

STOREY COUNTY COMMISSION MEETING

MONDAY, MAY 19TH, 2008 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

Roll Call.

Present: Administrative Officer Marilou Walling, Chairman Greg Hess, Clerk-Treasurer Vanessa Dixon, Commissioner John Flanagan, Comptroller Hugh Gallagher, County Manager Pat Whitten, District Attorney Harold Swafford, Fire Chief Gary Hames, Sheriff James Miller, Vice-Chairman Bob Kershaw.

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

Chairman Hess led those present in the pledge of allegiance.

PUBLIC COMMENT

Katherine Souza was present from the Community Chest. She stated that she has been working on public transportation as an issue for Storey County. She as well as others has noted that there is a need for a way to get off the hill for groceries, doctor appointments, ect. She added that it may help keep kids off of C Street, by providing them with a way to get to Carson City. Currently there are EMTs that are taking people to doctor appointments. Ms. Souza stated that she has gained 21 signatures and a letter from the health nurse and senior center director in support of public transportation. Ms. Souza further explained that we can apply to NDOT for funds. There are also varying options for a bus route, including Lyon County and Carson City or just Carson City. Ms. Souza added that she is aware that the County Commission has allotted monies for this issue in the upcoming budget. A survey conducted by Ms. Souza was presented to the Board. The survey indicated that 69.4% of the 111 people surveyed would use community transit.

Chairman Hess responded that we have started the RTC Board again, and that would be the best group to talk to. He added that the Board is taking a very conservative approach and might have some flexibility. It may be possible to locate additional funds through out the year.

Commissioner Flanagan asked Ms. Souza how the survey was conducted.

Ms. Souza stated that she placed it at several locations and faxed it to her contacts in Lockwood.

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 May 19th, 2008

Approval of Minutes for April 24th, 2008

Approval of Minutes for May 6th, 2008

Chairman Hess asked that the minutes of May 6th, 2008 be continued to the next meeting.

Approval of Minutes for May 9th, 2008

Correspondence

None

Approval of Maps to be recorded

None

Approval of Claims and Statement of Activities

Approval of Planning Commission Minutes

None

Re-appoint Doug Walling, Virgil Bucchianeri, Larry Prater and Lydia Hammack to the Planning Commission

Approve Storey County Administrative Policies and Procedures Numbers 201 thru 209

LICENSING BOARD:

FIRST READINGS:

None Submitted

END OF CONSENT AGENDA

Motion: Approve Consent Agenda with continuance of May 6th, 2008 Minutes,
Action: Approve, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by**
Commissioner John Flanagan.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).
Yes: Commissioner John Flanagan, Vice-Chairman Bob Kershaw.

DISCUSSION/ACTION: Staff Review/Committee Reports

Administrative Officer Marilou Walling

1. Ms. Walling wished Mr. Whitten a Happy 55th Birthday!

Sheriff Miller

1. Sheriff Miller advised the Board that Marc Picker, Esq. the attorney for David and Ingrid Burgess, has requested a hearing. He explained that we are working with our attorney for a date.

Emergency Management Director Joe Curtis

1. Mr. Curtis reminded those in attendance of the upcoming "Vigilant Guard" exercise. He added that volunteers are needed and if anyone would like to participate to please contact him. Mr. Curtis further advised that the activities scheduled for the park have been moved to the high school.

Fire Chief Gary Hames

1. Chief Hames wished Chairman Hess a Happy 42nd Birthday!

DISCUSSION/ACTION: Special Event: RMC/OBR Poker Run on May 31, 2008 at the Old Bridge Parking Lot and Park next door.

Sheriff Miller stated that the Board had previously tabled this item awaiting the outcome of the Special Meeting. He advised the Board that the brothel license and liquor license have been suspended. He recommended that the event be denied.

Chairman Hess asked Sheriff Miller what they can still do.

Sheriff Miller stated that he has advised Mr. Regas that he can have a BBQ but they can not sell alcohol. They can take donations but can not sell alcohol. Sheriff Miller asked if there was a place set up for the event.

Troy Regas stated that he has a park where the event will be held. He added that he does have multiple business licenses in the County.

It was agreed that the event would be held at the park.

Mr. Regas asked if the Board has skipped the planning commission appointments on the consent agenda.

Chairman Hess stated that it was approved when the consent agenda was approved.

No Action was taken.

DISCUSSION/ACTION: First Reading of Ordinance # 08-210 Leash Law. District Attorney Harold Swafford read ordinance #08-210 into the record.

*A full copy of the ordinance can be obtained from the Clerk-Treasurer Office.

No Action was taken.

DISCUSSION/ACTION: First Reading of Ordinance #08-211 Confinement of Dangerous Dogs. District Attorney Harold Swafford read ordinance #08-211 into the record.

*A full copy of the ordinance can be obtained from the Clerk-Treasurer Office.

No Action was taken.

DISCUSSION/ACTION: Approval of Tentative Budget for fiscal year 2008/2009

Chairman Hess thanked everyone and stated that we have been very conservative.

Mr. Whitten stated that there was concern in the tentative hearing for the roads and today Mr. Nevin, Ms. Walling, Mr. Gallagher and he met and they have secured an additional \$50,000 increase to the fund. He further explained that there is a lack of sprinklers in this courthouse and we have gone out to bid, the acceptance of the bid will be on June 3rd agenda, \$100,000.00 has been added to cover the cost. Mr. Whitten went on to explain that August 31st will be an important date for employees and retirement; we have \$75,000 and want to increase the fund by \$25,000.00.

