

STOREY COUNTY COMMISSION MEETING

TUESDAY, AUGUST 5TH, 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, ClerkTreasurer Vanessa Dixon, Chairman Bum Hess, Vice-Chairman Kershaw, Commissioner Flanagan, District Attorney Harold Swafford, Comptroller Hugh Gallagher, Public Works Director Mike Nevin, Sheriff Jim Miller, County Manager Pat Whitten, Recorder Sarah Jensen, and Director of Building and Planning Dean Haymore.

CALL TO ORDER AT 2:00 P.M.

The meeting was called to order by the Chair at 2:00pm.

PLEDGE OF ALLEGIANCE

Chairman Hess led those present in the Pledge of Allegiance

PUBLIC COMMENT

None

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 August 5^h, 2008
Approval of Minutes for July 1st, 2008
Approval of Minutes for July 3rd, 2008

Correspondence

Approval of claims

Approval of agreements with Verizon in Virginia City to facilitate providing cell phone service.

Final Approval of a five (5) year extension and expanded area of the lease for the Gold Hill Depot to the Gold Hill Historical Society.

Approval of Maps

Mr. Haymore presented 3 maps to the Board for approval; he explained that the maps are for roads.

1. Location: West Sydney Road and Drainage From: 2007-90=13.21 Ac To: 2008-44=10.99 Ac and 2008-45=2.22 Ac.
2. From: 140.82 Ac To: 2008-46=39.98 Ac and 2008-47=100.85 Ac Comment: Roads, portion of Portofino Drive and Clark Station Road, all of Milan, Munich, and Malta Drive.
3. From: 2006-58=39.54 Ac To: 2008-41=12.20 Ac, 2008-42=35.78 Ac, and 2008-43=1.55 Ac Comment: Roads, portions of Peru Drive and all of Istanbul Court.

LICENSING BOARD:

FIRST READINGS:

1. **ASSAY HOUSE (The)** - General / **81 North A St, VC** (*Vacation Rental*)
2. **BELFOR USA GROUP, INC** - Contractor / 50 Artisan Means Way, Reno
3. **CAT SCALE COMPANY** - Out of County / 515 Sterling Dr,
4. **CLARK PEST CONTROL** - Out of County / 1055 Industrial Wy, Reno
5. **COUNTRYSIDE LAWNS** - Contractor / 3180 Carmine St, Carson City
6. **COYNE ROOFING, INC** - Contractor / 1331 Banner Dr, Gardnerville
7. **CREATIVE DESIGN INTERIORS of NV** - Contractor / 9748 S Virginia St, Reno
8. **DANIELLE's BRASS RAIL** - General / **55 North C St, VC** (*Cigar Bar / Liquor / Gaming*)
9. **DESERT ORDNANCE, LLC** - General / **300 Sydney Dr, TRI** (*Mfg/Sale of Firearms/Parts*)
10. **DOCUMENTS DEFINED** - Home Business / **21325 Saddleback Rd, VCH** (*Real Estate Closing Ass't*)
11. **FERRELL GAS** - Out of County / 7757 N Virginia St, Reno
12. **HANKIN SPECIALTY EQUIP / ELEVATORS** - Contractor / 3237 Fitzgerald Rd, Rancho Cordova, CA
13. **HIGH MOUNTAIN HOMES, INC** - Professional / 1155 Ladera Ln, Gardnerville

14. LIGHTNING ELECTRIC CO, INC.- Contractor / 2955 US Hwy 40, Verdi
15. PMW CO. (Paul M. Wolff Co.)- Contractor / 460 N Geneva Rd, Lindon UT
16. PORT of SUBS - General / 500 USA Pky #103, TRI (*Sandwich Shop at Truck Stop*)
17. RICKER THERMLINE, INC.- Contractor / 950 Detroit Ave, Concord CA
18. RITE HITE CORPORATION- Contractor / 1620 S Sunkist St, Anaheim CA
19. SACO DEFENSE - General / 300 Sydney Dr, TRI (*Property Management*)
20. SMITH MECHANICAL, INC - Contractor / 1275 Kleppe LN #16, Sparks
21. SOUTHWEST DESIGNS - General / 168 South A St, VC (*Retail Gift Store*)
22. TALA ENTERPRISES, LLC - Contractor / 3056 Meadowlands Dr, Sparks
23. TC CONCRETE - Contractor / 425 Ziller Wy, Dayton
24. TRENDSETTER HOMES, LLC - Out of County / 1210 W Hwy 50 E, Silver Springs
25. US ORDNANCE, INC - General / 300 Sydney Dr, TRI (*Design/Mfg of Sm Arms for Govt Sales*)
26. TNT STAGELINES - Out of County-Mobile / 359 South G St, VC (*Stagecoach Rides/Photos*)
27. KAREN JAMES BOOKKEEPING- Home Business/ 355 Mill St, VC (*Bookkeeping Service*)
28. PERU POINTE, LLC - Out of County / 811 Spring Valley Dr, Gardnerville

