

STOREY COUNTY COMMISSION MEETING
TUESDAY, JANUARY 6TH, 2009 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, Chairman Greg Hess, Clerk Treasurer Vanessa Dixon, Commissioner John Flanagan, Comptroller Hugh Gallagher, County Manager Pat Whitten, Director of Building and Planning Dean Haymore, Director of Public Works Mike Nevin, District Attorney Harold Swafford, Division Chief Eric Guevin, Vice-Chairman Bob Kershaw, Undersheriff Chris Parsons

CALL TO ORDER AT 2:00 P.M.

The meeting was called to order by The Chair at 2:00 P.M.

PLEDGE OF ALLEGIANCE

The Chair led those present in the Pledge of Allegiance.

PUBLIC COMMENT

None

APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN TO THE STOREY COUNTY BOARD OF COMMISSIONERS.

Vice-Chairman Kershaw recommended that all hold their current positions. Mark Phillips asked about the voting process in regards to Chairman Hess abstaining.

Motion: Appointment of Chairman and Vice Chairman to the Storey County Board of Commissioners, Action: Approve, Moved by Vice-Chairman Bob Kershaw, Seconded by Commissioner John Flanagan

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

APPOINTMENT OF COMMISSIONER TO SERVE ON THE COUNTY AND STATE BOARDS FOR 2009

1. Regional Transportation Commission (Two Commissioners and one member at large.)
2. VCCTA
3. Safety Committee
4. Legislative Representative
5. 4th Ward School and Museum Board
6. NACO
7. RSVP
8. Nevada Works
9. NNDA
10. Carson/Walker Resources District
11. Library Board
12. Debt Management Board
13. County Board of Equalization
14. Public Works, Building Department, and Fire Department

A new Review Board for NACO is to meet during legislative sessions once a week. One representative from each county needs to be present. County Manger Pat Whitten recommended Chairman Hess to sit on the NACO Review Board. Chairman Hess added this board as #15 to the list. Mr. Whitten also recommended the RTC Board to consist of Vice-Chairman Kershaw and Chairman Hess. The Debt Management Board will be appointing a newschool board and GID representative All other Boards will remain the same.

Motion: Appointment of Commissioner to Serve on the County and State Boards for 2009, Action: Approve, Moved by Commissioner John Flanagan, Seconded by Vice-Chairman Bob Kershaw

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

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 January 6, 2009

Approval of Minutes for December 2, 2008

Correspondence

Approval of Claims

Approval of Maps

Director of Building and Planning Dean Haymore brought forth maps for a property in the Virginia City Highlands, the Fire Station at the McCarran Complex and the PortoVino split.

Approval of Administrative Procedures and Policies 10041002

Approval of Planning Commission Minutes

2009-012 ZONE CHANGE: By Basalite OS

Applicants are requesting a Zone Change from E (Estates) to I2 (Heavy Industrial) on APN 004-291-45 as they have plans to move their mining plant from APN 004-291-13 to this parcel to help mitigate the affects of the mining operation on the surrounding area. (Continued from the November 6, 2008 Planning Commission Meeting)

Bret Tyler made a motion to approve the application with the seven conditions recommended in the staff report.

1. A legible sign shall be placed at entry of the premises stating name of company, street address and number, contact phone number(s), emergency department contact(s), and hours of operation. Sign shall be at least 2 feet by 3 feet in size.
2. Access to mining and milling areas shall be secured by mechanic means, such as a solid gate, and shall be easily accessible by emergency personnel and equipment. A Knox Box shall be supplied and installed by the applicant.
3. All nighttime lighting on property, including on buildings, structures, fences, poles, etc., shall conform to "night skies" guidelines and shall be directed away from neighboring properties.
4. Proper measures shall be taken to control dust originating from roads, mining, and milling operations.
5. There shall be no more than a maximum of 84 dBA of noise at applicant's property line during operation hours.
6. A Special Use Permit shall be acquired for relocation of the plant.
7. A new colored zoning plat map (number 1) of the County to be done showing the new zone change (per NRS270.020).

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

2009-013 ZONE CHANGE: By PCBP Properties OS

Applicants are requesting a Zone Change from E (Estates) to F (Forestry) on APN 004-291-44 to act as a buffer between the mining operation and approaching civilization. They have no plans for the property at this time. (Continued from the November 6, 2008 Planning Commission Meeting)

Peter Maholland made a motion to approve this application with the one condition recommended by staff.

