

STOREY COUNTY COMMISSION MEETING  
TUESDAY, MAY 05, 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

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Roll Call.

Present: Administrative Officer Holli Kiebler, Administrative Officer Marilou Walling, Chairman Greg Hess, Commissioner John Flanagan, Comptroller Hugh Gallagher, County Manager Pat Whitten, Director of Public Works Mike Nevin, District Attorney Harold Swafford, Emergency Management Director Jo Curtis, Land Use Planner Austin Osborne, Under Sheriff Chris Parsons, Vice-Chairman Bob Kershaw.

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

Kyle Wood, a 4<sup>th</sup> grader at Hugh Gallagher Elementary, brought in his improved parking project that won 1<sup>st</sup> place in the Reno regional competition. Kyle stated that he learned that you can solve a problem without creating a product. He presented his project of how to solve a parking issue in Virginia City. The Regional Transportation Board is going to put the presentation on their agenda for consideration.

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 May 05, 2009  
Approval of Minutes for April 21, 2009

Correspondence

Approval of Claims

Approval of Maps – One boundary line adjustment for the Staples was presented.

Approval of Treasurer's Affidavit of Mailing of Past Due Notices for all Delinquent Parcels

Approval of one year buys regarding retirement.

Approve waiver of building and fire plan review fees and permits for demolition and improvements to the Silver State Peace Officers Museum located on County Property within the Storey County Courthouse

Approval of Amendments to Administrative Policy and Procedure No.'s: 201, 202, 203, 306 and 314.

Approval of Planning Commission Minutes  
2009-036 VARIANCE: By James & Rebecca Martin, VC

The applicant is requesting a Variance on setbacks to allow them to build a garage on APN 001-102-04 at 340 N. "C" Street, Virginia City.

Motion: Approval of Variance with stipulations, (see Staff Report 2009036)

Action: Approve, Moved by Lydia Hammack, Seconded by Larry Prater.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

2009-035 BOUNDARY LINE ADJUSTMENT: By Brett C. Staples, VC

The applicant is requesting a Boundary Line Adjustment on APN 001-131-05 and 001-131-18 located at 412 South E Street and 395 South D Street due to house currently being on both lots.

Motion: Approval of Boundary Line Adjustment, (see Staff Report 2009035)

Action: Approve, Moved by Larry Prater, Seconded by Bret Tyler.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

LICENSING BOARD:

FIRST READINGS:

1. INCLINE BUILDERS, Inc.– Contractor / 760 Mays Blvd #14A, Incline Village
2. KEYSTONE MASONRY– Contractor / 2654 Fuller Ave, Minden
3. LYNN HOUSE MOVING– Contractor / 50 Luzier Ln, Yerington
4. MYTECH, LLC– Out of County / 2370 Roanoke Trail, Reno
5. PATRICIA LAMB– Out of County / 5300 Los Altos Pky #282, Sparks
6. SIERRA MEADOWS ELECTRIC– Contractor / 4725 Blazer Cr, Carson City
7. TAHOE SUPPLY COMPANY, LLC– Out of County / 3315 Research Way, Carson City
8. ALTERNATIVE ENERGY SOLUTIONS, Inc.– Home Business / 18800 Rocky Road, VCH
9. BUSH INDUSTRIES, Inc.– General / 2555 USA Pky, Ste 101, TRI
10. GROSH BROS. ANTIQUES– General / 38 South C Street, VC
11. PROPAK LOGISTICS, Inc.– General / 2777 USA Parkway, TRI
12. SILVER STATE PEACE OFFICERS MUSEUM– Non-Profit / 26 South B Street, VC

END OF CONSENT AGENDA

Motion: Approve 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 Director Mike Nevin

1. Swimming Pool repairs are needed on the shallow end for tile cracks and pops as well as stripping and replastering. The State inspector was here on Monday. The estimated cost of repairs is \$43,000 and the funds are available. The pool was built in the early 1960's.
2. In regards to stimulus RTC projects submitted to NDOT, they have moved up to NACO and the Nevada League of Cities. NACO's opinion is to split the \$7 million available to the 15 rural counties which would give us about \$466,000. With those funds, our first priority is to resurface 6 Mile Canyon. The Waste Water is ranked about 29<sup>th</sup> and the Water projects were all lumped together ranking 59<sup>th</sup>.

Emergency Management Director Joe Curtis

1. Fire Chief Hames and Sheriff Miller are working with Emergency Management to hold an exercise May 31<sup>th</sup> through June 3<sup>rd</sup> to test a number of aspects of the emergency operations plan, communications, evacuations, mutual aid response, etc. This is not a community event but the Commissioners and the DA are invited and encouraged to attend.
2. As part of the Sesquicentennial, Nevada Controls of Carson City is donating a complete flagpole setup to be erected at the Firemen's Museum.