END OF CONSENT AGENDA

Motion: Approval of consent agenda and approval of maps, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION: Committee/Staff Reports

Comptroller Hugh Gallagher:

1. Mr. Gallagher has been working with the Departments Heads on gas usage. He stated that that total usage is down from this time last year.

2. He is laying some foundations on what may happen in the 2009 Legislature. On what the possibilities of the State getting more of the revenues.

Public Works Director Mike Nevin:

1. Mr. Nevin informed the Board that they have completed the paving work in the Highlands that was requested by the homeowners associations. He added that the project went over budget by \$29,000.00
2. Mr. Nevin explained that next they will be working on patching and paving in Virginia City where necessary.

Recorder Sarah Jensen:

1. Ms. Jensen informed the Board that Billie Cole will be retiring at the end of this month. She would like to see something nice done for her in appreciation of her 30+ years of service.

DISCUSSION/ACTION: Approval of Planning Commission Minutes from March 6, 2008

2008-043 Zone Change – by Tahoe-Reno Industrial Center, LLC TRI

This is a request for a zoning map amendment from F (Forestry) to I (Industrial) on ±33,000 acres, of which an estimated ±4,656 acres is build able. The property is located south of the existing portion of the Tahoe-Reno Industrial Center and more specifically seven (7) miles south of the I-80/USA Parkway interchange.

Bret Tyler made a motion to approve the zone change application. The motion was seconded by Larry Prater, with no further discussion, all voted aye and the motion carried.

Mr. Haymore stated that there are still a few conditions that need to be worked out.

Vince Griffith was present on behalf of the Tahoe Reno Industrial Park; he suggested that zoning be approved with conditions that can be put on paper when the final contract is signed.

Mr. Whitten clarified that the concern is over easement access to a mountain top that would be vital for communications, and for Board approval before any further railroad track is laid.

Mr. Griffith stated that TRI has no problem with those conditions.

Motion: Approval of zoning change with the following conditions; the county is to have easement access to the mountain top and Board approval is required

prior to any further railroad track is laid, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION:

AT 08-02 Request for Text Amendment to Chapter 17.80 Truckee River

Restrictions *This is a request by Troy Regas and Steven Roberts for a change in the wording of Section 17.80.030 (Truckee River Restrictions). Due to the possibility of contamination to the river, the ordinance currently prohibits the construction, use, location, operation or maintaining of manufactured/mobile home parks, trailer parks, recreational vehicle parks, and motels within four thousand feet of the northern boundary of Storey County. Mr. Regas has requested that some or all of these uses be allowed along the Truckee River with a Special Use Permit. (Returned to the Planning Commission from the County Commissioners meeting dated 6/3/08)*

Lydia Hammack made a motion that we permit the text amendment with the corrections that were discussed for the Truckee River Restrictions Chapter 17.80 and send it on to the County Commissioners. The motion was seconded by Austin Osborne, with no further discussion, five voted aye, Virgil Bucchianeri abstained and the motion carried.

Mr. Haymore explained that this item was originally sent to the Board by the Planning Commission and the Board returned the item to the Planning Commission for further review. Mr. Haymore advised the Board that the Planning Commission recommends that amendments be made to the ordinance and that it be sent to the District Attorney for review and revision.

Chairman Hess stated that the ordinance does need to be rewritten; it is not current with the County.

