

**STOREY COUNTY  
COMMISSION MEETING  
MINUTES**

**TUESDAY, AUGUST 2, 2005, 2:00 P.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

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The meeting was called to order by Chairman Kershaw at 2:00 p.m.

PRESENT: Chairman Kershaw, Commissioner Flanagan, Commissioner Hess, District Attorney Swafford, Clerk/Treasurer Doreen Bacus, Auditor/Recorder Maggie Lowther, Dean Haymore, Marilou Walling, and Pat Whitten;

ABSENT: Sheriff Miller, Public Works Director Rich Bacus, Fire Chief Gary Hames.

•PLEDGE OF ALLEGIANCE

•PUBLIC COMMENT Nick Nicosia introduced Margo Memmott the new director of Pipers Opera House.

**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 AUGUST 2, 2005.**

**\*APPROVAL OF MINUTES FOR JULY 19, 2005. Marilou corrected the minutes to reflect that Eileen Harrington was hired as Planning Commission Secretary and is**

**being paid. Not a volunteer as reported in the minutes of the 19<sup>th</sup>. Correction by Nick Nicosia his address, it is "D" Street Virginia City not "B" Street.**

**-CORRESPONDENCE** Chairman Kershaw, Dean and Marilou commented on correspondence received from the Commission on Economic Development regarding the Senior Center at the River District. The letter indicates that the Determination and Finding have been approved and the Notice to Proceed has been issued. Dean commented that Bob should remain as the contact person for the project and he will direct the project. Marilou informed the board that once fifty percent of the grant has been spent an extension can be applied for. RSVP needs to go after the money needed to furnish and equip the center. Bob advised the board that some of the kitchen equipment has already been acquired. Marilou went on to say that the project will have to have the approval of both RSVP and the Health Department to qualify for grant monies.

### **DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED**

Dean presented a boundary line adjustment map submitted by Nichols & Winnicki creating new lots 34A and 35A Block I in the Highlands the property line adjustment is needed to resolve a problem with his well placement and his neighbor's septic system. This map was approved by the Planning Commission at the July 7, 2005 meeting.

Dean also presented six Record of Survey Maps from TRI, three of which are revised, he will charge fees for revised maps in the future. Project numbers 2006-007,2006-006,2006-011, #2006-010, #2006-009, and #2006-008 all maps with descriptions on file in the Clerk's office in 080205 Commissioner's Minutes file.

Commissioner Flanagan moved to approve the maps as submitted, seconded by Hess and carried.

### **DISCUSSION/ACTION: SPECIAL EVENTS**

1. Western Construction Auctions, submitted by Linda Cook of Fallbrook, CA, Western Construction auctions conducts construction auctions in the state of California. Auction of construction equipment. They will conduct an auction in Mustang to test the Reno area market for construction auction services. They would be conducting approximately two auctions per year.

Pat Whitten advised the board the location is on the Chisolm Property at the river and this is a one time proposal, but recommended if they continue to hold auctions they be required to obtain a Storey County Business license. He continued that he has advised them that all equipment must be delivered and picked up in Storey County and that the sales tax credited to Storey County on all sales of equipment. Dean explained that this will be a heavy equipment auction and generate good income for the county.

### **LICENSING BOARD: FIRST READINGS**

1. Kwick Fence & Power Rentals, submitted by David T. Kelly of Sparks, contractor's license. Note on application indicates only a state license is required for temporary fencing.

2. ABC Fire Extinguisher Co., Inc. Submitted by Katherine Brown of Sparks, service

and sales of fire protection equipment.

3. EXCAL Construction, Inc. submitted by James E. Butler of Stagecoach, contractors license, framing and siding of residential homes.

4. Grand Teton Log Home Company submitted by Jason Wierzbicki of Sun Valley, telephone solicitation of log homes and building materials.

5. Jack's Handyman Service, submitted by Jack Kras of VCH, minor repairs for home owner, no structure repair. Painting, repair locks, broken windows, doors. Has completed Home Occupation requirements.