Mr. Whitten advised the Board that a strong citizen based group has expressed an interest in the preservation of the petroglyphs. He recommended that

\$5,000.00 be provided for signage. Mr. Whitten stated that the County periodically gets "hit" with small requests for county oriented programs; he recommended that \$3,500.00 be set aside to aid with this.

Mr. Whitten discussed in further detail the travel budget for the Recorder. He explained that the Recorder's office will have access to a county vehicle through the Clerk-Treasurer. Mr. Whitten stated that staff is comfortable with PEBS and feel that the situation will balance itself out. He complimented the Sheriff on the animal control ordinance; he added that they have zeroed any animal control effort. Mr. Whitten further added that Dr. Souza was right on, he is not sure that we are there or ready, or can afford it. He informed the Board that Piper's Opera House has requested \$40,000 for the corner bar, he stated that this request is not included in the budget and maybe we can look for second chance monies.

Chairman Hess stated that there have been a couple of years that we have not funded Community Chest and had to find the monies elsewhere.

Dick Stoll, the Executive Director for Piper's Opera House, addressed the Board. Mr. Stoll explained his situation to the Board. He covered the corner bar and the current situation in regards to the mortgage payment. Mr. Stoll informed the Board that funds saved, \$27,000.00, for the mortgage had been used to pay operational expenses. He added that they are continually looking into and applying for grants.

Mr. Pitenger, the Regional Transportation manager for Carson City, was present. Mr. Pitenger gave a brief presentation on the JAC bus system and what it has to offer. He stated that they are willing to entertain both Storey and Lyon Counties.

Commissioner Flanagan stated that he read that Reno/Sparks is going to cut their service due to the fuel.

Mr. Pitenger explained that Reno does have a sales tax and their sales tax is affected like everyone else.

Motion: Approval of the 2008 Tentative Budget with above mentioned changes,
Action: Approve, **Moved** by Commissioner John Flanagan, **Seconded** by Vice-Chairman Bob Kershaw.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).
Yes: Commissioner John Flanagan, and Vice-Chairman Bob Kershaw.

DISCUSSION/ACTION: 2008 Ballot Questions

Vice-Chairman Kershaw stated that we are still working on it and these are not final questions and we should have them ready by the second meeting.

Vice-Chairman Kershaw read the proposed questions. The questions are in regards to water and sustainable water resources. He stated that they are similar to Washoe County's.

LICENSING BOARD

SECOND READINGS

1. **SPEEDITECH** - Contractor / Sparks NV
2. **GREEN QUALITY CONSTRUCTION** - Contractor / Carson City NV
3. **TRI WEST CONSTRUCTION** - Contractor (Home Business / Virginia City Highlands NV
4. **DEFENDER SECURITY COMPANY** - Contractor / Las Vegas NV
5. **GRAFICS UNLIMITED** - Contractor / Sparks NV
6. **APX ALARM SOLUTIONS, Inc.** - Contractor / Provo UT
7. **NEX ELECTRIC, Inc.** - Contractor / Reno NV
8. **SIGN-A-RAMA** - Contractor / Reno NV
9. **LINEHAN's TRI VALLEY PLUMBING, LLC** - Contractor / Minden NV
10. **TRANSPORT REFRIGERATION of NORTHERN NEVADA** - Contractor / Salt Lake City NV

Mr. Whitten requested that all second readings be approved.

Motion: Approve all second readings for business licenses, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, and Vice-Chairman Bob Kershaw.

PUBLIC COMMENT

Mark Joseph Phillips stated that after the last meeting he was a little concerned. He asked for clarification in regards to Mr. Norby having met the requirements for the Memorial Day event.

Mr. Gallagher stated that the conditions have been met.

Marc Picker, Esq. was present on behalf of David and Ingrid Burgess. He explained that the brothel license was suspended. He stated that with out any show cause or due process, the Sheriff arrived to the Old Bridge Ranch and suspended the liquor license. Mr. Picker continued to discuss his view on how

the County has chosen to handle this situation. He explained that it is unfortunate that Storey County has chosen to treat the Old Bridge Ranch this way. Mr. Picker stated that he did not receive a written notice in regards to the liquor license. Marc Picker, Esq. formally requested a hearing on the liquor license suspension and a hearing on the suspension of the brothel license as soon as possible.

Troy Regas was present. Mr. Regas gave a description of the events that took place when the Sheriff's Department arrived at the Old Bridge Ranch. He further described one instance in particular. This was in regards to a confrontation between himself and Deputy Handte. Mr. Regas stated that Deputy Handte verbally assaulted him and tried to agitate a fight. He stated that he does not deserve to be treated this way. Mr. Regas stated that Deputy Handte was fired from NHP for embezzling from an older lady. He feels this was wrong and no one has come to talk to him. Mr. Regas advised the Board that he did say, "you have a gun and a badge, take it off and we can go, we have 200 acres to box on."

Sheriff Miller stated the he has been made aware of this situation and has reviewed some reports. He added that the last time he was out there the attitude was very bad. He informed the Board that he would check into both sides of the story.

After further discussion Chairman Hess called for Board Comment.

BOARD COMMENT

None

ADJOURNMENT 3:00

The meeting was adjourned by the call of the Chair at 3:00 p.m.

By Vanessa A. Dixon
Vanessa A. Dixon, Clerk-Treasurer