1. A new colored zoning plat map (number 1) of the county to be done showing the new zone change (per NRS270.020).

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

2009-019 BOUNDARY LINE ADJUSTMENT: By Breitenbach and Morris VCH

Applicants are requesting a Boundary Line Adjustment between APN 003-191-36 and 003-191-39 to accommodate improvements at a location agreed upon by the property owners at the time of survey. (Continued from the November 20, 2008 Planning Commission Meeting)

Bret Tyler made a motion to approve the application with stipulations. The motion was seconded by Lydia Hammack and with no further discussion, all voted aye and the motion carried. (There are eight stipulations- see Planning Commission Minutes)

2009-021 SPECIAL USE PERMIT: By LGM Investment LLC, TRI

Applicants are requesting a Special Use Permit on APN 004-093-06 for a proposed 12,000 sq. ft. Casino, Sports Book, Bar and Restaurant.

Larry Prater made a motion to approve the application with recommended stipulations and adding one more that the Special Use Permit will be transferrable to new owners. The motion was seconded by Bret Tyler and with no further discussion five voted aye, with Holli Kiechler abstained and the motion carried. (There are twenty-four stipulations – see Planning Commission Minutes).

Approval of Resolution 09-277 THANKING U.S. SENATOR HARRY REID FOR HIS LEADERSHIP IN DETAINING FULL FUNDING FOR PAYMENT IN-LIEU-OF-TAXES (PILT) AND REAUTHORIZATION OF SECURE RURAL SCHOOLS (SRS).

LICENSING BOARD:

FIRST READINGS:

1. ANTIQUE ATTIC – General (Retail) / 54 North C St, VC
2. BOWEN ENTERPRISES – Transportation / 201 Wild Horse Canyon Dr, RD

3. CRAWFORD CONSTRUCTION– Contractor / 8060 Double R Blvd, Reno
4. EL SHADDAI DELI CATERING– Out of County / 2580 Wrondel Way, Reno
5. FLOOR TECH– Contractor / 755 E Glendale Ave, Sparks
6. H2O ENVIRONMENTAL, Inc– Professional / 390 Freeport Blvd, Sparks
7. IRON SPRINGS TRANSPORTATION– Transportation / 201 Wild Horse Canyon Dr, RD
8. MAYNARD BLOCK PROPERTIES, LLC– Home Business (Prop Mgmt) / 1541 Main St, GH
9. MAYNARD STATION SALOON– General (Saloon) / 1941 S Main St, GH
10. NORTHERN NEVADA HOMES, LLC– Contractor / 1180 W Peckham Ln, Reno
11. POP’s – General / 178 South C St, VC
12. PRIORITY 1 SECURITY, Inc.– Professional / 4600 Kietzke Ln #G175, Reno
13. Q’s STEAKS, BBQ & SALADS– Out of County / 1037 Eagle Ct, Carson City
14. RLC USA, LLC– Out of County / 8725 Technology Way, Reno
15. SHANK EXCAVATION and CONSTRUCTION– Contractor / 450 Lovitt Ln, Reno
16. SIERRA TRUCK & TAILER– General (Repair) / 201 Wild Horse Canyon Dr, RD
17. WESTERN NV SURVEYING & MAPPING, Inc.– General/Contractor / 420 USA Pky, Ste 105, TRI

END OF CONSENT AGENDA

Motion: Approval of Consent Agenda, Action: Approve, Moved by Vice-Chairman Bob Kershaw, Seconded by Commissioner John Flanagan.

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

DISCUSSION/ACTION: Committee/Staff Reports

Public Works Mike Nevin

1. The department has been busy working on a project list as discussed in the previous Commission meeting in hopes for Federal funding for infrastructure projects.

Director of Building and Planning Dean Haymore

1. The packet on the proposed TRI Prison project was received incomplete and therefore the initial proposal to the Planning Commission will be postponed.

County Manager Pat Whitten

1. An invite to a public discussion is to be on the next agenda in regards to the proposed Windfarm Project. The project status is at "Public Scoping" until January 30th, 2009. Public input is needed on concerns such as aviary, waterfowl, noise and visual. An official protest has been received regarding the existing towers in the Highlands.

Division Chief Eric Guevin

1. New businesses have been undergoing inspections. All have been in compliance. There was one incident where areported 500 gallons of diesel fuel had been spilled into the septicsystem in TRI. The new procedure was used to fine the responsible party

DISCUSSION/ACTION: Approval of grant application for Community Development Block Grant.