### **PLANNING COMMISSION MINUTES FROM JULY 7, 2005.**

**Stephen Musser #2005-397 Zone Change-Zone change** -Zone change from "Heavy Industrial" to "Commercial/Residential" at the Crown Point Mill to conform with the neighborhood. Intent is to convert many of the smaller front buildings on Main Street to residences and develop some of the frontage lots. The main building of the Crown Point Mill will be restored for guided tours.

Stephen Musser took the floor and addressed the board and the audience. He is aware of the petitions and letters that have been circulated by concerned citizens and has reviewed them. He stated that he has talked to the EPA and they will do some soil samples. He does not believe there are issues with historical impact, water or flooding.

Copies of the petitions and letters were given to the board for review.

Lydia Hammack took this opportunity to mention that she has a working relationship with the Mussers and that she will abstain from voting.

Several residents made comments opposing the zone change. Copies of these letters and petitions are on file at the Building/Planning Department. Virgil Bucchianeri requested that any EPA studies be completed before the item is placed back on the agenda.

Larry Prater moved the Musser's request for a zone change at the Crown Point Mill be continued, seconded by Tyler and carried. Dean stated that this item will not be placed on the agenda until the request is properly prepared. Property owners will be renotified. Lydia Hammack requested that all maps and documentation be furnished to the board members well before the meeting.

**Dean advised the board that Musser will resubmit his plans and property owners will be notified again and the matter placed on the Planning Commission agenda once this is done.**

### **Nichols & Winnicki #2005-400 Boundary Line Adjustment-Creating new lots 34A and 35A Block "I" Virginia City Highlands.**

James Nichols addressed the board and stated that due to all the setbacks secondary to all the different septic systems around his lot at 2429 Cartwright road, he can only place his well in about a 30x30' square on his property. His neighbor wants to situate his septic there. A property line adjustment would resolve the problem for Mr. Nichols and his neighbor. Upon reviewing the map, Lydia Hammack noted that there was an error on the site map, it should be one acre instead of ten

Dean stated that he would have them do a "technical correction.

Prater moved to approve the Nichols & Winnicki Boundary Line Adjustment, seconded by Hammack and carried.

**END OF CONSENT AGENDA**

Commissioner Flanagan moved to approve the consent agenda, seconded by Hess and carried.

**STAFF REVIEW/COMMITTEE REPORTS**

Dean referred to a letter from Insurance Services Office, Inc. regarding Building Code Effectiveness Grading Schedule as to recognizing the building codes in effect and enforcement of the same for the community. Each municipality is assigned a classification - a number from 1 to 10. Class 1 representing exemplary commitment to building-code enforcement. Storey County ranked in at a number 2 in 1999 and they will be evaluating building-code enforcement and effects again this year in August/September.

Dean also presented a letter from Waste Management announcing the retirement of Mark Franchi with Michelle onsite at the landfill, a new manager will soon be in place at the landfill.

Doreen Bacus, Clerk/Treasurer requested permission to advertise for a permanent part time employee for her office, total work week of less than twenty hours, not qualifying for any benefits. Doreen explained that the requirement of the state wide voter registration program will require one person just to take care of the voter registration updates that the program will require. She further explained that the state will pay for the equipment necessary to operate this program but not the extra help required to implement the program.

Commissioner Flanagan asked if she had the money in her budget, she replied she had it in elections.

Commissioner Hess asked what the qualifications would be? Marilou answered clerical, filing, and computer literate.

Maggie informed the board the last session of legislature passed a bill requiring the removal of all social security numbers from public documents, this will require the removal of social security numbers on documents open for public inspection or require duplicate documents one without the number.

Commissioner Hess moved to approve the position requested, seconded by Flanagan and carried.

