

# **STOREY COUNTY COMMISSION MEETING**

**TUESDAY, JUNE 5<sup>TH</sup>, 2007 2:00 P.M.**

**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*

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### **\*CALL TO ORDER AT 200 P.M.**

The meeting was called to order at 2:00pm by Chairman Flanagan

Roll Call.

Present: Chairman John Flanagan, Commissioner Bob Kershaw, County Manager Pat Whitten, Director of Building and Planning Dean Haymore, Director of Public Works Mike Nevin, District Attorney Harold Swafford, Recorder-Auditor Sarah Jensen, Sheriff James Miller, ViceChairman Greg Hess, Clerk-Treasurer Lorraine Du Fresne

### **PLEDGE OF ALLEGIANCE**

Those present were led in the Pledge by Chairman Flanagan

### **PUBLIC COMMENT**

There was no public comment at this time.

### **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 June 5<sup>th</sup>, 2007**

Chairman Flanagan removed the following items from the Agenda for June 5<sup>th</sup>, 2007:

**\*DISCUSSION/ACTION:**Approval of Resolution 07-243 augments \$39,417.00 into the Technology Fund

**\*DISCUSSION/ACTION:** Approval of Resolution 07-244 augments \$68,407.00 into the Water Fund

**\*DISCUSSION/ACTION:**Approval of Resolution 07-245 augments \$684,802.00 into the Fire Fund

**\*DISCUSSION/ACTION:**Approval of Resolution 07-246 augments \$1,197,948.00 into the General Fund

**\*Approval of Minutes for May 21<sup>st</sup>, 2007**

**Correspondence**

No correspondence was submitted at this time.

**\*Approval of Maps to be Recorded**

The following maps were submitted by Director of Building & Planning  
Director Dean Haymore:

#2007-63 TRI - Eagle Valley 1 Record of Survey, a merger of large parcels and subdividing based on future road layouts.

#2007-64 TRI - Eagle Valley 2 Record of Survey

#2007-65 - TRI - Eagle Valley 3/McShane Record of Survey

#2007-66 - TRI - Eagle Valley 4/Equiterra Record of Survey

Mr. Haymore also mentioned that a project is being considered that will be about a million square feet, total. The dewatering project has been presented to the Planning Commission and is being considered with several stipulations including having to be enclosed, an 8 foot high fence to block items in storage, installation of fans and other implementations to keep the smell out.

Commissioner Kershaw asked if grease interceptors would also be included and Haymore answered that they would be. Commissioner Kershaw stated that it should be specified that smell will not be tolerated.

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

**Official Minutes of 3 May 2007**

**2007-058 Special Use Permit – by Waters Septic Tank Service 2355 & 2401 East Britain Dr, TRI**

*The project site will be used for the temporary storage and dewatering of septic tanks, grease trap and sand oil separator waste that has been transported to the project by vacuum trucks. Various other non-hazardous liquid wastes such as drilling mud, cooling water, reclaimed water, etc., will be treated at the site.*

Waters Septic Tank Service representative, Kurt Hunsberger, addressed the commission and described the project and what they plan to do. Dean Haymore stood up and clarified the project and location. He recommended that several stipulations be added to the Special Use Permit as follows:

1. De-watering storage ponds to be enclosed fully in a building. Vince Griffin, President of TRI, said that was one of the stipulations they wanted so they would not be affecting the surrounding property owners with their de-watering process to reduce offensive odors.
2. Installation of an Air Change Filtration System in the building to eliminate offensive odors.
3. Storage yard for trucks and tanks must have an 8' fence with slats to reduce the view.

Larry Prater made a motion to approve the Special Use Permit with the three stipulations. Peter Maholland seconded the motion. After further discussion, all voted aye and the motion carried.

**2007-045 Boundary Line Adjustment– by Robert Abelew**

*A Record of Survey for a Boundary Line Adjustment of Lots 1 & 2, Block 74 within Virginia City, Range “L” with in the NE ¼ of Section 29 Township 17 North, Range 21 East, M.D.M.*

Robert Abelew explained that he was doing the boundary line adjustment to provide for an easement to the second lot off Mill Street through the first lot due to lack of approved route to the lot. Planning stated that it met with all the minimum requirements of 5,000 square feet, per lot.

