

STOREY COUNTY COMMISSION MEETING
TUESDAY, NOVEMBER 6TH, 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

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, Vice-Chairman Greg Hess.

CALL TO ORDER AT 200 P.M.

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

PLEDGE OF ALLEGIANCE

Commissioner Flanagan 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 November 6th, 2007

Approval of Minutes October 16th, 2007

Correspondence

A letter of appreciation was received addressed to Mr. Nevin, Director of Public Works, thanking him and his crew for taking time to sweep the debris off the streets after a recent rain storm.

Approval of Maps to be Recorded

Director of Building and Planning Dean Haymore presented the following maps for approval:

- 1) Location: West side of Peru from about Ireland to Italy
From: 2007-23 622.44 Ac
To: 2007-130 367.84 Ac, 2007-131 218 Ac, 2007-132 34.52 Ac, and 2007-133 2.09 Ac
- 2) Location: South West corner of Peru by West Sydney Drive
From: 2007-99 10.28 Ac
To: 2007-135 4.09 Ac and 2007-136 6.19 Ac

Mr. Haymore gave a brief overview on the status of the street abandonments. Mr. Nevin addressed his concern regarding the utilities that run down the road. Mr. Haymore stated that he has informed the parties that it is now a civil matter. Mr. Nevin continued with the recommendation that the property owner verify the location of the street and the piece that they are interested in acquiring. Mr. Haymore added that he and the Assessor are requesting a survey be conducted. Dean stated that he and the assessor are requesting a surveyor.

The Board asked that a 6 month time frame be placed on the project.

Mr. Haymore presented parcel maps have been created and approved by the Planning Commission. He stated that the maps need the Chairman's signature.

Approval of Planning Commission Minutes continued from October 16, 2007 meeting

2008-013 Abandonment – by Storey County for Bohnet/Con Virginia/Easley/Wheeler/Small Virginia City

Requesting a partial unimproved street abandonment of about 680'± of "N" Street from Union Street to the already abandoned portion of N Street per Order filed November of 2000 Book 139 Page 638.

Dean Haymore explained that Union Street had to be straightened out and that the Bohnet's had their horse corral in part of it. It was decided by the Commissioners to abandon "N" which runs in the middle of their property. Dean also because of all the tailings and requests from other property owners along "N", wanted to abandon the rest of the street.

Austin Osborne had concerns about the future and the removing of the tailings and possible subdivisions.

Dean Haymore explained that the tailings could be removed at anytime but that if the properties were to be sold and a subdivision put in that it would be the responsibility of the developer to put in the access to the properties.

Mark Phillips wanted the Planning Commission to table any decision of this matter due discrepancies as to who was a Commissioner when the vote was taken and that receipts from the recorder's office had the wrong name for recorder on them.

Doug Walling told Mr. Phillips that he would have to take this to the DA, as this was not a matter for the Planning Commission to decide on.

Virgil Bucchianeri made a motion to approve the Abandonment with the condition that any water and sewer line easement shall remain as they are and so noted on the maps. The motion was seconded by Bret Tyler, with no further discussion, all voted aye and the motion carried.

2007-032 Abandonment – by Parsons & Seddon/Schaal/Eaton
G, H, & Carson St., VC

Requesting abandonment beginning at the NE corner of Lot 12 Blk 30, then heading in a South Easterly direction 35'± to a point in H Street, then in a Southerly direction 27'± to the NE corner of the existing fence, continuing in a southerly direction along the said fence line 181'± to the SE corner of the fence being situated in the north half of the intersection of Carson and H Street. Then going in a North Westerly direction along existing fence in Carson Street 148'± to a point in G Street being the SW corner of fence, then North Easterly along fence located in G Street 137'±, then Westerly 45'± to the East property line of Lot 4 Blk 29, the North Easterly 67'± along the East property line of Lot 4 to the NE corner, then Easterly 50'± to the NW corner of Lot 12 Blk 30, then 202'± along the west property line of Lot 12 to the SW corner, then Easterly 100'± along the South property line to SE corner of property, then North Easterly 200'± along East property line to the point of beginning.

Jana Seddon and Keith Schaal presented their reasons for the abandonment along with pictures showing the area. This was to correct the property lines and descriptions of property.

