

# STOREY COUNTY COMMISSION MEETING

TUESDAY, APRIL 17<sup>TH</sup>, 2007 2:00 P.M.

STOREY COUNTY DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

JOHN FLANAGAN  
CHAIRMAN

HAROLD SWAFFORD  
DISTRICT ATTORNEY

GREG "BUM" HESS  
VICE-CHAIRMAN

JAMES G. MILLER  
SHERIFF

BOB KERSHAW  
COMMISSIONER

LORRAINE DUFRESNE  
CLERK-TREASURER

SARAH S. JENSEN  
RECORDER-AUDITOR

---

**PRESENT:** Chairman John Flanagan, Vice -Chairman Greg "Bum" Hess, Commissioner Bob Kershaw, District Attorney Harold Swafford, Sheriff James Miller, Storey County Manager Pat Whitten, Recorder-Auditor Sarah Jensen, Clerk-Treasurer Lorraine Du Fresne, Public Works Director Mike Nevin and Fire Chief Gary Hames

**The meeting was called to order by the Chair at 2:00 P.M.**

### PLEDGE OF ALLEGIANCE

### PUBLIC COMMENT

Joe Curtis and Hugh Roy Marshall presented an aerial map of Virginia City depicting where Mr. Marshall would like to place signs advertising the Ramada Inn. Mr. Marshall explained that many people do not know that there is a hotel in town and the signs are crucial for his business.

Vice-Chairman Hess asked if the rocks that are located on the way into town can be used for painting advertisements onto.

Ron James stated that he didn't see any reason they could not as long as the rocks are not within the NDOT right away.

Mr. Curtis updated the Board on the small historical markers that will be placed around Virginia City.

### 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 April 17, 2007**  
**Approval of Minutes from April 2, 2007**  
**Approval of Minutes from April 3, 2007**

**Correspondence**  
None

**Approval of Maps to be Recorded**  
None

**DISCUSSION/ACTION: Approval of Planning Commission Minutes:**

**Approval of Unofficial Minutes for 15 March 2007**

**HESS CONSTRUCTION, Inc - 2007-046 Variance - 63 South O St., VC - APN # 001-255-06**

*For the purpose of constructing a single-family residence, a setback of 3 feet versus 8 feet on North side of property is needed. Property to the North is owned by Hess Construction Inc. Set back on South side to remain at 8 feet. The East & West Side setbacks are to remain at 20 feet or more.*

Mr. Hess gave a brief presentation. Mr. Haymore mentioned one neighbor called about the height of home Mr. Hess would be building. Mr. Haymore told the neighbor it would be a two story home and the neighbor stated they had no problem with it. Larry Prater made a motion to approve the reduced setback of 3' with the requirement that the garage exterior wall be 1hour fire rated. Virgil Bucchianeri seconded the motion. With no further discussion, all voted aye and the motion carried.

**Informational Presentation -**

**Bret Tyler; Washoe-Storey County Conservation District-** *He will be focusing on establishing a county funded review of proposed development plans for appropriate/adequate planning and utilization of BMP's with respect to storm water runoff and weed and erosion control.*

Becky Mulholand, Jim Shaffer, Mr. Haymore and Brett Tyler briefly spoke about the SWPPP (Storm Water Pollution Prevention Plans). Turf, insect and weed problems also discussed. Mr. Walling requested the speakers come back and speak in front of our Commissioners. Speakers agreed. No Motion on this item.

**Planning Commission Budget Workshop for Fiscal Year 2007-2008 -**

Mr. Haymore presented the idea of having the building department staff member who works strictly on maps moved to the planning department along with the existing staff member already in the Planning Budget. Mr. Haymore stated that the Planning Commissioners pay would increase from \$60.00 to \$80.00 per meeting. Mr. Haymore suggested adding \$5,000.00 to Professional Services to cover the cost of having Washoe/Storey Conservation District do plan review on SWPPP Plans.

**DETERMINATION OF NEXT PLANNING COMMISSION MEETING:**

Bret Tyler made a motion that the next meeting be held at the Storey County Fire Station #2 Community Meeting Room in the Virginia City Highlands on April 5th, 2007 at 6:00 p.m. Austin Osbourne seconded the motion; and with no further discussion, all voted aye and the motion carried.

**DISCUSSION/ACTION: 2007 Legislative Session Update**

Pat Whitten informed the Board that Maggie Lowther had provided a Legislative update on over 200 bills that have died.