Bret Tyler made a motion to approve and Austin Osborne seconded. There was no further discussion, all voted aye and the motion carried.

**2007-049 Master Plan Amendment – by Virginia Highlands, LLC**

*A Master Plan Amendment on approximately 8,590 acres that are currently zoned “Special Industrial” and “Forestry” to be amended to allow mixed -uses through a “Planned Unit Development” (PUD) zone designation for their “CORDEVISTA” project.*

Blake Smith representing “Cordevista” project explained the project with display boards with new ones added for the present meeting. He showed the water tables dropping in the Virginia Highlands over the past years and a normal building rate of 4.6 over numerous years. Under the present growth rate, he would be in the parameters of that growth rate. Blake Smith’s consultants responded to Larry Prater’s written questions and all the Planning Commission questions on the project. Chairman Walling opened the meeting for testimony that had been filed. Numerous residents from the Lockwood area testified that they were in favor of the project as per Blake Smith’s presentation that they would be able to reduce the flooding problem in that area. Residents of the Lockwood and Rainbow Bend were also in favor with the prospect of a new school and that their children would not have to be bussed to Virginia City to school. There were numerous declarations from people who live in the Virginia Highlands and Virginia City who were strongly opposed to the project.

County Staff provided the Planning Commission with numerous correspondences both for and against the project. Blake Smith's staff also provided the Planning Commission with correspondence that was for the project which will become part of the file.

Lydia Hammack brought up that she would like to hear a response from the County Directors on the impact of the project on the various departments before any decision is made. After four hours of testimony and discussion, Larry Prater made a motion to continue until response was gathered from the County Department Heads, (i.e. Fire, Sheriff, Public Works, School, County Managers, Assessor, etc). and Bret Tyler seconded. After further discussion Austin Osborne said they had enough information to take a vote. Chairman Walling called for a vote on the continuance, six voted aye and one opposed (Austin Osborne).

**2007-050 Zone Change – by Virginia Highlands, LLC**

A Zone Change on approximately 8,590 acres that are currently zoned "Special Industrial" and "Forestry" to have the zone changed to "Planned Unit Development"(PUD) which will allow mixed -uses for their "CORDEVISTA" project. *This requested Zone Change will only be heard when and if the Master Plan Amendment (2007-049) has been approved as requested .*

No Action taken as Master Plan Amendment was continued.

**LICENSING BOARD:**

**FIRST READINGS:**

1. **HAINDL-SEEFRIED IV, LLP** – Out of County  
4200 Northside Pkwy NW, Atlanta GA
2. **RENO AGGREGATE** – Out of County  
8080 Tres Arroyos Ct, Sparks NV
3. **RIVER VIEW DEVELOPMENT CORP.** – Out of County  
3219 Modena Drive, Sparks NV
4. **REGAS RENTALS, LLC** – Out of County  
8080 Tres Arroyos Ct, Sparks NV
5. **CRAZY CHOCOLATE TEAR** – General / TRI  
1215 Alexandria Ct, McCarran NV
6. **COMSTOCK CHRONICLE of VIRGINIA CITY, LLC** – Home Business /  
New Owner  
66 North 'B' St, Virginia City NV
7. **GOLDEN STATE UTILITY CO.** – Contractor / Out of County  
4425 Farm Supply Dr, Ceres CA
8. **PETERSEN CONSTRUCTION, Inc.** – Contractor / Out of County  
4865 Joule Street, Reno NV
9. **MORGAN CONSTRUCTION SERVICES, Inc.** – Contractor / Out of County  
3189 Mill Street, Sparks NV

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

County Manager Pat Whitten stated that the legislative update is its over or close to being over.

