

**STOREY COUNTY
COMMISSION MEETING
MINUTES**

TUESDAY, DECEMBER 20, 2005, 1:00 P.M.

FOURTH WARD SCHOOL, SOUTH "C" 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

CALL TO ORDER. 1:00 P.M.

Present: Chairman Kershaw, John Flanagan, Greg Hess, Harold Swafford, Maggie Lowther, James G. Miller, Doreen Bacus, Rich Bacus, Gary Hames, Diane Stewart for Dean Haymore at the start of the meeting, Dean arriving later.

PLEDGE OF ALLEGIANCE

***DISCUSSION/ACTION:** Draft Memorandum of Understanding regarding new Tracy generating facility, Sierra Pacific Power.

Commissioner Hess moved to continue action on this item until January 3, 2006, seconded by Flanagan and carried.

***DISCUSSION/ACTION:** Approve Pringle & Pollard, CPA Storey County Audit Report June 30, 2005.

Rick ??? presented the Audit Report and commended the board and department heads for the fine job they have done over the past two years to bring the county back from where it was two years ago.

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

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 DECEMBER 20, 2005. Maggie requested that the audit report be moved up on the agenda. The agenda was approved upon motion duly made, seconded and carried.

APPROVAL OF MINUTES FOR DECEMBER 6, 2005

-CORRESPONDENCE: Pat Whitten presented a letter he had written to Jeff Hardcastle, Nevada State Demographer asking for Storey County to exercise its rights to appeal the July 2005 estimated population.

DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED

**LICENSING BOARD:
FIRST READINGS**

1. Wild Bunch Gifts, submitted by Paul R. Greenlease Jr. of Virginia city, retail located at 74 South C Street, Virginia City.
2. First National Collection Bureau, Inc. submitted by David a. Imburgia of Reno, NV, collection agency located at 610 Waltham Way, McCarran, NV.
3. Providence Electric Inc., submitted by Allan V. Sisia of Reno, NV, electrical design constructing, service and repair.
4. Connect 2 Wireless Inc., submitted by Lonny Boe Cunningham of Woodland CA, communication construction.
5. RAW Enterprises LLC, submitted by Ronald D. Cockayne of Sparks, general contractor,, commercial/spec residential.
6. Tahoeblues Ltd., submitted by Julia Mitchell, of Reno, out of county photography, graphic arts.
7. Kelly Rogers, Virginia City Highlands, snow removal, home occupation.
8. Comstock Art, submitted by Sally Mitchell of Virginia City Highlands, home business 90% internet/studio business, art prints note cards, stained glass, 10% hypnosis (certified), by appointment.
9. Lambertson Industries, submitted by Theodore Lambertson of Sparks, located at TRI, stainless steel kitchen equipment.

Continued at request of Pat Whitten to January 3, 2006.

PLANNING COMMISSION MINUTES:

November 3, 2005:

EATON, JACK #2006-024 VARIANCE- Request for setback variance to three feet to construct a garage at 200 North Q Street, Virginia City. Chairman Walling noted that Dean Haymore reported no problems with a stipulation that the walls be fire-protected,

objections from Strong, and Boole were noted, no objection from Alvarado also noted.

Lydia Hammack moved the variance request by Eaton be approved with the stipulations as recommended by Haymore, seconded by Bucchianeri and seconded.

CALDWELL & RAWHOUSER #2006-26 SPECIAL USE PERMIT - Pursuant to requirements of the zoning ordinance 17.28.030(M) for commercial use, these owners are requesting approval to construct a storage facility with unit entrances facing north and south. Located at South C Street near the phone company building. Objections were noted from Laveke and Tamiletti neighbors.

Bret Tyler moved to continue the Special Use Permit for further clarification of zoning requirements, seconded by Osborn and carried.

MOLNAR # 2006-027 VARIANCE- Requesting front setback from twenty feet to sixteen feet to accommodate a front porch, located at 120 South N Street, Virginia City. Austin Osborn noted that correspondence from one neighbor concerned about the motion lights Molnar already has in place.

Osborn moved the variance be approved with the stipulation that the motion lights be unobtrusive to the neighbors, be directed downwards, and be incandescent, seconded by Hammack and carried.

DISCUSSION/ACTION: Nobel Brookins' attendance. Bucchianeri moved to continue the discussion to the next meeting for a prognosis from the doctor, seconded by Hammack and carried.

November 17, 2005:

CALDWELL & RAWHOUSER #2006-26 SPECIAL USE PERMIT Objections from neighboring property owners Hess and Tamietta were noted.

Bret Tyler moved to continue the Special Use Permit pending a legal opinion and submission of conceptual drawings from the applicant, seconded by Osborn and carried.