Austin Osborne made a motion to approve the abandonment with the condition that any water and sewer line easements would remain and be so noted on the maps. The motion was seconded by Virgil Bucchianeri, with no further discussion, all voted aye and the motion carried.

2007-044 Abandonment – by Richard Flanagan
Virginia City

Requesting abandonment of unnamed and unimproved existing road from the northwesterly most point of Blk 141 in a southeasterly direction about 250'±, then south 30'±, to NE corner of Lot 3 Blk 140. Then in a Northwesterly direction, approximately 121'±, along the southeasterly side of Blk 140. Thence continue in the direction about 200'± along the southeasterly side of the Best & Belcher Patent Mining claim per map #43863. Thence East about 30'± to the point of beginning in Virginia City.

Dean Haymore explained that this had already been heard and approved by the Commissioners and that we were just cleaning up procedure issues. There were some questions about access to the other properties, but it was explained that they had access from the other direction.

Larry Prater made a motion to approve the abandonment with the condition that any water and sewer line easement remain as they are and so noted on the maps. The motion was seconded by Austin Osborne, with no further discussion, all voted aye and the motion carried.

2008-014 Abandonment – by Storey County
Virginia City

Requesting the partial abandonment of unimproved F Street between Mill and Carson, beginning at the southeast corner of BLK 48. Thence in a northerly direction 457'± to Carson Street. Thence in an easterly direction 65'± to the northwest corner of Blk 49. thence in a southerly direction 465'± to Mill Street. Finally in a westerly direction 65'± to the point of beginning. Also a portion of the unimproved G Street between Mill and Carson Streets. Starting at the southwest corner of Blk 49 465'± in a northerly direction to Carson Street. Thence easterly along the southerly side of Carson Street 49'±, to the northwest corner of Blk 50. Thence along the west side of Blk 50 476'± to the southwest corner of said block. Thence 49'± in a westerly direction along Mill Street to the point of beginning.

Dean Haymore explained that F and G had never been abandoned where the Tennis Courts, Park and Senior Center are now located and that this is the area where the new Community Chest building would be going. This is to clean up what should have been done previously.

Bret Tyler made a motion to approve the abandonment with the condition that all water and sewer line easements remain the same and be so noted on the map. The motion was seconded by Austin Osborne, with no further discussion, all voted aye and the motion carried.

2008-006 Property Exchange – by Darrell & Theresa Eymann and Storey County

Virginia City

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.

Dean Haymore along with Darrell Eyman explained how the county had paved part of the Eymann property on Sutton Street and they just wanted an equal amount of land along B Street abutting their property. Using a color coded map, they showed the Planning Commissioners what they were proposing.

Virgil Bucchianeri made a motion for approval of the exchange. The motion was seconded by Larry Prater, with no further discussion, all voted aye and the motion carried.

2008-021 Abandonment – by Western Title

Virginia City

Requesting a the abandonment of the north half of Page Street between C and D Streets being about 25'± along C and D Streets, and 100'± along the already abandoned southerly portion and Lot 3 of BLK 195 of Virginia City.

Dean Haymore requested that this item be continued due to last minute legal documents and concerns that would need to be reviewed by the Assessor and DA before application could be voted on.

Bret Tyler made a motion to continue. The motion was seconded by Austin Osborne, with no further discussion, all voted aye and the motion carried.

Approval of Planning Commission minutes for September 20, 2007

2007-038 Parcel Map – by Charles C. Chisholm Revocable Trust

Creating parcel 2007 -32 = 18.86 acres being in the SW ¼ of SW ¼ and parcel 2007 -33 = 52.09 acres being in the West ½. Both of Section II Township 19 North Range 21 East per United States of American Deed NO. # NV. 2006 -001.

With no one present to represent the applicant, Dean Haymore explained that Storey County had been working with the Chisholm's for about a year and a half on the parcels that they had obtained from the BLM. In order for them to record the deeds they had to do the parcel map. Since we did not have the velum, Mr. Haymore requested that if approved, the Planning Commissioners sign and date the map we had. The Planning Department would verify that the velum was exactly the same as the current map in file.

Peter Maholland made a motion to approve the Parcel Map with the stipulation that the velum matches the one signed by the Planning Commissioners and the engineer supplies a digital copy as well. The motion was seconded by Bret Tyler, and with no further discussion, all voted aye and the motion carried.

