

STOREY COUNTY COMMISSION MEETING

TUESDAY, JUNE 17th, 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, Commissioner John Flanagan, County Manager Pat Whitten, Director of Building and Planning Dean Haymore, District Attorney Harold Swafford, Vice Chairman Bob Kershaw, Under-Sheriff Chris Parsons

Absent: Greg Hess

CALL TO ORDER AT 2:00 P.M.

The meeting was called to order by the Vice-Chairman at 2:00 p.m.

PLEDGE OF ALLEGIANCE

Vice-Chairman Kershaw led those present in the pledge of allegiance.

PUBLIC COMMENT

Mark Phillips began asking a question concerning the May 19th Minutes. Vice Chairman Kershaw asked him to table it until that portion of the meeting is being discussed.

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 June 17th, 2008

Approval of Minutes for May 19, 2008

Mark Phillips requested that the Approval of the May 19th Minutes be continued until the Clerk/Treasurer was back and he could discuss information he felt was incorrect with her. After further discussion Vice Chairman Kershaw stated that he would like for Mark Phillips to put his questions in writing and submit them to the Clerk/Treasurer for review by the 23rd of June.

Motion: Continue approval of the May 19th Minutes, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by:** Vice-Chairman Bob Kershaw.

County Manager Pat Whitten requested the item concerning Sierra Pacific be moved from the Consent Agenda to the regular minutes as Sierra Pacific is here to talk to the Board if needed.

Correspondence

Approval of Maps to be recorded:

None

Approval of Claims and Statement of Activities

Acceptance of bid for Gasoline, Diesel and Furnace Oil from Interstate Oil Company.

Acceptance of bid of Propane from Bi-State Propane.

Approval of Resolution No. 08-264 - A Resolution setting Salaries of elected County Officers and employees Fixed by Ordinance or Resolution Per NRS. 245.045 And for Appointed Officials.

Approval of Resolution No. 08-265 Augmentation of General Fund in the amount to \$449,880

Approval of Resolution 08-266 Approval of the creation of an Emergency Mitigation Fund.

Approval of Personnel Policies and Procedures No. 210 thru 218.

LICENSING BOARD:

FIRST READINGS:

1. **VIRGINIA CITY TRADING POST - General / 54 North C St, VC**
2. **FERNLEY FARMERS MARKET & OTHER EVENTS - Home Business / 720 Sutro Springs Rd, MTE**
3. **PIONEER LIVERY, ANTIQUES, Etc. - General / 120 South B St, VC**
4. **CONSTELLATION ENERGY PROJECTS & SERVICES GROUP - Out of County / Baltimore MD**

5. **WILBORN WOODWORK, INC.** - Contractor / Reno NV
6. **LANTIS FIREWORKS & LASERS** - Out of County / Draper UT

END OF CONSENT AGENDA

Motion: Approve Consent Agenda as amended, **Action:** Approve **Moved by Commissioner John Flanagan, Seconded by Vice-Chairman Bob Kershaw.**

DISCUSSION/ACTION: Staff Review/Committee Reports

Pat Whitten stated there will be a meeting on Friday for the Promotion of Firefighters.

Building and Planning Administrator Dean Haymore stated he is working on station 5 in the Industrial Park. He added the flood project is being worked on. He explained there is a new business license program that would no longer allow businesses with back taxes to remain open and running. He stated the doors will be closed on any business if back taxes are not paid in full by July 1st.

Marilou Walling Officially announced her retirement from the position of Storey County Administrative Officer as of January 2009. She stated she would be willing to stay through June 2009 to train her replacement and the comptroller on every facet of the job if needed. She thanked everyone for everything.

DISCUSSION/ACTION: Acceptance of renewal proposal from Nevada Public Agency Insurance Pool and approval for payment from fiscal year 2008-2009 funds.

Jim Norten with Warren Reed from the Nevada Agency Insurance Pool thanked the Board and staff for their cooperation and participation.

Rick Hudson spoke briefly about the loss pool and risk management program presented in his packet. He thanked Eric Guevin and Marilou Walling for their effort in making this happen. Each department is monitored for their safety and risk management. He presented a \$3,000.00 check for passing the loss control program. There are a limited number in the state to be able to do it and Storey County was one of them. He informed the Board that there was an increase in property values. He stated they are doing appraisals and trying to keep up on values. It has been a difficult task because there is no consistency across the State. He stated he felt they had excellent coverage. He ended with stating for the record Marilou Walling has been a huge help through the years and will be missed.