- The regional water bill was resurrected

- The elected official pay bill passed with provisions for the next four years
- There is an unconfirmed rumor about the growth amendment being amended into the budget
- Domestic well bill may have passed too

Vice-Chairman Hess asked if the growth initiative was put in place to have a study done during interim Mr. Whitten said he would find out the answer to that question. It was also stated that the trucking bill did not pass, but that there may be a provision to put it up for a vote Mr. Whitten said this bill met Governor Gibbons' threshold for a new tax and may be put to a vote in the 2008 election.

**\*DISCUSSION/ACTION:** Treasurer's Report

### END OF CONSENT AGENDA

**Motion:** approve the Consent Agenda **Action:** Approve, **Moved by:** Commissioner Bob Kershaw, **Seconded by:** Vice-Chairman Greg Hess.

**\*DISCUSSION/ACTION:** Staff Review/Committee Reports

- County Manager Pat Whitten presented a memo from Assessor Kathy Weeks. Ms. Weeks stated in the memo that her office is in the process of implementing a GIS mapping system county-wide. This system will probably be used by the Fire Department, Building & Planning and the Assessor's Office and the Water/Sewer Department. Ms. Weeks is requesting that the total unused balance of her technology fund be rolled over in order to help with funding of new system Mr. Whitten stated that the new GIS system was provided for in the upcoming budget for 2007-2008 and that a salaried position had been advertised and staff is looking for equipment
- Chairman Flanagan asked the County Recorder/Auditor if she had anything to present under this item. Ms. Jensen stated that she did not.
- Joe Curtis stated that he is continuing to move forward with specialized training for management system initial courses required by the Federal Government. This includes public information source training
- Sheriff Jim Miller reported that there were 16 people in jail this morning five were released yesterday and five were placed into custody last night. He also mentioned that the remodeling in the jail is going along great.
- Dean Haymore said he had been contacted yesterday by Blake Smith who wants to have a town hall meeting July 12 for Virginia City and Gold Hill. There will also be a meeting June 19 at Rainbow Bend for a hearing with

Sierra Pacific and changes may be in order to lessen the impact on the neighborhood in Mark Twain

- Mike Nevin stated that he has been involved in the cemetery rejuvenation. The group doing the rejuvenation needs 280,000 gallons of water for the project. Mr. Nevin said he had tentatively agreed, with Commission's blessing, to share the cost 50% with them leaving them a \$445 cost in the end. He stated that the project is scheduled to start sometime this week and will last approximately 20 days. It will include road work, waterlines, electrical underground, base, etc.
- Mr. Haymore mentioned that they are going to use the same stuff that had been used recently and that he had tried to talk them out of it but they are adamant. Chairman Flanagan asked if he meant the "stuff" they put on driveways and Mr. Haymore replied affirmatively. It was the consensus that the product in question would be a waste of money.
- Mr. Nevin said the group had obtained a grant in the neighborhood of \$200,000. He also stated that the new water tank is starting to arrive and it should start to go up in the air this week or next week. The completion date is set for around the middle of July. He said he hoped the County would be able to accept it. Mr. Haymore stated that he and the inspectors would be over there.
- Mr. Whitten stated that he hopes the County will accept some of the roads out in TRI that have been deferred. He said he would like to accept it striped and ready to go and mentioned that the County is going to pay for a quick cleanup crew to come in there and Roger Norman may help blade down the center aisle. He met with Mr. Norman and Vince Griffith who said there is a mechanism whereby the County can greatly increase their encroachment fees and get them to pay upfront to have Mike's crew go in there, resulting in everything looking similar.
- Whitten mentioned that a gentleman in Painted Rock is complaining about lack of services in that area. Pat suggested that since the issues are road related and bridge related Pat, Mike, Dean and Gay or someone will make a trip out there.
- Mr. Whitten asked for the Board's direction or thoughts regarding a memo from District Attorney Harold Swafford regarding the part time/full-time deputy district attorney position that was discussed during budget hearings. Vice-Chairman Hess stated that the original plan was to get a full-time deputy district attorney. Mr. Swafford said he agrees with that and that now is as good a time as any. However, he said that finding office space is the big problem now. He mentioned that it might be possible to move some walls around in the modular. He said the air conditioning and heating need to be fixed in the conference room which then might be able to be converted to office space. Mr. Whitten suggested that the contractor who worked on the jail be considered to do this work. Vice-Chairman Hess said he would swing by with Mr. Whitten after the

meeting to take a look at the building. Mr. Swafford said he will make some phone calls and will advertise in the First Judicial District and the state lawyer's magazine. Sheriff Miller mentioned that another person came up from Carson City who is going to also apply.