Motion: The ordinance is to be sent to the District Attorney with the recommendations of Planning Commission for revision, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION: Corrections to the 2008/09 Tax Roll

Chairman Hess read the following corrections into the record:

1. APN 003-556-01 Ureta George R & Deborah D

The veteran's exemption on this parcel was left off of the tax roll in error.

Please advise the Treasurer's Office to add \$2,260.00 to the exemption amount and to adjust the current tax bill accordingly.

2. APN 003-272-09 Brown, Darlene B

The real property manufactured home on this property was removed prior to the July 1st deadline, which was discovered after the close of the tax roll. Please advise the Treasurer's Office to change the Net Assessed Value for \$42,327.00 to \$30,137.00, adjust the Prior Year GAV (the override value for the tax cap) from \$30,736.00 to \$22,745.00 and to adjust the current tax bill accordingly.

Motion: Approval of changes to the 2008/2009 Tax Roll, **Action:** Approved, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

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

DISCUSSION/ACTION: Special Event: Approval of Civil War Event August 30, 31 and Sept. 1, 2008

Izabella Hunt-Jones was present on behalf of the Comstock Civil War Re-enactors; she stated that she has received numerous phone calls from people all over the west coast that are very excited about the event.

Chairman Hess explained to Ms. Hunt-Jones that in the past there have been issues with brown spots on the lawn. While they are there camping on the lawn can not be watered for 6 days. He added that he does not want anyone camping on the lawn this year. Chairman Hess offered to postpone the new sod at the ball park that so the re-enactors can camp on the dirt.

Ms. Hunt-Jones stated that she appreciates the compromise.

Mr. Nevin further explained the issues in the past and that the lawn is not commercial grade and can't handle the camping.

Mr. Whitten added the Storey County needs to be listed on the insurance.

Motion: Approve Civil War Event, **Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

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

DISCUSSION/ACTION: Approval of bid for Canyon General Improvement District Wastewater Treatment Plant

Ms. Walling requested a continuation of this item.

Motion: Continue approval of bids for Canyon General Improvement District wastewater treatment plant
Action: Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION: Approval of bid for Type 11 Latex Modified Slurry Seal and re-stripping

Mr. Nevin stated that this is for 3 miles of Waltham Way to be slurry sealed. He explained that portions of the road are 10 years old and are in need of being sealed. The project was sent out to bid and 2 bids were received, one from Intermountain and one from Sierra Nevada Construction. The low bidder was Sierra Nevada Construction at \$84,007.00 with an additional 2% discount if paid within 15 days; Intermountain came in at \$96,500.00. Mr. Nevin recommended that the Board accept the bid from Sierra Nevada Construction.

Commissioner Flanagan asked why the difference.

Mr. Nevin responded that the company's reasoning was oil prices.

Motion: Acceptance of bid from Sierra Nevada Construction, **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION: Approval of inter-local agreement with Lyon County Sheriff's Department and Storey County Sheriff's Department for services

Sheriff Miller stated that this is a crucial agreement; there is not a weekend that goes by that we do not work with Lyon County in some way.

Motion: Approval of inter-local agreement with Lyon County Sheriff's Department and Storey County Sheriff's Department for services **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION: Approve participation in the National Association of Counties Prescription Discount Card Program with an anticipated start date of October 15, 2008.

Mr. Whitten stated that the collective power of NACO is unparalleled, and this program will cost us nothing. Mr. Whittend described the program and explained that this is 8-10 week process, this only the first step.

Motion: Approval of participation in the National Association of Counties Prescription Discount Card Program **Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

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

DISCUSSION/ACTION: Final Approval of 2008-006 Property Exchange – by Darrell & Theresa Eymann and Storey County *Exchange the paved portion of land used for Sutton Street being 100'± in length & 9.3'± in width along "B" Street and 8/6'± in width along "C" Street for same square footage from the edge of the pavement on "B" street to property line. This is in Section 29 T17N R21E, MDB&M. (This item was previously approved by the Storey County Planning Commission)* Note: This exchange was tentatively approved by the Commission on November 6, 2007 subject to completion of a final map and legal description. Staff has settled on a defined area of equal exchange but is recommending restrictions on any future building not to exceed a single story building with no more than a 6/12 roof pitch at B Street elevation.