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

DISCUSSION/ACTION: Storey County Work Program, Dennis Taylor, Chief, Nevada Department of Transportation.

NDOT Director Susan Martinovich introduced her staff to the Board. She stated that in January they begin working with the County's, host workshops and then they review applications and develop a work plan. She said next they go to each County and find out what the County needs then it is taken to her Board. She stated they were out of money. Ms. Martinovich informed the Board that they are highway funded and the gas tax is reducing which is hurting them. She then said they are relying on their own staff very heavily through this time. She stated they still have federal funds that they have to use. She explained their system and how they are accountable for everything they do. She spoke about a transit system getting people to Doctor's etc. in rural areas. She stated they are trying to keep a program to let people know what is ahead as far as road work. She spoke briefly about the statewide safety program. She briefly explained Public, Private Partnerships and stated it is bringing in new money through a concession or tolling. She informed the board of the projects that they are working on. She let the Board know that there was very little scheduled in Storey County. They will be repairing the pavement on State route 342 by the railroad track. They received a letter about realigning State route 342. The intersection of 342 and US 50 is going to receive a four way signal. She invited the Board and County to the Round Table meeting they are hosting.

Vice Chairman Kershaw asked if rumble strips would be installed on State Route 341.

Mr. Whitten stated that last year it was deferred do to needing to look into the safety with motorcycles and cyclists. He stated it has been on the wish list and needed for quite a few years.

Ms. Martinovich agrees with rumble strips. She feels they are very successful. She feels the challenges are the cyclists and the motorcycles. She stated because of the narrowness of the road she would agree to center line rumble strips but not on the sides. She said she will add it to projects to look into for this year.

Vice chairman Kershaw also asked about Exit 22 on the bridge. He said there are very large potholes and it needs maintenance.

Ms. Martinovich did not have an answer on this item.

Mr. Whitten asked about the possible additional funding for items like 6 mile canyon etc.

Ms. Martonvich felt those were good programs. She stated they have federal money to be used in areas with less than 5000 people. She said yes they do have the funding to do these various projects.

Mr. Whitten commented that he is extremely complimentary to the local crew and the industrial center programs that they help with. He stated that the staff is wonderful to deal with.

Dean Haymore gave an update on the Hafed Bridge. He then asked about the street light enhancement program. He stated that the application has been submitted and no one has responded. This is just a concern.

Ms Martinovich stated that you definitely should have been contacted on that issue.

Motion: Approval of Storey County Work Program, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

Approval of Planning Commission minutes for June 5th, 2008

2008-059 Zone Change - by SPPCo Mark Twain

Requesting a Zone Change from Estates to Forestry on APN 004-291-04 which is 640 acres located at PTN S11 T17N R22E.

Bret Tyler made a motion to approve this application with the condition that the zoning could not be changed in the future and that this application is moved on to the Commissioners before the minutes of this meeting are approved. The motion was seconded by Lydia Hammack, with no further discussion, all voted aye and the motion carried.

2008-060 Special Use Permit - SPPCo Mark Twain

Requesting a Special Use Permit to construct the 345kV Blackhawk Substation on APN 004-291-04 which is 620 acres located at PTN S11 T17N R22E, the Tracy to Blackhawk 345kV transmission line and a new line fold from the Blackhawk substation to the existing 108 transmission line. *This requested Special Use Permit will only be heard when and if the Zone Change (2008-059) has been approved as requested.*

Peter Maholland made a motion to approve this application with the all conditions in the staff report and the added condition that county staff has to

approve the construction access and notify those who have requested this information (16) and that this application is moved on to the Commissioners before the minutes of this meeting are approved.