SIERRA PACIFIC POWER # 2006-029 SPECIAL USE PERMIT - SPPCO REQUESTS APPROVAL TO CONSTRUCT THE "Tracy Plant Combined Cycle Addition in order to meet customer energy requirements and to reduce their dependence upon volatile external power market.

Bret Tyler voiced his concerns regarding air quality in the Rainbow Bend/ Lockwood area. He wants to look at the NDEPA model and advised Pat Whitten he would like to attend those meetings. This proposed project already has EPA approval. Dean has already issued permits for tearing down portions of the old plant.

Dean wants legal counsel to prepare the Special Use Permit. Pat Whitten advised the board that he has gone to outside counsel for their recommendations as to exact conditions of the special use.

Larry Prater stated that although he is a retired employee of Sierra Pacific and is receiving retirement benefits, he does not believe it presents a conflict. He, therefore, moved that the Special Use Permit be continued pending more feedback, seconded by Tyler and carried.

TRI (Outside Park) #2006-028 Variance-Parcel Map - Split Lot 2001-28 to 2005-29 & 30, Vince Griffin with Reno Engineering presented the map clearly depicting the proposed split, probably would be a housing development.

Larry Prater moved to approve the variance, seconded by Bucchianeri and carried. Commissioner Hess abstained from voting on this item.

DECEMBER 1, 2005

CALDWELL & RAWHOUSER #2006-26 SPECIAL USE PERMIT: Pursuant to requirements of the zoning ordinance 17.28.030(M) for commercial use, these owners are requesting approval to construct a storage facility with unit entrances facing north and south.

Dean noted that this is the third time the applicants have appeared before the Board. The D.A.'s opinion had been received and reviewed. The applicants believe the opinion is incorrect.

Larry Prater moved to deny the special use permit seconded by Hammack and carried.

Dean explained to the applicants they could appeal the decision to the Storey County Board of Commissioners

Mr. Rawhouser has filed an appeal to the Planning Commission decision and a public hearing will be held by the Boar of County Commissioners after the proper notices have been made. The board did not approve this portion of the Planning Commission Minutes.

SIERRA PACIFIC POWER # 2006-029 SPECIAL USE PERMIT - SPPCO REQUESTS APPROVAL TO CONSTRUCT THE "Tracy Plant Combined Cycle Addition in order to meet customer energy requirements and to reduce their dependence upon volatile external power market.

A slide show was presented in an effort to more fully illustrate NAAQS versus PDS's.

Bret Tyler moved to approve with the following stipulations 1) Separate parcels; 2) new name; 3) Change to cleaner fuel in 2008; and 4) Sierra Pacific will be bound to conform and be in compliance with the Memo of Understanding with Storey County before the county commissioners approve the special use permit. Seconded by Larry Prater and carried.

This item was continued by the Board to January 3, 2006 upon motion duly made, seconded and carried.

PPG ARCHITECTURAL FINISHES # 2006-032 SPECIAL USE PERMIT - PPGAF's plan is to develop in three phases: Facility 1) Manufacture water- based paint for distribution in 11 western states; Facility 2) Manufacture oil based paint and/or industrial OEM for compounding raw materials and intermediates into unique products for consumers of the architectural, industrial and/or automotive technology in closed systems to eliminate yield losses and minimize V.O.C. emissions and odors within the plant and beyond plant boundaries.

Austin Osborn moved the special use permit be approved, seconded by Hammack and carried.

Commissioner Flanagan moved to approve the consent agenda except for those items as noted., seconded by Hess and carried.

END OF CONSENT AGENDA

STAFF REVIEW/COMMITTEE REPORTS

Maggie advised the board there were two pages for the MD&A in the audit report corrected.

DISCUSSION/ACTION: Approve contract with Storey County Employee's Association,

State of Nevada Employee's Association, American Federation of State, County, and Municipal Employees Local 4041.

Continued to January 3, 2006 at the request of Pat Whitten.

THE MEETING IS RECESSED TO THE WATER BOARD:

Board members of the Water Board are the same as the County Commission.

DISCUSSION/ACTION: DISTRICT ATTORNEY HAROLD SWAFFORD RESOLUTION 05-212-ESTABLISHING DISCONNECTION FEE AND RECONNECTING FEE FOR RESIDENTIAL SINGLE FAMILY WATER AND SEWER AND COMMERCIAL AND MULTIFAMILY RESIDENTIAL WATER AND SEWER.

RESOLUTION 05213 INCREASE THE RESIDENTIAL SINGLE FAMILY WATER AND SEWER CONNECTION FEES AND COMMERCIAL AND MULTIFAMILY RESIDENTIAL WATER AND SEWER CONNECTION FEES.