2008-023 Abandonment – by Greg and Christy Hess

Request of an abandonment of a portion of Summit Street. Beginning at the southeasterly corner of block 99, in a northwesterly direction 143'± Thence east 60'± to a point on the westerly side of lot 7 block 100. Thence in a southeasterly direction 143'± to the southwest corner of block 100. Thence in a westerly direction 60'± to the southeasterly corner of block 99, the point of beginning in a portion of the NW ¼ of Section 29 T17N R21E.

With no one present to represent the applicant, Dean Haymore presented the Abandonment request with the change from Greg Hess who owns the property on the other side of Summit Street. Mr. Hess said that we only needed to abandon 30' of Summit Street as the access to his property is from the other 30'.

Bret Tyler made the motion to approve the Abandonment with the change of only 30' being abandoned that abuts the property of Greg "Bum" Hess. The motion was seconded by Austin Osborne, and with no further discussion, all voted aye and the motion carried

DETERMINATION OF NEXT PLANNING COMMISSION MEETINGS:

Bret Tyler made a motion for the next meeting to be tentative for October 4, 2007 at the Virginia City Court House. The motion was seconded by Peter Maholland, with no further discussion, all voted aye and the motion carried.

LICENSING BOARD:

FIRST READINGS:

1. REMEDIAL CONSTRUCTION SERVICES- Contractor / Houston TX
2. TIMELESS TREASURERS & PAWN- General / Virginia City NV
3. MIA BELLA HOME FRAGRANCE- Home / VC Highlands NV
4. TOM GOLDSTON ROOFING - Contractor / Gardnerville NV
5. SECRET SERVICE CATERING- General / Virginia City NV

County Manager Pat Whitten expressed concerns that the Sheriff has with item #2, Timeless Treasurers & Pawn, he stated the being a pawn business the licens requires some special conditions.

DISCUSSION/ACTION: Treasurer's Report

None presented

END OF CONSENT AGENDA

Vice-Chairman Hess stated that an issue regarding the language used in the abandonment for Brenda and Brad Shell has brought up some concerns. He requested that item be placed on the next Agenda.

Motion: Approve Consent Agenda, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Chairman John Flanagan. Vice-Chairman Hess abstained from the vote, stating the he has interest in items listed for approval.

DISCUSSION/ACTION: Staff Review/Committee Reports

Director of Public Works Mike Nevin:

1. Mr. Nevin stated that he is awaiting a final quote for the installation of an automated valve. The valve is necessary to maintain a constant amount of pressure.
2. Mr. Nevin informed the Board that the sewer replacement project is moving along, they are currently getting ready to send an application to BLM.

3. Mr. Nevin added that the playground equipment should arrive soon, and the auger monster should arrive by the end of this week.

Director of Building and Planning Dean Haymore:

1. Mr. Haymore invited everyone to the ground breaking next Thursday, he added that 150-200 invitations were mailed out and they are expecting a large group. Lunch will be courtesy of Wild Horse. Mr. Haymore and his department encourage everyone to attend.

County Manager Pat Whitten:

1. Mr. Whitten thanked Mr. Haymore for his work on the property acquisition from BLM.
2. Mr. Whitten informed the Board he Sierra Pacific lawsuit has been dropped. The new site will be called Blackhawk, and a group of people was recently taken to the site on a tour.
3. Mr. Whitten stated that last week 5 people were interviewed for the planning position. The 5 candidates have been narrowed down to the top 3. Mr. Whitten stressed that this is a critical position.

DISCUSSION/ACTION: Approval of Claims and Statement of Activities

Chairman John Flanagan read the following warrants and payroll into the record: Warrants \$252,443.72, Payroll #1 October 19, 2007 \$339,906.22 and Payroll #2 November 2, 2007 \$381,351.55. Total Warrants/Payroll \$973,701.49

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

DISCUSSION/ACTION: Jeff Fontaine to give an update on NACO activities

Mr. Fontaine, the executive director of the Nevada Association of County Officials was present. Mr. Fontaine gave a descriptive update of the activities that NACO has been involved with. He stated that he has learned a lot in the past 10 months as executive director. Mr. Fontaine thanked all of the commissioners for their support; he also thanked Pat Whitten, Marilou Walling and Dean Haymore as being a great asset to the association.