1. The project shall comply with all applicable County codes, plans, reports, materials, etc., as submitted. In the event of a conflict between said plans, reports, materials and County codes, County codes in effect at the time the building permit is applied for, shall prevail.
2. The applicant shall apply for all building and fire and life safety permits for the project within eighteen (18) months from the date of final approval, and continuously maintain the validity of those permits, or this approval shall be null and void.
3. The applicant shall record the final map in accordance with the time limit contained in state law or this approval shall be null and void.
4. ALL materials and equipment purchased for this project should be received in Storey County and the value reported as "County -of-Delivery" on the Nevada Dept. of Taxation form TPI-02.01 "Combined Sales and Use Tax Return", and/or you must report "USE" tax TPI-12.01 / TPI-02.02) on ALL materials and equipment (personal or rented) used on this project. Proof of appropriate reporting is required prior to a "Certificate of Operation" being issued.
5. That the Substation and the power poles be so designed and placed to minimize to the degree possible the visual effects to the landscape and to viewers.
6. That at the completion of all construction, the temporary ground disturbance (i.e., disturbance areas not needed for the operation of the facilities) be reclaimed, if requested by the landowner per the conditions of the Nevada Division of Environmental Services Storm water General Permit required for this project. These conditions typically state that a uniform perennial vegetative cover with a density of 70% of the native background cover for the area will be established.
7. That all companies working on this project in Storey County must be in possession of a State Contractors and State Business licenses as well as Storey County Business licenses.
8. Should ANY prehistoric or historic remains/artifacts be discovered during development or excavation, work shall temporarily be halted at the specific site and the Storey County Building Department shall be notified in order to evaluate said site and, if

deemed necessary, to record and photograph the site in question. The period of temporary delay shall be limited to a maximum of two working days from the date of notification, unless it is a significant find and it is deemed necessary to provide more time to evaluate and protect historical remains or artifacts. Please call 847-0966.

9. That the contractors installing the substation and the power line shall have water truck(s) on site at all times to provide dust and fire control.
10. That Sierra Pacific will keep the Storey County Fire Dept. apprised of all work times and locations during construction. Contact Information: Eric Guevin, Storey County Fire Marshal @ 847-0954. Additionally all emergency plans, training, emergency contact information (direct line) and fire pre-plans are supplied and approved by to the Storey County Fire Department at the sole cost being paid by Sierra Pacific Power Company.
11. If any blasting is required, the blasting contractor shall obtain a blasting permit from the Storey County Fire Dept. and comply with all their requirements.
12. An eight foot (8') fence with slats and 3 rows of barbed wire to enclose the substation.
13. Right of entry or easement must be obtained to access the property.
14. Any lighting must follow the dark sky regulations and all lights turned down. There shall be no lighting at night unless required for maintenance work.
15. The permit holder, as well as its assigns, heirs or successors, shall provide proof of insurance to Storey County and maintain a satisfactory liability insurance for all aspects of this project while under construction under Special Use Permit # 2008-060 for a minimum amount of \$2,000,000.00 (two million dollars).
16. As part of the permitting process, the access road to be used during construction must be approved by the Building Official and notification given to those who requested it.

The motion was seconded by Bret Tyler, with no further discussion, all voted aye and the motion carried.

Dean Haymore stated that the Planning Commission has recommended the approval the Zone Change and then the Special use Permit in that order and he would appreciate if the Board approves it in that order if they approve it. He

stated he is working with Sierra Pacific and everyone involved making this go smoothly.

Vice Chairman Kershaw asked if there were any questions from the Board or audience on this as it has been a long process.

Helene Jesse from Stagecoach Nevada respectfully requested that 3 additional conditions were added for this approval.

1. Please consider that trucks are prohibited on weekends and holidays.
2. That the maximum speed limit for trucks is 30 miles per hour when traveling in our neighborhood.
3. Once construction is completed that Seneca is paved and Iron Mountain is returned to the County standard.

She finished with stating that she felt that this would mitigate the negative impact of her neighborhood.

Dean Haymore stated he respects what she asked for and stated that there is an ongoing problem with both roads she mentioned. He suggested that Sierra Pacific put the roads back to the same condition or better as they were before the project.

Pat Whitten stated that stipulation number 16 covers this issue.

Commissioner Flannagan stated that he didn't know how Storey County could set the speed limit for Lyon County roads.

Pat Whitten stated that because of the delay of the project he felt that they could not fulfill the request of no weekends or holiday work. This will be a 7 a.m. to 7 p.m. 7 day a week project.

Vice Chairman Kershaw asked how long this project would take.

Dean Haymore stated they had it scheduled for 9 months with the bulk of it being done in that neighborhood in approximately 3 months.

Helene Jesse requested that they do every thing they can to mitigate the impact in her neighborhood. She stated she understood the benefit for both Counties but please make the impact minimal.