Rich explained that the disconnection fee be set at \$50.00 and the reconnect fee be set at

\$10.00, the meter has to be pulled and then reinstalled. Swafford read the resolution into the record. Commissioner Hess entered the order that a public hearing be set as required for Resolution 05-212 to be approved, seconded by Flanagan and carried.

Harold read Resolution 05-213 into the record, Commissioner Hess recommended that the water connection fees not be increased at this time and that sewer connection fees be increased by \$500.00 for each category, seconded by Flanagan and an order was entered to hold a public hearing on the rate increase as required.

The \$500.00 increase to be put into a special fund for the expansion of the sewer plant, was approved upon motion by Hess, seconded by Flanagan and carried.

DRAFT ORDINANCE NO. 05-199: SUMMARY: An Ordinance amending portions of Chapter 13 of the Storey County Code regarding Water and Sewer.

There were several comments and considerable discussion on the amendments as indicated

in the ordinance.

Commissioner Hess recommended that the old records be checked at the water department to see how long and how many non connected applications exist, adding that we don't want to be in court each time someone contests the decision of the board.

Flanagan voiced some concern about inverse condemnation by not allowing hookups. Discussion on this Ordinance will continue on January 3, 2006.

THE REGULAR MEETING IS REOPENED at 2:35

DISCUSSION/ACTION: Lockwood Community Corporation Request for County to Execute Regulatory Agreement.

Harold explained to the board with the approval of the proposed agreement with the Lockwood Trailer Park the county would have the responsibility of running the trailer park and recommended that he check with their attorney for some clarification prior to any action today by the board.

Commissioner Hess moved to continue this matter until more information becomes available, seconded by Flanagan and carried.

DISCUSSION/ACTION: Correction to the 2005-2006 Tax Roll by Assessor Kathy Weeks.

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

DISCUSSION/ACTION: Doreen Bacus, Clerk/Treasurer investment of excess proceeds from real property tax sale.

Commissioner Hess moved to approve the investment of excess proceeds as explained by Doreen, seconded by Flanagan and carried.

DISCUSSION/ACTION: Payments of longevity employee option bi-weekly or annually. Continued to January 3, 2006.

DISCUSSION/ACTION: Approval of Claims

Payroll in the amount of \$159,280.39 and warrants in the amount of \$128,532.33 were approved upon motion by Flanagan, seconded by Hess and carried.

DISCUSSION/ACTION: Treasurer's Report November 2005.

Treasurer's report for November 2005 of \$2,315,240.85 was approved upon motion duly made seconded and carried.

LICENSING BOARD:

SECOND READINGS: CONTINUED TO JANUARY 3, 2006.

1. Mr. Electric of Reno Contractors license submitted by Robert D. Lord, of Reno, for a electrical service and repair to residential and commercial buildings.

2. Petro West, Inc. submitted by Steven Munson of St. George Reno, contractor's license

petroleum dispensing equipment & POS systems sales, installation and service.

3. Bandana Installation, L.P., submitted by James W. Davenport of Palestine, TX contractors license, installation of steel bollards, handrails, stairs.

4. V.C. Roasters, LLC submitted by Community Chest, Inc. Erik Schoen, contact person, coffee sales primarily on-line (with some retail distribution when health department approval/exemption.

5. VCCTA, general business licence application, submitted by Susan Sutton, located at 86 South C Street, Virginia City.

6. Café Del Rio-change of location to 394 South C Street, Virginia City, submitted by Brian T. Shaw and Ardella Shaw of Virginia City. General/Liquor.

7. Rivers End Holdings, LLC, submitted by Gigi D. Trende of Hopkins, MN. General, wholesale distributor of imprintable sportswear.

8. Barrick Gold Corporation, submitted by Larry Morasse, general business license application power plant to generate electrical power for Barrick Gold Strike Mine Inc- mine-site located @ 27 miles north of Carlin, Nevada.

9. R & A Plumbing-Drain, contractor license submitted by Richard E. Allen of Reno.

10. Robert Sandy Plumbing, Inc. contractor license submitted by Dana Sandy of Minden, NV.

11. Intl Chemtex Corp, submitted by Erin Field of Reno, out of county license for water treatment service.

12. Mahogany Reds Catering & Bar-B-Q

13. Comstock Real Estate Services, change of location.

PUBLIC COMMENT

BOARD COMMENTS

ADJOURNMENT : The meeting was adjourned at 2:55 p.m. at the call of the Chair.

Respectfully submitted by

By _____

Lorraine DuFresne, Clerk to the Board