Mr. Haymore explained that this is a property exchange that was put on hold during the moratorium. A portion of Sutton Street overlaps onto the Eymann's property. This exchange is for equal portions of land and will have the following stipulations; any new building can not be over one story and the roof pitch must be under 6/12.

Curtis Lindsay agreed that the stipulations will protect his view.

Darrell Eymann stated that they do not have any plans to build; they would like to open the current building as the Virginia City Coffee House.

Motion: Final approval of 2008-006 property exchange with stipulations **Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

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

DISCUSSION/ACTION: First reading of 08-213 Ordinance amending Section 2.46.100 of Chapter 2.46 of the Storey County Code regarding Storey County Child Care

District Attorney Harold Swafford read the ordinance into the record.

No action taken.

DISCUSSION/ACTION: First reading of 08-214 Ordinance amending Section 5.08.030 of Chapter 5.08 of the Storey County Code regarding Regulation of Personnel and Employees in contact with the Public

District Attorney Harold Swafford read the ordinance into the record.

No action taken.

DISCUSSION/ACTION: First reading of 08-215 Ordinance amending Section 5.12.010 of Chapter 5.12 of the Storey County Code regarding Sale of Alcoholic Beverages

District Attorney Harold Swafford read the ordinance into the record.

No action taken.

DISCUSSION/ACTION: First reading of 08-216 Ordinance amending Section 5.16.100 of Chapter 5.16 of the Storey County Code regarding Prostitution

District Attorney Harold Swafford read the ordinance into the record.

No action taken.

DISCUSSION/ACTION: First reading of 08-217 Ordinance amending Section 5.16.220 of Chapter 5.16 of the Storey County Code regarding Prostitution

District Attorney Harold Swafford read the ordinance into the record.

No action taken.

DISCUSSION/ACTION: First reading 08-218 Ordinance amending Section 5.20.030 of Chapter 5.20 of the Storey County Code regarding Solicitors and Canvassers

District Attorney Harold Swafford read the ordinance into the record.

No action taken.

DISCUSSION/ACTION: First reading of 08-219 Ordinance amending Section 8.28.030 of Chapter 8.28 of the Storey County Code regarding Outdoor Festivals

District Attorney Harold Swafford read the ordinance into the record.

No action taken.

DISCUSSION/ACTION: First reading of 08-220 Ordinance renaming Chapter 3.60 of the Storey County Code from "Room Tax" to "Transient Lodging Tax," and adding to and amending sections of Chapter 3.60 of the Storey County Code.

District Attorney Harold Swafford read the ordinance into the record.

No action taken.

LICENSING BOARD:

SECOND READINGS:

1. **ALL-BRIGHT SERVICES, LLC** - Contractor / Carson City NV
(*CANCEL per Owner - Leaving Area*)
2. **FOOD BANK of NORTHERN NEVADA** - General / 550 Italy Drive
(TRI)
3. **KITTY's LONG BRANCH SALOON** - General / 76 No 'C' St (VC)
4. **MAJESTIC NEON, LLC** - Contractor / Reno NV
5. **NEVADA THERMAL SERVICES** - Mining / 2600 E Mustang Rd
(RD)
6. **SEARS HOME IMPROVEMENT** - Contractor / Sacramento CA
7. **STEARNS CONRAD SCHMIDT CONSULTING ENGINEERS** -
Contractor / Long Beach CA
8. **SURETY HVAC** - Contractor / Reno NV
9. **YANKE MACHINE SHOP, INC.** - Contractor / Boise ID

Mr. Haymore recommended that items #29 be approved and item #1 denied.

Motion: Approve item #29 **Action:** Approve, **Moved by** Vice-Chairman Kershaw, **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

Motion: Denial of item #1 **Action:** Approve, **Moved by** Commissioner Flanagan, **Seconded by** Vice-Chairman Kershaw.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

BOARD COMMENT

Vice-Chairman Kershaw stated that attending NACO in Kansas City was worth it. He met a lot of people and learned some new things. He added that it was interesting to see how other counties are dealing with the city government. Vice Chairman Kershaw stated that he would like to see someone from Storey County attend the one day Renewable Energy Summit.

ADJOURNMENT

By _____
Vanessa A. Dixon, Clerk/Treasurer