Doreen informed the board that the tax sale scheduled for September will have to be delayed, the title reports have been returned with more former owners to be notified and the required ninety day notice will fall out side the sale date as scheduled. She requested that the Order for the sale be placed on the August 16, 2005 agenda for action by the board.

Marilou advised the board that BLM has an archeologist on site for the placement of the new water tanks and the reports should be finished by the end of the month.

**DISCUSSION/ACTION:** Kathy Weeks, Assessor overall corrections to 2005/06 tax roll.

Kathy Weeks submitted a memo requesting a correction to the 2005/2006 tax roll for parcel 003-282-21 for Lorna and Thomas Thompson, 100% disabled exemption was not put on the tax roll before closing. This exemption is for \$20,626. assessed. The total assessed value currently on the tax roll is \$33,088. This should be changed to \$12,462 for this tax year.

Commissioner Flanagan moved to approve the correction as submitted, seconded by Commissioner Hess and carried.

**DISCUSSION/ACTION:** NNDA request for Personal Property Tax Abatement for PPG Architectural Finishes, located at Tahoe-Reno Industrial Park. This company will construct a

manufacturing plant, the primary product will be a new environmentally friendly latex paint.

Ron Weisinger of NNDA introduced Larie Trippett, Business Development Manager, NNDA and Tim Rubald, of Nevada Commission on Economic Development. He then presented the PPG Architectural Finishes request for Personal Property Tax Abatement. . The economic impact of the company's investment in Storey County equates to \$9,779,122. Its request is for a Personal Property Tax Abatement of 50% over 10 years equal to \$679,310 and the time line analysis is approximately 1.5 years.

The group explained that at this time all they need from the Board is a letter of acknowledgment of the application for personal property tax abatements from the board to take to the meeting of the Commission on Economic Development on August 10, 2005.

Pat Whitten advised the board he would prepare a letter for Kershaw's signature to acknowledge the request for personal property tax abatement for PPG.

**DISCUSSION/ACTION:** Nuisance abatements order for Public Works to clean up violations of Ordinance 05-195.

Lorraine reported that she had spoken to Rich Bacus, Public Works Director regarding clean up of cited property owners, he informed her that he would not remove anything without a direct order from the board or without a deputy to accompany him or his crew.

Commissioner Hess asked what Brent Kolvet had to say about enforcement of the ordinance?

Lorraine informed the board he had advised her to not be involved in the clean up of the Jolcover property. And that someone else will need to take over enforcement of that complaint, also the removal of "junk" vehicles on private property could be a problem but we will just have to give it a shot and see what happens. The board will consider appointment of an alternative enforcement officer at the next meeting.

Commissioner Hess moved that once the enforcement officer makes the decision that there will be a forty-eight hour notice to clean up issued a she will need to contact one of the board members for authorization to write a letter to Public Works directing them to clean it up, seconded by Flanagan and carried.

Commissioner Flanagan asked Commissioner Hess if he had checked with Bacus about enough money in his budget to cover the additional costs for clean up? Hess said he had talked to Bacus and there is money in his budget and also that there will be less paving done this summer because of the price of oil so they (public works) should have the time to

take care of some of it.

Chairman Kershaw stated that there is bound to be some times when public works just can not clean up and a private party will have to be hired.

Lorraine advised the board there is a problem at Lockwood that she doubts public works will be willing to clean up and that is dog manure, adding they most likely didn't hire on to clean up dog manure. Further, Dean had mentioned at an earlier meeting that there are private companies in both Reno and Carson City that do that sort of cleanup.

Commissioner Hess added that if Lorraine gives the notice to clean up on Monday it may take the Public Works until Friday to get to it.

**DISCUSSION/ACTION:** Second reading of Ordinance 05-198 amending the technology ordinance by adding Assessor to collect 2% of the personal property tax for the technology fund.

Commissioner Flanagan moved to approve Ordinance 05-198, seconded by Hess and carried.

This Ordinance will be effective from and after publication as required by statute.