DISCUSSION/ACTION: Ron Weisinger with Northern Nevada Development Authority: Update on implementation of Northern NVision

Mr. Weisinger was present to give an update on Northern NVision. He informed the Board of the expansion of supplemental services; he added that after 10 years it becomes a real chore. Mr. Weisinger thanked the Board for their time and looks forward to working with Storey County.

DISCUSSION/ACTION: Jeff Brigger with the Economic Development Authority of Western Nevada. Acknowledge application to Nevada Commission on Economic Development to provide Sales/Use and Personal Property Tax incentives for Thybar Corporation.

Mr Brigger from EDAWN and Bill Evett from Thybar were present. Mr. Whitten stated that he had received a full analysis, one of the best yet, and fully recommends the requested acknowledgement.

Motion: Acknowledgement of Application, Action: Approve, Moved by Vice-Chairman Greg Hess, Seconded by Commissioner Bob Kershaw.

DISCUSSION/ACTION: Statement of Apportionment for the 2006/2007 Fiscal Year 4th Quarter and the 2007/2008 Fiscal Year 1st Quarter

Administrative Officer Marilou Walling read the Statement of Apportionment into the record on behalf of Clerk/Treasurer Lorraine Du Fresne.

Motion: Approve Statement of Apportionment for 2006/2007 Fiscal Year 4th Quarter and the 2007/2008 Fiscal Year 1st Quarter, Action: Approve, Moved by Vice-Chairman Greg Hess, Seconded by Commissioner Bob Kershaw.

DISCUSSION/ACTION: Liquor License: 1st Reading VC Ponderosa Saloon LLC at 106 South C Street

Mr. Whitten stated that this is only the First Reading and the item will be passed on to the next agenda for a second reading.

DISCUSSION/ACTION: Assessor Kathy Weeks: correction to the 2007-2008 Tax Roll

Chairman Flanagan read a letter from Assessor Kathy Weeks requesting a correction to the 2007-2008 tax roll into the record.

Motion: Approval of requested correction to the 2007/2008 Tax Roll, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Vice-Chairman Greg Hess.

DISCUSSION/ACTION: Special Event: The Virginia City Gunslingers & Saloon Girls to perform a show on November 9, 2007 in the Delta Saloon Parking Lot.

Mr. Whitten stated that this is one of the events that probably shouldn't be placed on the Agenda. It will take place in the Delta Parking Lot. He recommends approval.

Motion: Approval of Special Event, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Vice-Chairman Greg Hess.

DISCUSSION/ACTION: Sheriff's Office: Approval of three Solicitor Permits for John F. Ballard, Aaron J. Glassel, and Fernando D. Nieves. Permits will allow for the soliciting of merchandise from business to business.

Mr. Whitten stated that the county doesn't allow door to door solicitation and they do not encourage it for business to business. These permits will be strictly for. He recommended that it be approved.

Motion: Approval of 3 solicitor permits, Action: Approve, Moved by Vice-Chairman Greg Hess, Seconded by Commissioner Bob Kershaw.

DISCUSSION/ACTION: Citizen Participation regarding the Community Development Block Grant.

Ms. Walling stated that she has had 3 different people have come forward in regards to the grant. They are Shaun Griffin with Community Chest, Connie Butts with the Canyon General Improvement District, and Mike Nevin with Storey County Public Works. She has asked all 3 to be present today so that they may present their request to the Board. She explained to the Board that the County may only submit one request. Ms. Walling requested that the item be placed on the following agenda for selection. Shawn, Connie, and Mike spoke.

Mr. Griffin asked that the Board submit his request for the grant money to be used to make the new community center handicap accessible. He explained that support from the county would be very helpful with funding for the new building.

Ms. Butts requested the grant money for use towards the water/sewer system in the Rainbow Bend/Lockwood area. She explained that the current system is outdated and in dyer need of replacement.

Mr. Nevin asked that the grant be used to replace a water line that runs from Gold Hill to Silver City. He explained that the pipe is out of date and should it brake Silver City would be without water.

Motion: Place selection of applicant on the following agenda Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Vice-Chairman Greg Hess.

