

**STOREY COUNTY COMMISSION
MEETING**

TUESDAY, SEPTEMBER 2, 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, Chairman Greg Hess, Clerk Treasurer Vanessa Dixon, Commissioner John Flanagan, County Manager Pat Whitten, District Attorney Harold Swafford, Sheriff James Miller, Vice Chairman Bob Kershaw.

CALL TO ORDER AT 2:00 P.M.

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

PLEDGE OF ALLEGIANCE

The Chair led those present in the pledge of allegiance

PUBLIC COMMENT

Isabella Hunt-Jones was present on behalf of Civil War Days. She thanked the Board for allowing them to camp on the ball field. She stated "unfortunately we were unable to camp there due to construction." She added that some of the re-enactors had to leave due to having no where to camp.

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 September 2nd, 2008

Approval of Minutes for August 18^h, 2008

Mr. Whitten stated that approval of minutes should be dated August 19 not August 18.

Commissioner Flanagan stated that the Minutes should be corrected to read Jeff Fontaine, not Jim Fontaine.

Correspondence

Approval of claims

Approval of Maps

Mr. Haymore presented one map for approval.

Location: Southwest side of Peru, north of Istanbul Crt.

From: 2007-132

To: 2008-60=31.32 Ac, 2008-61=1.00 Ac, 2008-62= 1.11 Ac,
and 2008-63=1.09 Ac

Approval of reduction of standard Building and Fire Plan Review and Building Permit fees to cover out-of-pocket costs only for the stabilization project at St. Mary's in the Mountains Catholic Church.

Approval of the State Fire Marshal's Office agreement with Storey County for fire and life safety plan review

Planning Commission Minutes

2009-001 Variance by Richard and Vicki Lewerenz V.C. Highlands

The applicants would like to build a 10 x 16 shed between the garage and the house on APN 003-024-04. The garage was in place when they purchased in 1993 and does not meet the set back requirements. The applicants would like to have a variance for the existing garage and proposed shed from 15 feet to 7 feet.

Virgil Bucchianeri made a motion to approve the variance application with the condition recommended by Planning Staff and with the note that it would cause a hardship to move the property line requiring fence and landscaping replacement.

1. There is to be no storage of any kind from the rear of the existing garage or proposed shed to the southwest property line.

Lydia Hammack seconded the motion, and with no further discussion, all voted aye and the motion carried.

LICENSING BOARD:

FIRST READINGS:

1. **B.V. NEVADA CORP.-** Out of County / 8355 Reno Hwy, Fallon
2. **EVERGREEN TECHNOLOGY-** Home Business / **2384 Cartwright Rd, VC Highlands**
3. **HOLE in the WALL DONUT CO.-** General / **109 South C St, Virginia City**
4. **HOUSE MECHANICS-** Contractor / 311 Rebecca Rd, Sparks
5. **SANROC, INC.-** Contractor / 4790 Caughlin Pky #425, Reno
6. **KUEHNE + NAGEL (Shared) -** General / **2555 Alexandria Ct, McCarran (TRI) (Additional Location)**

END OF CONSENT AGENDA

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

DISCUSSION/ACTION: Committee/Staff Reports

Director of Building and Planning Dean Haymore

Mr. Haymore stated that the new fire station in TRI is moving along and the Fire Department should be able to move in September 15th but it may be October 1st.

Administrative Office Marilou Walling

Mrs. Walling informed the Board that NACO will be in Carson City from November 12th to November 14th. She added that the agenda looks good.

County Manager Pat Whitten

Mr. Whitten informed the Board that he has been in contact with NACO in regards to the prescription drug card program. He stated that it is moving along and should be ready shortly after the first of October.

DISCUSSION/ACTION: Revocation of Old Bridge Ranch Brothel license, issued to David Burgess, pursuant to Storey County Code 5.16.180 and 5.16.190

Please see attached transcripts of this agenda item.

DISCUSSION/ACTION: Revocation of Old Bridge Ranch Liquor license and all other related business licenses in any form, issued to David Burgess, pursuant to Storey County Code 5.04.110

Please see attached transcripts of this agenda item.

The meeting was called to order at 2:40 after a tenminute recess.

DISCUSSION/ACTION: Corrections to the 2008/2009 Tax Roll

Chairman Hess read the letter provided by Assessor Kathy Weeks into the record.

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

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).
Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second Reading: Danielle's Brass Rail, Liquor License

Sheriff Miller recommended that approval be continued until a few remaining issues with the Fire Department are cleared up.

Motion: Approval of liquor license for Danielle's Brass Rail**Action:** Postpone,
Moved by Commissioner John Flanagan,**Seconded by** Vice-Chairman Bob Kershaw.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).
Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Special Event: Virginia City 100 Mile in One Day Ride, September 19-21, 2008

Sheriff Miller recommended approval citing the fact that there have been no issues in the past.