**LICENSING BOARD**

**FIRST READINGS:**

1. **BONANNO CONCRETE, INC.-** Contractor / Out of County  
1425 Hymer Ave, Sparks NV
2. **BK PEBBLE PIMPS -** General / Handcraft & Sell Hemp & Stone Jewelry  
106 South 'C' Street, Virginia City NV
3. **RIMROCK CONSTRUCTION MANAGEMENT.-** Materials Testing & Inspection 3675 Lakeside Dr, Ste B, Reno NV
4. **The ANTENNA COMPANY -** Electrical Contractor - Installer / Out of County P O Box 1217, Forresthill CA 95631
5. **HORSETHIEF CANYON DESPERADOS LLC -** Home Business / Historical Reenactment 1971 Saddleback Road, VC Highlands NV
6. **UTILITY VAULT -** General / Concrete Products for Resale  
244 E Sydney Dr, McCarran NV
7. **GARTER & BLOOMERS-** General / Old Time Photos  
63 South 'C' Street, Virginia City NV
8. **RYAN MECHANICAL, INC-** Contractor / Out of County  
3335 Wynn Road, Las Vegas NV
9. **GOLDEN GATE GASOLINE -** General / Gas & Diesel Station & Convenience Store USA Parkway, McCarran NV
10. **PATTON ELECTRIC, INC.-** General / Old time Photos  
1502 Browning Lane, Cleburne TX
11. **D & D WELDING-** Contractor / Out of County  
1000 Apple Blossom Drive, Sparks NV
12. **BJ EQUIPMENT COMPANY LLC-** Mining / Diamond & Core Drilling-Excavation & Grading 34964 Hwy 58, Eugene OR
13. **WISER DRYWALL, INC. -** Contractor / Out of County  
1607 Greg Street, Sparks NV
14. **HOUTS ENTERPRISES -** Home Business / Internet Sales (Gun Accessories) 238 Edith Lane, Dayton NV

### END OF CONSENT AGENDA

Commissioner Kershaw moved to approve the Consent Agenda. Vice Chairman Hess abstained from the vote due to his set back request listed within the Planning Commission Minutes. Chairman Flanagan seconded the motion and it was carried.

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

##### Clerk-Treasurer Lorraine Du Fresne

1. Updated the Board on the need to review expired agreements and leases.

##### Fire Chief Gary Hames

1. Mr. Hames stated that business inspections are being performed.
2. He added that hydrant flow testing will begin shortly.

##### Public Works Director Mike Nevin

1. Mr. Nevin informed the Board that he has received a good reading on the Park fund from Recorder-Auditor Sarah Jensen. He believes there is enough money in the fund to help with new playground equipment at the park in Lockwood.

Commissioner Kershaw asked that the Board create a committee comprised of the local residents. He said that it is important to receive input from the citizens that will be using the park.

2. Mr. Nevin brought up the need to replace the Senior Center's dishwasher/sterilizer, and that there has been \$6000.00 allocated which is sufficient to have the equipment replaced.

Chairman Flanagan commented that the floor of the Senior Center also needs to be inspected.

County Manager Pat Whitten stated that a safety team has been scheduled to inspect the floor.

3. Mr. Nevin stated that the wooden fence by the Storey County Courthouse parking lot will be replaced by wrought iron.
4. An insurance inspector is scheduled to arrive this Thursday to perform an inspection on the roof of the Courthouse. Mr. Nevin said that once the inspection is completed work can begin.
5. Mr. Nevin said his crew is scheduled to start the remodel in the Clerk-Treasurer office on Monday the 23<sup>d</sup>.
6. The Board received news from Mr. Nevin that the footings for the water tanks were poured this morning. Mr. Nevin stated that the water tank should be up and running by July.

##### County Manager Pat Whitten

1. Mr. Whitten stated that Tom Hequet and Jerry Taylor were doing a remarkable job on the jail remodel, and on recovering the graffiti from the jail cells.

2. Mr. Whitten asked if the Board would like to hold a meeting on May 15 and May 21 or just one meeting on May 21 at 2:00 p.m.

Chairman Flanagan said that one meeting on the 21st of May was sufficient. He asked that the meeting be held at 9:00 a.m.

3. The Planning Commission has asked for the Board's permission to seek outside council. Mr. Whitten asked if the Board was comfortable with allowing staff to handle this matter.

The Board agreed that staff could handle the matter.

**DISCUSSION/ACTION:** Approval of Claims and Auditor's Report

Auditor's Report was read by Chairman Flanagan as follows; Revenues \$11,486,030.73, Expenditures \$8,215,452.72, Balance \$6,968,253.24.

Vice-Chairman Hess moved to approve the Auditor's Report. The motion was seconded by Commissioner Kershaw and carried.

Claims were read by Chairman Flanagan as follows; Warrants \$1,961,046.76, Payroll #1 \$318,933.49, Total \$2,279,980.25.