DISCUSSION/ACTION: Approval of bids for the equipment for Public Works

Mr. Nevin presented his proposal for the purchase of front wheel loader and two snow plow trucks. He stated that two pieces of the equipment will be stationed in TRI, and the total price will be \$510,756. 00.

The county will be going out to bond with Bank of America who is offering a 4.85% interest rate. The resolution will come before the Board on the 20 of November. The loan will be for seven years and will be for the total amount of \$520,000.00 to cover all cost.

Motion: Approval of bids for equipment, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Vice-Chairman Greg Hess.

DISCUSSION/ACTION: Approval of an inter-local agreement with the Department of Transportation to reimburse Storey County for emergency repair work on Six Mile Canyon and Canyon Way.

Mr. Haymore stated that this agreement is needed to receive the reimbursement from the Department of Transportation for emergency repairs performed after the flood. Mr. Haymore continued by giving a brief history and update of the project.

Motion: Approve Inter-local Agreement, Action: Approve, Moved by Commissioner Bob Kershaw, Seconded by Vice-Chairman Greg Hess.

DISCUSSION/ACTION: Approval of Resolution 07-255 Referral of case to Attorney Generals Office for Prosecution

District Attorney Harold Swafford read Resolution 07255 into the record.

Motion: Resolution 07-255, Action: Approve, Moved by Vice-Chairman Greg Hess, Seconded by Commissioner Bob Kershaw.

Mark Phillips was present in the audience and asked the District Attorney when the case will be available for the public. Mr. Swafford explained that the case will be available for public inspection once it is filed in court.

DISCUSSION/ACTION: Possible 2008 Ballot Questions

Mr. Whitten informed the Board that Vanessa Dixon is working on information in regards to deadlines and requirements for placing any questions on the upcoming election ballots. Mr. Whitten stated that the new planning position will play a vital role in this project.

He recommended that this item only be placed on the first agenda of each month.

LICENSING BOARD

SECOND READINGS

1. ALL SERVICE ELECTRIC- Contractor / Sparks NV
2. GRANITE BAY ENERGY GROUP- Electrical Contractor & Solar Distributor / Sparks NV
3. ACH FOAM- Manufacturer / McCarran NV (TRI)
4. TIMELESS TREASURERS- Home Business / Rainbow Bend NV
5. AMERICAN PERFORMANCE ENGINEERING Home Business / Virginia City NV

6. ABEYTA REMODELING & CONSTRUCTION- Contractor / Carson City NV
7. CHAMPION ELECTRIC, INC.- Contractor / Sparks NV
8. WOOD RODGERS- Contractor/Professional / Reno NV
9. VALLEY DOOR WORKS- Contractor / Gardnerville NV
10. F & M STOREFRONTS- Contractor / Tracy NV
11. STORAGE MOBILITY of NEVADA, LLC- Out of County / Reno NV
12. STELLAR ENERGY SOLUTIONS, INC- Contractor / Healdsburg CA
13. F. RODGERS CORPORATION- Contractor / Sparks NV
14. THE CHAMPIONS- Contractor / Carson City NV
15. CRAZY CHOCOLATE TEAR- General / McCarran NV (TRI)
16. PPG ARCHITECTURAL FINISHES, Inc- General / TRI - McCarran NV

Mr. Haymore asked that the following items be approved #1, 2, and-44 and that #3, 15, and 16 be continued.

Motion: Approve items #1, 2, and 414, Action: Approve, Moved by Vice-Chairman Greg Hess, Seconded by Commissioner Bob Kershaw.

Motion: Continue items #3, 15, and 16, Action: Approve, Moved by Vice-Chairman Greg Hess, Seconded by Commissioner Bob Kershaw.

PUBLIC COMMENT

Mr. Whitten thanked Victoria and the other folks from Mark Twain for their help with the Sierra Pacific issue.

Connie Butts stated that she is very grateful for her office in the new community center.

BOARD COMMENT

Chairman Flanagan stated the V&T Board has selected a bid for the reconstruction that will go from American Flats to Mundhouse. He stated that the bid was awarded to Granite Construction.

ADJOURNMENT

The meeting was adjourned by the call of the chair at 3:50 p.m.

Respectfully Submitted,

By _____
Vanessa A. Dixon, Deputy Clerk-Treasurer