Bill Bennett supervisor of land services for Sierra Pacific introduced his staff. He stated that they will place traffic controls, he will leave the roads as good or better however they are planning on working 7 days a week 7 a.m. to 7 p.m.

Vice chairman Kershaw stated if issues do come up that anyone can come back to us. He stated if you take days away the project stretches out longer and is more of an inconvenience.

Bill Bennett opened the floor for questions.

Vice chairman Kershaw stated that most of this has already been worked out.

Pat Whitten complimented the Planning Commission and the local Sierra Pacific and Las Vegas staff. He appreciated that they listened to the people of Storey County and are working with them.

Dean Haymore asked that the Zoning be approved first and then that they approve the Special Use Permit.

Motion: Approve 2008-059 Zone Change, **Action:** Approve **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

Motion: Approve 2008-060 Special Use Permit , **Action:** Approve **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

Vice Chairman called for a 5 minute break.

Meeting was called back to order at 3:08 p.m. by Vice Chairman Kershaw.

DISCUSSION/ACTION: 2008 Ballot Questions

Pat Whitten requested that this item be continued. He stated he is speaking to legal counsel and he does have a July 15th deadline.

Motion: Approve continuing the 2008 ballot questions item, **Action:** Approve **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

***LICENSING BOARD**

***SECOND READINGS**

1. VIRGINIA CITY FAMILY MEDICINE (*Changed from VC Family Practice*) - General / *465 So 'C' St, VC*
2. SIEMENS POWER GENERATION, Inc. - Contractor / Orlando FL
3. COBB MANSION BED & BREAKFAST - General / *18 So 'A' St, VC*
4. CONSTRUCTION SERVICES SEALING & STRIPING, LLC - Contractor / Sparks NV
5. RENO's BIGGEST LITTLE STEAK Co. - Out of County / Reno NV
6. THE BUCK STOPS HERE - General / *320 Union St, VC*
7. COMSTOCK BUILDERS, LLC - Contractor / Reno NV
8. TITAN ELECTRICAL CONTRACTING - Contractor / Reno NV
9. SIERRA NEVADA ELECTRIC, LLC - Contractor / Carson City NV
10. SPANISH SPRINGS RANCH - Out of County / Ravendale CA
11. NORTHERN NEVADA EXCAVATING, Inc. - Contractor / *175 Wild Horse Canyon Dr, River District*
12. DATA and VOICE INTEGRATION - Contractor / Reno NV
13. INSURANCE AUTO AUCTIONS - General / *4086 Peru Dr, TRI*
14. NEVADA JOHNS, LLC - Out of County / Reno NV
15. REX MOORE ELECTRICAL CONTRACTORS & ENGINEERS - Contractor / Reno NV
16. RICK's HUNGRY MINER - General / *65 No 'C' St, VC*
17. RENO LAND & CATTLE, LLC - Out of County / Reno NV
18. MODULAR SPACE CORP. - Out of County / Sparks NV
19. J & L WINDOWS - Contractor / Reno NV
20. ReBATH of NORTHERN NEVADA - Contractor / Reno NV
21. SENTRY SECURITY SYSTEMS, LLC - Out of County / Columbia SC
22. CORAL CONSTRUCTION - Contractor / Wilsonville OR
23. COMSTOCK CABOOSE CO. - General / *166 So 'F' St, VC*
24. KITTY's LONGBRANCH SALOON - General / *76 No 'C' St, VC*

Dean Haymore requested that the following licenses be continued:

1. Comstock Caboose Co. - General
2. Kitty's Longbranch Saloon - General
3. The buck Stops Here _ General
4. Rick's Hungry Miner - General

Motion: Approve Business License **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

PUBLIC COMMENT:

Marilou Walling stated it has been a great privilege and honor working for Storey County.

Mike Mckee from T n T auction stated that he has had a great experience working with Storey County on this project. He appreciates that our County is Pro-Business.

Pat Whitten stated that T n T is the type of business we like to work with. He said it is impressive how they work. He then stated we lost a matriarch last night. We lost Lola Gallagher last night.

BOARD COMMENT:

Vice Chairman Kershaw stated he is having concerns about the Truckee River Flood project. He feels that we are being pushed off to the side. He feels the County should not continue using our time and resources for a project that is not moving forward.

ADJOURNMENT: 3:20 P.M.

By _____
Maggie Mahan, Deputy Clerk-Treasurer