Commissioner Kershaw moved to approve claims. The motion was seconded by Vice-Chairman Hess and carried.

**DISCUSSION/ACTION:** Presentation by Bob Forester of Nevada Rural Water, plaque to Storey County Water Department for "BEST DRINKING WATER IN NEVADA".

Bob Forester presented the plaque to Mike Miller and Mike Nevin and stated that a sample of the water would be presented in a national taste test.

**DISCUSSION/ACTION:** Presentation from Ken Brown on the Western County Alliance.

Mark Walsh was present and gave a brief presentation to the Board on the Western County Alliance. The goal of the alliance is to confront issues faced by rural counties.

Chairman Flanagan asked if the presentation had been made to the Elko County Commission. Mr. Walsh said, "Yes and they are members."

Commissioner Kershaw moved to approve joining the Western County Alliance. Vice-Chairman Hess seconded the motion and it was carried.

**DISCUSSION/ACTION:** Approval of Resolution 07-240, Creating a Fire Emergency Fund.

Fire Chief Gary Hames asked the Board to approve resolution 07-240, creating a Fire Emergency fund. The fund was originally scheduled to be created at the beginning of the upcoming fiscal year. Mr. Hames explained that funds have been

received to establish the fund at this time. The fund will be an interest bearing account and will roll over each year pursuant to NRS 474.

Vice-Chairman Hess moved to approve Resolution 07-240. Commissioner Kershaw seconded and the motion carried.

**DISCUSSION/ACTION:** Approval of agreement with Storey County and Washoe County Senior Services.

Mr. Whitten informed the Board that the agreement is up for renewal and there will be a slight increase in the price per meal. Currently the price is \$3.64. It will be raised to \$3.80. Mr. Whitten recommended that it be approved.

Commissioner Kershaw moved to approve the agreement with Washoe County Senior Services. Vice-Chairman Hess seconded the motion and it was carried.

**DISCUSSION/ACTION:** Appoint member to the vacancy on the Virginia City Convention Tourism Authority board.

Mr. Whitten asked the Board to approve Shana Bouvier to the vacant position

Vice-Chairman Hess moved to approve the appointment of Shana Bouvier to the Virginia City Convention Tourism Authority board. Commissioner Kershaw seconded and the motion was carried.

**DISCUSSION/ACTION:** Approval of contract with Carson City and Storey County regarding the Murphy Bernardini Regional Juvenile Justice Center

Mr. Whitten stated that Storey County has been a proud partner of this organization since 1997. The new contract includes an increase in cost. Currently the County pays \$80.00 per night to house a juvenile. The cost will be raised to \$100.00 per night. Mr. Whitten asked that the contract be approved.

Vice-Chairman Hess moved to approve the contract with Carson City. The motion was seconded by Commissioner Kershaw and carried.

**DISCUSSION/ACTION:** Agreement between the VCHPOA (Virginia City Highlands Property Owners Association) and Storey County for the maintenance of a portion of Cartwright Road and Saddleback.

Commissioner Kershaw stated that the item should read "maintenance of Cartwright Road to Saddleback". He also stated that Storey County Public Works needs to work with the homeowners association to get a Maintenance Agreement for lots that border the roads.

Mr. Nevin stated that county maintenance on the portion of Cartwright to Saddleback would require a Memorandum of Understanding with the homeowners association.

Commissioner Kershaw stated that no culverts would be included.

Vice-Chairman Hess moved to approve the agreement between VCHPOA and Storey County Public Works. Commissioner Kershaw seconded the motion and it carried.

**DISCUSSION/ACTION:** Regarding outside legal council from Chris McKenzie on a special use permit for Sierra Pacific.

Commissioner Kershaw moved to approve the outside legal counsel Vice Chairman Hess seconded the motion and it carried.

**DISCUSSION/ACTION:** Excavation of County property for an archeological privy.

Mr. Whitten explained that the goal is to determine the best route for the County in this matter.

Vice-Chairman Hess stated that whatever is found should become part of the County. He would like to see someone trust worthy perform the dig. He suggested Fred Garrett.

Mr. Nevin said that he thinks Mr. Garrett is a good candidate for the dig.

Commissioner Kershaw stated that he would like to see nothing done at all.

Ron James explained that the value of an archeological find is not in the artifacts recovered alone. A dig can bring tourist and earn the County free press. During the dig at the Bucket of Blood the County was on CNN 4 times. A trained archeologist will go through the privy and collect everything, not just bottles. He stated that the few archeological sites left in Nevada are precious.

Vice-Chairman Hess asked if Mr. James recommended doing an archeological dig.

Mr. James said that he does, but that a dig can be very expensive and will take time to organize.