- County Manager Whitten said mass transit to the industrial park has been proposed by Council Supply Chain Management Professionals. They want to create a special assessment district to fund this project. Mr. Whitten and Mr. Haymore recommended that the Board sign this letter and that one commissioner, Dean, and Pat should meet later this month with Mr. Gilman and Mr. Norman. Vice-Chairman Hess volunteered to attend. Commissioner Kershaw said Tom Fitzgerald from Nevada Works had contacted him regarding this same project. There was discussion regarding whether or not a special assessment district could be created in the industrial park. Mr. Haymore said they would have to approve the contract. Mr. Whitten said RTC might want to come up with 25% if the other 75% is raised and stated that the approach the County has historically taken is that we can look at an assessment district if the right people are taxed.
- Mr. Whitten shared with the Board a complaint from one of the businesses on C Street regarding the "Wild Horse People" selling souvenirs. The business owner said the sales might cut into the sales by other businesses.
- Whitten said that during the past year or so there has been a major issue pending with the alignment of Union Street. Maps showing the area were handed out. Mr. Whitten said that because of the school project, football field, etc., there is a lot of equipment in the area it won't be available for very long. He had spoken with Mike and Dean and his specific request is to direct staff to go ahead and deal with an abandonment at this time. He said that between Union and Sutton the County hopes to abandon a portion of M street so Mr. Bonet's properties can adjoin together. In exchange the County would take the lower left hand corner of the area shown on the map. He said that in order to bring the Union Street alignment into play. It has been surveyed and part of area is Mr. Bonet's and part of it is the County's. Mr. Whitten said the advantages of this realignment are huge. Union Street will be cleaned up, the Bonets will get their properties tied together and the County would have a parcel by the Bowers/Petrini property. This would facilitate what the school wants to do with the field and future projects. At this time the County could use the school's equipment and infrastructure. The County's cost would be manpower, minimal equipment and the old sewer line could be removed, bringing the sewer and water lines directly down the new Union Street, tying into Mucker Street, which will be a huge benefit to the fire department. Mr. Whitten requested that the Board allow him, Mr. Haymore, and Mr. Nevin to proceed at a staff level to do what needs to be done and then get formal approval later. Commissioner Hess stated that

there is a need for two hydrants and that the sewer line currently goes right through the amphitheater and fill dirt was laid on top of it. The school wants to do this and is going to pay for all the materials. Mr. Whitten said staff will go ahead and proceed with the project.

**\*DISCUSSION/ACTION:** Approval of Claims and Statement of Activities  
Claims were presented for three week period preceding June 5, 2007: Warrants \$228,528.25, Payroll #1 \$299,458.86, for a total of \$527,987.11. The breakdown of total cash balances from May 31, 2007 were: Beginning Balance, \$11,719,381.59; Expenditures, \$1,290,560.19; Receipts, \$718,430.55; Ending Balance \$11,147,251.95

**Motion:** Approval of Claims and Statement of Activities of Claims  
**Action:** Approve, **Moved by** Commissioner Bob Kershaw, **Seconded by** Vice-Chairman Greg Hess.

**\*DISCUSSION/ACTION:** Acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2007-2008 funds.

David Gould with A&H Insurance and Ann Wiswell with Pool/Pact presented the proposal for 2007-2008. Mr. Gould stated that there is a slight increase of 7% due to higher payrolls. Ms. Wiswell presented the Board with a certificate of recognition recognizing Storey County's participation as a founding member in the Insurance Pool in 1987.