1. Gold Hill and Silver City Water Line replacement OR
2. Community Chest - Community Building

Administrative Officer Marilou Walling reiterated that only ONE project may be on the application and recommended the Water Line Replacement as it has been denied previously. Director of Public Works Mike Nevin stated the estimated costs as \$754,627.00 broken down as \$251,000 grant monies, \$24,945 cash, \$11,500 in-kind match labor and \$467,182 state funded.

Shaun Griffin, Director of Community Chest, spoke on behalf of the Community Building project. They must break ground to receive more federal funding. Chairman Hess mentioned a possibility of starting the excavation process as a type of in-kind match without cost to Community Chest

Commissioner Flanagan asked Mr. Nevin if Lyon County was contacted regarding help with the water line project. Mr. Nevin responded that they were waiting to see which project was chosen for the CDBG first.

Motion: Approval of grant application for Community Development Block Grant for #1. Gold Hill and Silver City Water Line Replacement
Action: Approve, Moved by Commissioner John Flanagan, Seconded by Vice-Chairman Bob Kershaw.

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

DISCUSSION/ACTION: Correction to the tax roll for APN 003451-25

Motion: Approval of Correction to the tax roll for APN 003451-25, Action: Approve, Moved by Commissioner John Flanagan, Seconded by Vice-Chairman Bob Kershaw.

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

DISCUSSION/ACTION: Second Reading of Ordinance 08-276, an ordinance establishing rules concerning the operation of county cemeteries within Storey County

Don Ayer had e-mailed concerns for family plots and the availability of keys to the gate. Chairman Hess agreed that verbiage needs to be added to the ordinance. District Attorney Swafford commented on having reviewed the ordinance originally written by Virgil Bucchianeri.

Motion: Approval of Second Reading of Ordinance 08-276, an ordinance establishing rules concerning the operation of county cemeteries within Storey County, Action: Postponed, Moved by Commissioner John Flanagan, Seconded by Vice-Chairman Bob Kershaw.

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

LICENSING BOARD:

SECOND READINGS:

1. ABSOLUTE WATER HEATERS – Contractor / 55 Quarterhorse Cr, Reno
2. CHRISTENSEN & GRIFFITH CONSTRUCTION CO.– Contractor / 30 S 1100 W, Tooele UT
3. JOHN HORN CONSTRUCTION – Contractor / 525 Spice Island Dr, Sparks
4. GUNSTEN CONSTRUCTION – Contractor / 2776 Squires St, Minden
5. CRAWFORD CONSTRUCTION – Contractor / 8060 Double R Blvd #400, Reno
6. R & D CUSTOM IRON & SCREEN – Contractor / 8975 Double Diamond Pkwy #A6, Reno
7. RENO ENGINEERING CORP at TRI – General / 420 USA Pkwy #105 / McCarran TRI
8. RL USA, LLC – Out of County / 8725 Technology Way, C1 / Reno
9. SIERRA WINDS PRODUCTS for LEISURE, LLC – Contractor / 592 California Ave #B, Reno
10. DANIELLE's BRASS RAIL – General / 55 North C St, VC (Cigar Bar / Liquor / Gaming)

Mr. Haymore recommended 1-9 be approved and clarified that Item #9 is not related to the Windfarm project. Mr. Haymore asked to postpone #10 one last time as they have the fire sprinkler pipe scheduled to be installed on Friday, January 9th. If installation is not complete by the end of the day on Friday, the temporary operating permit will be pulled and the business will be shut down.

Motion: Approval of Second Reading of Licensing Board excluding Item #10
Action: Approved, Moved by Vice-Chairman Bob Kershaw Commissioner,
Seconded by Commissioner John Flanagan.

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

Motion: Approval of Second Reading of Licensing Board Item #10, Action:
Postponed, Moved by Vice-Chairman Bob Kershaw Commissioner, Seconded
by Commissioner John Flanagan.

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

BOARD COMMENT

Chairman Greg Hess stated that Dave Ferguson is to be on the Agenda next meeting for the Virginia City Grand Prix.

ADJOURNMENT

The meeting was adjourned by the call of The Chair at 2:32 P.M.

Respectfully submitted by:

Jessie Fain
Storey County Deputy Clerk-Treasurer