Vice-Chairman Hess expressed his concern that the site may be destroyed. He stated that a person could excavate the site in one night. He would like to know how quickly a dig can be organized.

Mr. James explained that the funds for such a dig are hard to come by, and will take time to organize. He is willing to do all he can to help the County and will get the process started.

Mr. Whitten stated that there maybe other people that should be contacted that maybe able to help.

Sheriff Miller said that he will keep an eye on the site.

Vice-Chairman Hess moved to continue the item. The motion was seconded by Commissioner Kershaw and carried.

**DISCUSSION/ACTION:** SPECIAL EVENT: Best Breast in the West to be held on June 9<sup>th</sup>, 2007.

Sheriff Jim Miller stated to the Board that this is the 9<sup>th</sup> annual occurrence of this event, and that there have been no problems with this event in the past.

Vice-Chairman Hess moved to approve this event, Commissioner Kershaw seconded the motion, and it was carried.

**DISCUSSION/ACTION: SPECIAL EVENT:** Cathouse Poker Run to be held September 22<sup>nd</sup>, 2007.

Sheriff Jim Miller stated to the Board that this is the 1<sup>st</sup> annual occurrence of this event, and that there have been no problems with this event in the past. Sheriff Miller will also inform the Board regarding the current insurance that must be carried for this event.

Vice-Chairman Hess moved to approve this event, Commissioner Kershaw seconded the motion, and it was carried.

**DISCUSSION/ACTION:** Ownership of Lousetown Road and possible abandonment.

Commissioner Kershaw explained that this concerns the portion of road past the Highlands fire station. To his knowledge there is no record of the County accepting the road. Commissioner Kershaw would like to consider abandoning the road and giving to the ten acre association to maintain.

Mr. Whitten stated that this is much like the situation we are involved in with Six Mile Canyon. It is Mr. Whitten's recommendation that the County contract with Maggie Lowther to do the research.

Vice-Chairman Hess moved to give approval to proceed with the research. Commissioner Kershaw seconded the motion and it was carried.

**DISCUSSION/ACTION:** Consider request for domestic well study to be conducted by an independent advisory group.

Commissioner Kershaw stated that residents of the VC Highlands have expressed their concerns regarding water. Commissioner Kershaw would like to see the County take an active role in the wells being placed in the Highlands.

Commissioner Kershaw moved to approve the request for a well study to be done in the VC Highlands. Vice-Chairman Hess seconded the motion and it was carried.

## **LICENSING BOARD**

### **SECOND READINGS**

1. **TWO SEASONS AIR CONDITIONING-** Contractor / Out of County  
1075 Ron Way, Reno NV **APPROVED**
2. **EVCO, INC.-** Contractor / Out of County  
275 E Parr Blvd, Reno NV **APPROVED**
3. **RAPID PLUMBING.-** Contractor / Out of County  
465 S Meadows Pkwy, #20-21, Reno NV **APPROVED**
4. **BI-LINGUAL HEALTH COMMUNICATIONS -** Home Business /  
Document Translation & Classes  
2363 Cartwright Road, VC Highlands NV **APPROVED**
5. **AL POMBO, INC.-** Contractor / Out of County  
275 E Parr Blvd, Reno NV **APPROVED**
6. **ACME TEXTURE SOURCE, LLC-** Contractor / Out of County

- 1425 Hymer Avenue, Sparks NV **APPROVED**
7. **COMSTOCK CHRONICLE**- General / Newspaper Publication  
158 South 'B' Street, Virginia City **APPROVED**
8. **COMSTOCK REAL ESTATE SERVICES**- General / Change in Location  
158 South 'B' Street, Virginia City **APPROVED**
9. **JULIA B's EMPORIUM & ODDITIES**- General / Retail  
54 North 'C' Street- Virginia City, NV **CONTINUED**
10. **COMSTOCK GOLD MILL** - General / Tourist Mill Tour  
395 south 'G' Street, Virginia City NV **CONTINUED**
11. **CASTAWAY RECYCLING, Inc.** - General / Recycling & Salvage  
1000 Ave of the Colors, Lockwood **APPROVED**

Vice-Chairman Hess moved to approve #1-#8 and #11. Commissioner Kershaw seconded the motion and it carried.

Commissioner Kershaw moved to continue items #9 and #10. Vice-Chairman Hess seconded the motion and it carried.

**PUBLIC COMMENT**

None

**BOARD COMMENT**

Vice-Chairman Hess asked how the progress is going with grease traps. Mr. Nevin said that Mr. Haymore is working with him on the issue.

**ADJOURNMENT**

The meeting was adjourned at 3:05 p.m. at the call of the Chair

By \_\_\_\_\_  
Deputy Clerk/Treasurer