Carl Small questioned the approval of this ordinance. Lorraine apologized for the way it was

written on the agenda as it appeared to be an increase in personal property tax of 2% which is not the case, the 2% will come out of the present rate.

**DISCUSSION/ACTION:** Treasurer's Report June 2005.

Chairman Kershaw read the treasurer's report reflecting a net deficit balance for June of \$137,867.27 and a net balance for year to date of \$2,337,161.32.

Commissioner Hess moved to approve the report as submitted, seconded by Flanagan and carried.

**DISCUSSION/ACTION:** Approval of Claims

Commissioner Flanagan moved to approve the claims in the amount of \$146,807.36 for warrants and \$185,360.72 for payroll, seconded by Hess and carried.

**LICENSING BOARD:**

**SECOND READINGS:**

1. Gary's 24 Hour Plumbing LLC, submitted by Gary D. Smith of Reno, repair install or service plumbing fixtures and pipes including gas lines to plumbing fixtures.

**APPROVED.**

2. Matton Co. Handyman, submitted by Charles H. Matton, of Dayton, light home maintenance and repair, and sale of home maintenance products. **APPROVED.**

3. Lars W. Sterner, general contractor submitted by Lars W. Sterner of Carson City.

**APPROVED**

4. Pezonella Assoc., Inc. submitted by Raymond M. Pezonella, of Reno, geotechnical engineers and materials testing. **APPROVED**

5. Security 1, submitted by Antonio Sisneros of Las Vegas, contract security/alarm response.

6. ATB Excavating submitted by Ann V. Brown of Reno, excavation, site prep,

underground construction. **APPROVED**

7. Converse consultants, submitted by Dan R. Stamphill of Reno, engineering consulting. **APPROVED**

8. Castle Land Surveying, submitted by Gilbert Patterson of Reno, land surveying. **APPROVED**

9. The Brass Rail Restaurant, submitted by Frank Nigro, of Reno, family restaurant. **CONTINUED**

10. Peas and Carrots Day Care, submitted by Mary E. Rocha of 280 Wagon Wheel, MTE, daycare 6-12 children per state statute. Attached to application is a memo from Lisa Roberts, Child Care Surveyor of Division of Child and Family Services, indicating the applicant has satisfactorily completed background checks, health inspection, and is waiting for fire inspection verification. **CONTINUED**

11. B and C Electric, submitted by Robert M. Nelson of Sparks, electrical contractor, residential and small commercial. **APPROVED**

12. Web-Wide Creations, submitted by Robert G. Musgrove, 720 Sutro Springs Rd. MTE, home business internet only consulting. **APPROVED**

13. D & S Electric, submitted by Dennis Williams of Reno, electrical contracting. **APPROVED**

14. Walnut Investment Co., LLC, submitted by Emad Boutros of Santa Fe Springs, CA

wholesale construction material suppliers. **APPROVED**

15. Ames Construction Inc. submitted by Richard Ames, of West Valley City, UT, construction. **APPROVED**

16. Shade Concepts, Inc., submitted by William H. Pattison of Minden, construction-patio covers, decks, sunrooms. **APPROVED**

17. Shooters Shack, retail business located at 54 N C Street, Virginia City, submitted by Rick Jeffrey retail antique guns/knives, sporting goods, building will be secure with bars and alarms.

**CONTINUED**

Commissioner Flanagan moved to approve those license applications as noted and to continue those applications as noted.

#### PUBLIC COMMENT

Carl Small voiced concerns about toxins from the proposed PPG paint plant at TRI. The board assured him that all precautions will be taken to prevent hazzards from the plant.

#### BOARD COMMENTS

Chairman Kershaw reminded the board of the tour scheduled at TRI with Washoe County Commissioners on Monday August 15, 2005.

The meeting was adjourned at the call of the Chair at 3:55 p.m..

Respectfully submitted

By \_\_\_\_\_  
Lorraine DuFresne, Clerk to the Board