Comptroller Hugh Gallagher

1. A meeting will be held Wednesday to review the 2006 and 2007 outside audits in regards to the TRI private partnership audits for payback analysis.

County Manager Pat Whitten

1. Announced the Highland Ranches Property Owner's Association will be holding their annual meeting on June 6, 2009.
2. Reminded everyone of the Every 15 Minute programs scheduled for May 28-29<sup>th</sup>.
3. Reminded all that the regular Tuesday May 19<sup>h</sup> Commission meeting was moved to Monday the 18<sup>h</sup> due to the budget approval guidelines. Recommended moving the RTC meeting as well to Monday, May 18 at 1:00. Advised that there is a trial scheduled for June 2<sup>nd</sup> which will make the Courtroom unavailable and to possibly cancel the Commission meeting that day.

DISCUSSION/ACTION: Kevin Frausto – Business Development Manager for the Economic Development Authority of Western Nevada (EDAWN). Requesting County Commission “acknowledgement” of application for economic development incentives including Sales & Use Tax Abatements for Chart Industries.

Rob Hooper, Executive Director of the Northern Nevada Development Authority, stated that he works with EDAWN to bring business to the region. Mr. Hooper positively endorsed Chart industries. Kevin Frausto, spoke on behalf of Chart Industries, a manufacturer of tanks that transport and store industrial gases. He presented statistics on Chart Industries including projected revenues of over \$3 million. Chairman Hess voiced his concern on the estimate of only 15 new employees at the Storey County facility. Mr. Frausto believes that number would grow to 30 in the first two years and significantly after that.

Motion: Approve Kevin Frausto – Business Development Manager for the Economic Development Authority of Western Nevada (EDAWN) Requesting County Commission “acknowledgement” of application for economic development incentives including Sales & Use Tax Abatements for Chart Industries, Action: Approve, Moved by Vice-Chairman Bob Kershaw, Seconded by Commissioner John Flanagan.

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

DISCUSSION/ACTION: Planner Austin Osborne to present proposed "Dark-Skies" ordinance regulating commercial and residential outdoor lighting.

Mr. Osborne presented objectives of encouraging adequate lighting and discouraging offense and waste. The presentation included examples of good and poor lighting as well as fixtures that accomplish the desired lighting. There are several counties in Nevada that have already adopted similar guidelines. Variances, exemptions and “grandfathering” clauses were also mentioned. Mr. Osborne will give the same presentation to the VCCTA and the Highland Ranch Property Owner’s Association.

Motion: Continue Planner Austin Osborne to present proposed "Dark-Skies" ordinance regulating commercial and residential outdoor lighting  
Action: Continue, Moved by Vice-Chairman Bob Kershaw, Seconded by Commissioner John Flanagan.

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

DISCUSSION/ACTION: Designate primary and alternate representatives for Governor appointment on the Nevada State Land Use Planning Advisory Council (SLUPAC).

Mr. Whitten explained that these appointments are usually made at the beginning of the year but due to extreme scheduling conflict, a change is needed. Mr. Whitten asked to change from Vice-Chairman Kershaw to Austin Osborne with Dean Haymore as an alternate.

Motion: Approve to Designate primary and alternate representatives for Governor appointment on the Nevada State Land Use Planning Advisory Council (SLUPAC). 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: OffSale Liquor License, Sugarloaf Mountain Motel and Market, LLC.

Item Removed from Agenda, not prepared to present at this time.

DISCUSSION/ACTION: Accept bid for construction and material on Public Works Garage and Storage Building

Mr. Nevin reported that nine bids were received ranging in price from \$176,859 to \$108,769. All bids were rejected as they were over the budget of \$100,000. The three lowest bidders were approached to submit RFQs under \$100,000. All three bids came back ranging from \$97,534 to \$93,988. Mr. Nevin recommended awarding the bid for \$93,988.00 to JNM Construction.

Motion: Accept bid for construction and material on Public Works Garage and Storage Building Action: Approve, Moved by Commissioner John Flanagan, Seconded by Vice-Chairman Bob Kershaw

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

DISCUSSION/ACTION: Placement of Sesquicentennial Historical Marker on Courthouse - Douglas Walling

Douglas Walling presented Markers of Consequence to be affixed on historic buildings and events. Doug, his wife Marilou and family are sponsoring one marker for the Courthouse. He asked that it be placed on the front of the building on the Southside of the existing historical marker.

Motion: Placement of Sesquicentennial Historical Marker on Courthouse- Douglas Walling Action: Approve, Moved by Commissioner John Flanagan, Seconded by Vice-Chairman Bob Kershaw

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

DISCUSSION/ACTION: Approval of Special Event: Hippie Daze Parade, Saturday May 9th, 2009.

