failed to pay the County for damage to the blacktop (~\$3000.00), re-stripping the pavement (~\$1200.00), and a water bill.
- The leach line in Gold Hill is close to failure. Mr. Bacus stated that he is at a loss as to what to do and asked the commissioners for their advice. Commissioner Hess recommended that he contact George Georgenson.
- Spring clean-up. He stated that Mark from Reno Disposal had given him a date for

- Lockwood, but no dates had been set up yet for Mark Twain of Virginia City. As soon as he knows the exact dates, he will have it published in the newspaper.
- The needed repairs at the St. Mary's Art Center. Mr. Bacus commented that in light of the extensive repairs required and his already over-burdened schedule, he would not be able to attend to the art center. He suggested that an outside contractor be hired. Commissioner Flanagan expressed his concerns, noting that the County is obligated to maintain the building.
Commissioner Hess will get together with Mimi Patrick.
 - Senior Center. Mr. Bacus reported that the building is being painted and caulked. Commissioner Flanagan stated that the interior is to be painted as well.

Pat Whitten, Director of Administration and Budget, spoke about the replacement of Dean Haymore's county vehicle. One option is to purchase a Trailblazer with three rows of seats from Champion Chevrolet for \$23,941.00. The other option is to lease an Envoy from Winkel. Pat recommended that the County purchase the vehicle from Champion.

Sheriff Jim Miller took this opportunity to speak about some new procedures at the Sheriff's Office. His reorganization plan is scheduled to begin this Friday and will be aimed at providing more around-the-clock coverage. He stated that this will increase community and officer safety. Chairman Kershaw stated that he toured the River District with Sheriff Miller. He commented that the growth and changes in that area have been remarkable.

Chairman Kershaw recommended that the commissioners' meetings be changed to 2:00 p.m., starting with the first meeting in May. He stated that this would allow more public to attend. He also suggested having some of the meetings at the Senior Center. The commissioners and sheriff were in agreement with the change of time. Sean Griffin, Director of Community Chest, asked if there could be an occasional evening meeting. Chairman Kershaw stated that he prefers to keep the meetings in the afternoon, but did offer having Town Hall meetings in the evening.

12:15: Break for Lunch.

Reconvene at 1:30 p.m., for BUDGET HEARING.

Respectfully submitted,

By

E.F. Herrington