Mr. Gould stated that the Pool's Loss Control Department has worked very hard with Storey County to provide the County with training resources for safety purposes.

**Motion:** Acceptance of renewal proposal from Nevada Public Agency Insurance Pool, **Action:** Approve, **Moved by** Commissioner Bob Kershaw, **Seconded by** Vice-Chairman Greg Hess.

**\*DISCUSSION/ACTION:** Approve inter-local contract with DMV and Storey County Assessor and Commissioners  
County Manager Whitten stated that County Assessor Kathy Weeks has worked hard on this agreement. He said the State is taking a more difficult approach this year in wanting all satellite offices to look and act alike. Ms. Weeks stepped up to the plate and made a major staff commitment for a major service for locals, etc., providing a valuable service to the County.

**Motion:** Approve inter-local contract with DMV and Storey County Assessor and Commissioners, **Action:** Approve, **Moved by** Commissioner Bob Kershaw, **Seconded by** Vice-Chairman Greg Hess

**\*DISCUSSION/ACTION:**Approval of Resolution 07-243 augments \$39,417.00 into the Technology Fund

This item was removed from the agenda by Chairman Flanagan

**\*DISCUSSION/ACTION:** Approval of Resolution 07-244 augments \$68,407.00 into the Water Fund

This item was removed from the agenda by Chairman Flanagan

**\*DISCUSSION/ACTION:**Approval of Resolution 07-245 augments \$684,802.00 into the Fire Fund

This item was removed from the agenda by Chairman Flanagan

**\*DISCUSSION/ACTION:**Approval of Resolution 07-246 augments \$1,197,948.00 into the General Fund

This item was removed from the agenda by Chairman Flanagan

**\*DISCUSSION/ACTION:**Approval of Resolution 07-247 augments \$39,206.00 into the Jail Fund

This item was removed from the agenda by Chairman Flanagan

#### **LICENSING BOARD**

##### **\*SECOND READINGS**

1. **RACHEL ENTERPRISES, Inc.** – Home Business / VCH 4380 Rocky Road, VC Highlands NV
2. **ABSOLUTE SEALING & STRIPING** – Contractor / Out of County  
9165 Cordoba Blvd, Sparks NV
3. **DUNN RITE SEAMLESS RAINGUTTERS** – Contractor / Out of County  
5635 Riggins Court, Reno NV
4. **CAPITAL DRYWALL** – Contractor / Out of County  
#20 Hwy 341, Carson City NV
5. **ANTOJITOS TLAQUEPAQUE** – Food Service Catering / Out of County  
5590 Leon Drive #55, Sun Valley NV
6. **DAWG's BOBCAT SERVICE** – Out of County / Out of County  
165 Esmerelda Dr #F, Carson City NV
7. **SIERRA BARAJAS ROOFING, Inc.** – Contractor / Out of County  
1930 Frazier, Sparks NV
8. **WEBER's CABINET & FIXTURE CO.** – Contractor / Out of County  
320 Western Rd #6, Reno NV
9. **LICENSE PLATE SHOP** – Home Business / VC Highlands  
2375 Cartwright Road, VC Highlands NV
10. **CHAVEZ BROS. PAINTING, Inc.** – Contractor / Out of County  
1620 ½ Shaber Avenue, Sparks NV
11. **JNL PLUMBING** – Contractor / Out of County  
2254 Desert Cove Ct, Sparks NV