Karen Woodmase clarified that this event was originally requested by Sharon McCreary who has since moved away from the area. Since the event had already been advertised and all paperwork completed, it was not cancelled. Under Sheriff Parsons confirmed that all paperwork is complete

Motion: Approval of Special Event: Hippie Daze Parade, Saturday May 9th, 2009. Action: Approve, Moved by Vice-Chairman Bob Kershaw, Seconded by Commissioner John Flanagan.

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

DISCUSSION/ACTION: Approval of Special Event: Poker Run, June 6<sup>th</sup>, 2009. Troy Regas .

Under Sheriff Parsons approved the event on the condition that Mr. Regas finds a Storey County Liquor License holder to get the 3Day liquor permit. Mr. Regas added that this is the 12<sup>th</sup> annual run and it will be shut down by 10:00 P.M.

Motion: Approval of Special Event: Poker Run, June 6<sup>th</sup>, 2009. Troy Regas . Action: Approve, Moved by Commissioner John Flanagan, Seconded by Vice-Chairman Bob Kershaw.

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

DISCUSSION/ACTION: Approval of Special Event: Poker Run, September 25<sup>th</sup>-26<sup>th</sup>, 2009.

Under Sheriff Parsons approved the event on the condition that Mr. Regas finds a Storey County Liquor License holder to get the 3Day liquor permit. Mr. Regas added that this is the 13<sup>th</sup> annual run and it will be shut down by 10:00 P.M. Mr. Regas does hope to have a Liquor License by September when the RV Park open.

Motion: Approval of Special Event: Poker Run, September 25<sup>th</sup>-26<sup>th</sup>, 2009. Action: Approve, Moved by Vice-Chairman Bob Kershaw, Seconded by Commissioner John Flanagan.

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

DISCUSSION/ACTION: Approval of Resolution 09-283 USA Parkway

Administrative Officer Holly Kiechler asked for approval of the resolution in order to submit a copy to the Governor and the director of NDOT.

Motion: Approval of Resolution 09-283 USA Parkway . 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 09-223: An Ordinance adding a Chapter to Storey County Code Title 3, Revenue and Finance, to provide for the collection and distribution of fees and designation of a forensic laboratory to conduct and oversee genetic marker testing upon certain criminal defendants.

District Attorney Swafford gave a brief explanation of the Ordinance and read the ordinance into record.

Motion: Second Reading of Ordinance 09-223: An Ordinance adding a Chapter to Storey County Code Title 3, Revenue and Finance, to provide for the collection and distribution of fees and designation of a forensic laboratory to conduct and oversee genetic marker testing upon certain criminal defendants  
Action: Approve, 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. D-TECH, Inc. – Contractor / 11570 Juniper St, Reno
2. EC CRUSHING COMPANY, LLC– Out of County / 22 State Rte 208, Yerington
3. HOWARD TAYLOR REMODELING & RESTORATION– Contractor / 780 Freeport #8, Sparks
4. HOLLISTER HOLDINGS, LLC– Home Business / 219 Wagon Wheel Way, MT
5. PRIMROSE LANE– General /182 South C Street, VC
6. SUGAR LOAF MOUNTAIN MOTEL & MARKET, LLC– General / 430 South C Street, VC
7. VAULT CORPORATION– General / 1280 Alexandria Ct, TRI
8. WALLACE C COREY RESIDENTIAL DESIGN– Home Business / 2331 Grizzley Rd, VCH
9. **ALL-in-ONE TRUCK & EQUIPMENT, INC–General /3033-B Waltham Way, TRI**

Mr. Osborne stated that Item # 2 needs a condition stating that the mining company for which they are working obtain a special use permit. Chairman Hess said Item #6 was removed due to Liquor License issue. Mr. Osborne said Item #9 should be continued until some clean up is completed.

Motion: Continue Item #6 and Item #9 Licensing Board Second Readings  
Action: Continue, Moved by Vice-Chairman Bob Kershaw, Seconded by  
Commissioner John Flanagan.

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

Motion: Approve Item #2 Licensing Board Second Readings with a special  
permit condition. Action: Approve, Moved by Commissioner John Flanagan,  
Seconded by Vice-Chairman Bob Kershaw.

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

Motion: Approve Item #1, #3-5, #7, #8 Licensing Board Second Readings with a  
special permit condition. Action: Approve, Moved by Commissioner John  
Flanagan, Seconded by Vice-Chairman Bob Kershaw.

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

#### BOARD COMMENT

Vice-Chairman Kershaw stated that high flood insurance in the River District is  
an insurance agent problem and noted that around \$300 per year is normal.

Chairman Hess introduced Cambria Breithaupt and Marissa Moya, Virginia City  
High School students and basketball team stars who were observing the meeting  
for a government project.

#### ADJOURNMENT

The meeting was adjourned by call of The Chair at 3:12 P.M.

Respectfully submitted by:

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Jessie Fain  
Storey County Deputy Clerk-Treasurer