Motion: Approval of Virginia City 100 Mile in One Day Ride**Action:** Approve,
Moved by Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).
Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Special Event: Cathouse Poker Run, September 26-27, 2008

Sheriff Miller stated that it is the same as last time. He stated that liquor cannot be sold, but he may ask for donations.

Troy Regas stated that he had a person put in a liquor license and it was denied because they were from Washoe County. He stated that he has business in Storey County that is willing to use their liquor license for the event.

Sheriff Miller stated that if there is someone else that is willing to step up and put their license then there isn't much he can say.

Mr. Whitten clarified the original intent of the ordinance. He stated that it was never intended for an outside the county license.

Mr. Regas stated that there have never been any problems with the event.

Motion: Approval of with the understanding that the liquor license holder is "on the line", **Action:** Approve, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Special Event: Homecoming Parade, September 25, 2008

Mr. Whitten stated that in the prior year the parade was done on D Street.

Under Sheriff Parsons stated that Thursday is typically a light bike day.

Motion: Approval of Homecoming Parade, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Special Event: International Music Concert, September 20, 2008

Sheriff Miller advised the Board that the event will be held in the Delta Parking Lot.

Larry Ryan was present to answer any questions.

Motion: Approval of International Music Concert,**Action:** Approve, **Moved by** Commissioner John Flanagan,**Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second Reading of Ordinance 08-212 An Ordinance revoking chapter 2.32, and amending by adding a new chapter 2.32; increases compensation for election board officers.

District Attorney Harold Swafford read the ordinance into the record.

Motion: Approval of Ordinance 08-212, **Action:** Approve, **Moved by** Commissioner John Flanagan,**Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second 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.

Motion: Approval of Ordinance 08-213, **Action:** Approve, **Moved by** Commissioner John Flanagan,**Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second 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.

Motion: Approval of Ordinance 08-214, **Action:** Approve, **Moved by** Commissioner John Flanagan,**Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second 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.

Motion: Approval of Ordinance 08-215, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second 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.

Motion: Approval of Ordinance 08-216, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, Vice-Chairman Bob Kershaw.

DISCUSSION/ACTION: Second 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.

Motion: Approval of Ordinance 08-217, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second 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.

Motion: Approval of Ordinance 08-218, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second 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.

Motion: Approval of Ordinance 08-219, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: Second 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.

Troy Regas asked if a previous business left with the unpaid taxes would the landlord be responsible?

Chairman Hess stated yes.

Motion: Approval of Ordinance 08-220, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Yes: Commissioner John Flanagan, ViceChairman Bob Kershaw.

DISCUSSION/ACTION: First reading of Ordinance 08-221 an ordinance amending Storey County Code by changing section 17.80.030

District Attorney Harold Swafford read the ordinance into the record.

No action was taken.

DISCUSSION/ACTION: Approval of Resolution 08-271 Request for assistance of the Attorney General's Office in the prosecution of a criminal matter DA case 080224CR

Motion: Approval of resolution 08-271, **Action:** Postpone, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan.

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

DISCUSSION/ACTION: Inter-local agreement for mutual assistance between Storey County Sheriff and City of Reno Police Department

Motion: Approval of Inter-local agreement, **Action:** Postpone, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan.

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

LICENSING BOARD:

SECOND READINGS:

1. **BECKY's MOBILE DOG GROOMING-** Out of County / 1690 Moon Lane, Reno
2. **DS WATERS of AMERICA-** Out of County / 1312 Capital Blvd #104, Reno
3. **WEST COAST DEMANUFACTURING-** General / 50 Avenue of the Colors, Sparks
4. **GHOSTWAY, LLC-** Home Business / 1721 Main St, Gold Hill
5. **DANIELLE's BRASS RAIL-** General / 55 North C St, V.C. (*Cigar Bar/Liquor/Gaming*) (30-day TEMP)
6. **DESERT ORDINANCE, LLC-** General / 300 Sydney Dr, TRI (*Mfg/Sale of Firearm/Parts*)
7. **US ORDINANCE, INC-** General / 300 Sydney Dr, TRI (*Design/Mfg of Small Arms for Govt Sales*)

Motion: Approval of items 1-3, **Action:** Approve, **Moved by** Commissioner John Flanagan, **Seconded by** Vice-Chairman Bob Kershaw.

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

Motion: Approval of items 4-7, **Action:** Postpone, **Moved by** Vice-Chairman Bob Kershaw, **Seconded by** Commissioner John Flanagan.

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

BOARD COMMENT

None

ADJOURNMENT

The meeting was adjourned by the call of the Chair at 3:15pm

Respectfully Submitted,

By _____
Vanessa A. Dixon, Clerk/Treasurer