12. **CENTRAL TEXAS COMMERCIAL A/C & HEATING, Inc.**– Contractor / Out of County 7909 Rosson Dr, Austin TX
13. **A-1 STEEL, Inc.** – Contractor / Out of County 1523 S Stanford Way, Sparks NV
14. **UNARCO MATERIAL HANDLING, Inc.**– Produce & Sell Racking Systems / Out of County 701 - 16th Avenue East, Springfield TN
15. **AIR TECH HEATING & AIR CONDITIONING**– Contractor / Out of County 861 Glendale Avenue, Sparks NV
16. **BLACK ROCK CONSTRUCTION** – Contractor / Out of County 1462 Laughing Chukar Ct, Sparks NV
17. **FAST GLASS, Inc.**– Contractor / Out of County 1560 Greg Street, Sparks NV
18. **MERCURY STEEL & PLACING, Inc.**– Contractor / Out of County 2451 Monte Verde Way, Sparks NV
19. **SMITH CRANE and RIGGING, Inc.**– Contractor / Out of County 671 River Ranch Road, Markleeville CA
20. **F.E. MORAN, Inc.**– Contractor / Out of County 2265 Carlson Dr, Northbrook IL
21. **HERSHENOW & KLIPPENSTEIN ARCHITECTS, Ltd**– Professional / Out of County 5485 Reno Corporate Drive #100, Reno NV
22. **CFA CONSTRUCTION**– Contractor / Out of County 1300 Russell Way, Sparks NV
23. **BK PEBBLE PIMPS** – General / Handcraft & Sell Hemp & Stone Jewelry - VC
24. **GARTER & BLOOMERS**– General / Old Time Photos - VC
25. **GOLDEN GATE GASOLINE** – General / Gas & Diesel Station Convenience - TRI
26. **HOUTS ENTERPRISES** – Home Business / Internet Sales (Gun Accessories) MT
27. **JULIA B's EMPORIUM & ODDITIES**– General / Retail - VC
28. **COMSTOCK GOLD MILL** – General / Tourist Mill Tour - VC

Dean Haymore presented the business licenses as listed. He stated that BJ Pebble Pimps has agreed to change their name to BJ Rocks

**Motion:** To approve the Business Licenses as listed with the change to the name of #23, BJ Pebble Pimps to BJ Rocks, the removal of # 25, Golden Gate Gasoline and the continuation of #27, Julie B.'s Emporium and Oddities **Action:** Approve, **Moved by** Commissioner Bob Kershaw, **Seconded by** Vice-Chairman Greg Hess.

#### **PUBLIC COMMENT**

There was no public comment at this time.

#### **BOARD COMMENT**

Vice-Chairman Hess asked (in reference to an item on the Staff Review/Department Reports item) if the Board had made any stipulations to their agreement with the "Let 'em Run Foundation" regarding selling of souvenirs. Mr. Whitten said he didn't believe they had. Commissioner Kershaw

stated that the biggest issue is that it is a non-profit organization. Vice-Chairman Hess stated that the issue may have begun with a parking problem and expanded to the issue of sales of souvenirs. Mr. Whitten said he would take care of it if it is a parking issue. There was some discussion as to whom the parking space belonged.

Commissioner Kershaw reported that the Lockwood Community Senior Center is coming along very well. He stated that Dixie would like to move the lunch program up there starting the 18<sup>th</sup> since a fridge and some warmers have been obtained. He also stated that the Open House was a success. Mr. Haymore asked if there is a key holder to the building or if someone had been placed in charge. Commissioner Kershaw said he is putting a Board together and they can rent the building out, etc., and any money they raise can go back into the building.

Commissioner Kershaw said that next Monday he will be meeting with Mr. Nevin to talk about the park. He saw the concerns on the school's side about the fence and stated that the County should work on the one park they have and fix the problems that really aren't a lot, including agreement with the school district to take care of it.

Pat Whitten and Mike Nevin suggested that Dr. Slaby be involved. Commissioner Kershaw said the principal at Hillside and some residents will be getting together to discuss it.

Commissioner Kershaw mentioned the flood committee/Truckee River ordeal. He said Naomi Duer of the flood committee is meeting with Connie Butts and Dennis Miller on Thursday to get their concerns answered and will bring them back to the Board to make a decision about moving forward.

Mr. Nevin mentioned that maybe by the end of next week the flagpole will be reinstalled on the Courthouse using a 140 foot crane.

**ADJOURNMENT** - The meeting was adjourned at 2:55 pm by Chair

Respectfully Submitted by: \_\_\_\_\_  
Storey County Deputy Clerk-Treasurer