

STOREY COUNTY COMMISSION MEETING

TUESDAY, SEPTEMBER 16, 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, Commissioner John Flanagan, Comptroller Hugh Gallagher, County Manager Pat Whitten, District Attorney Harold Swafford, Building and Planning Administrator Dean Haymore, 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 2:00 p.m.

PLEDGE OF ALLEGIANCE

The Chair led those present in the Pledge of Allegiance.

PUBLIC COMMENT

Mark Joseph Phillips requested that the item "Approval of Critical Labor Shortage" be moved to the Regular Agenda from the Consent Agenda. Marilou Walling stated she would recommend having it moved and she would address it on the regular agenda.

A member of the Bureau of Land Management in Carson City shared information about the Comstock Energy Project. He stated it will be located in Washoe County, Storey County and Carson City.

Katherine Souza from Community Chest inquired on the status of the rural transportation committee. Chairman Hess turned it over to Mr. Whitten. Mr. Whitten stated that it was not an agenda item and the staff would be reporting on this very soon.

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 16th, 2008

Chairman Hess corrected the "on or before posted" date on this agenda to September 10, 2008.

Correspondence

Approval of claims

Approval of Comptroller's Office recommendation for more efficient processing of accounts payable

Approval of Storey County Administrative Policies and Procedures Numbers 308 to 314.

Approval of Maps

Building Official Dean Haymore presented 3 maps for approval Map #'s 2008-065, 2008-066 and 2008-067.

Approval of Critical Labor Shortage

Moved to regular agenda

Motion: Approval to move "Approval of critical labor Shortage" to the regular agenda, **Action:** Approve, **Moved by** Vice Chairman Kershaw **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

Planning Commission Minutes

2008-051 Tentative Subdivision Map by REC and Peru Point LLC TRI
Applicant is requesting a Tentative Subdivision Map for a multi tenant owned building which is to have forty one (41) units when completed on APN 004153-44 located at 1777 Peru Drive in the Tahoe Reno Industrial Center.

Austin Osborne made a motion to approve the application with the conditions from the staff report with one additional condition (number 5 listed below)

1. The project shall comply with all applicable County ordinances, plans, reports, materials, etc., as submitted. In the event of a conflict between said plans, reports, materials and County ordinances, County ordinances in effect at the time the building permit is applied for, shall prevail.
2. The applicant shall apply for all building permits for the project within eighteen (18) months from the date of final approval, and continuously maintain the validity of those permits, or this approval shall be null and void.
3. There shall be no humans or wild, domestic or exotic animals allowed to live in said units.
4. There shall be no outside storage allowed.
5. The applicant must recertify the property lines on the final map.
6. The applicant shall record the final map in accordance with the time limit contained in state law or this approval shall be null and void.

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

2009-002 Zone Change by Troy Regas OR

The applicant is requesting a Zone Change from A (Agricultural) to-~~2~~ (Heavy Industrial) on APN's 004-111-19, portion of 004-111-27 and 004-111-30 which is approximately ±41 acres.

Bret Tyler made a motion to approve the zone change with the condition that Mr. Regas maintain an open public/emergency access road through this land as good as or better than the existing one. The motion was seconded by Lydia Hammack, with no further discussion, all voted aye and the motion carried.

LICENSING BOARD:

FIRST READINGS:

1. **PIONEER NUT COMPANY, LLC**- General / **2999 Waltham Way, TRI**
2. **DEL CARLO MINERAL PROCESSING, LLC**- Home Business / **177 South D Street, VC**(Consulting out of country)
3. **CALIBRATED CONCRETE CONSTRUCTION INC** - Contractor / 9716 S Virginia St, Reno
4. **MASTER SERVICE PLUMBING, INC.**- Contractor / 325 Sunshine Lane, Reno

END OF CONSENT AGENDA

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

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION: Approval of Critical Labor Shortage

This item was moved to the regular agenda from the Consent Agenda. Marilou Walling explained that there was an abrupt retirement in one of our departments. The person who retired was one of two in the department with certifications that are a requirement of the Wastewater Treatment plant and the Filtration Plant. She asked the Commissioners to consider bringing this person back. Mike Nevin stated it is statute number 445-A and it requires the department to maintain certified operators on site. He stated he is working on moving other employees up in certificates to reach a level to run the sewer plant. He stated they would either promote or recruit. Chairman Hess stated that some people had to retire because of the insurance program.

Motion: Approval of Critical Labor Shortage, **Action:** Approve, **Moved by** Vice Chairman Kershaw **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION: Committee/Staff Reports

Comptroller Hugh Gallagher

Mr. Gallagher stated that the senior center is providing food for the inmates. He felt that this will work well for both entities.

Public Works Director Mike Nevin

Parks and Recreation

Mr. Nevin stated that the swimming pool closed on August 31st. He suspects a leak dropped the water nine and a half inches in the swimming pool. He said they have attempted and cannot locate the leak. Mr. Nevin felt it could develop into something more. He spoke to Mr. Echeverria's brother from Dan Loose Pools regarding an evaluation of the pool.

Mr. Nevin then asked if there will be a transfer of a portion of the ball field property to the school district. Commissioner Flanagan asked if other groups would be able to use the field.

Tennis Courts

Mr. Nevin further stated that the tennis court area is in a state of disarray and he felt it is a liability. Commissioner Hess said he noticed continual sinking. Mr. Haymore shared that Community Chest has submitted plans to move forward with their Community Center in that area. He further stated that they would have to come before the Board regarding permit fees being waived or "In Kind" matched. Chairman Hess stated that the county carries the insurance on it. Mr. Whitten stated he has a meeting scheduled with Sean Griffin of Community Chest and he will bring those questions up.

Chairman Hess added that he has rebuilt dugouts at the school and they have already been vandalized.

County Manager

Corde Vista

Mr. Whitten stated that the Corde Vista hearing is on for Monday September 22, 2008 at 10 a.m. He further stated it is a court of law so please keep the unprofessional public comments to a minimum. He felt Justice Shearing would not appreciate the out cry.

BLM

He stated he talked to Ken Nelson with BLM and asked that they not put wind generators in an area that is highly visible by tourists. He was skeptical that it is viable anywhere in the historic quarter.

Mr. Whitten stated that they needed to advertise for a seat on the RTC and a new planning commissioner as they have hired their planning commissioner Austin Osborne on as their new planner.

Building and Planning Administrator Dean Haymore

Dean Haymore stated that they would be working on some ordinances regarding wind power at Thursday's planning commission meeting. He further stated that Mr. Hames is looking to move into station five on October 1st. He stated that the naming of the complex at Station five is on the next agenda.

Ms. Lowther stated that she went to a meeting where the Lieutenant Governor explained what he felt needed to be done with the tobacco money. She stated it was a complicated issue. She said views differed, some would rather have two birds in the bush and others preferred one in the hand. Tobacco money is a contract linked to cigarettes.

DISCUSSION/ACTION: First reading: Rick's Hungry Miner, Liquor License Approval

This was a first reading so no action was taken. Mr. Whitten stated these would be moved into the consent agenda in the future

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

Mr. Miller stated he would recommend a continuation on this item.

Motion: Continue Second reading of Danielle's Brass Rail **Action:** Approve, **Moved by** Commissioner Flanagan **Seconded by** Vice Chairman Kershaw.

Vote: Motion carried by unanimous roll call vote **summary:** Yes = 2).
Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

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

Chairman Hess read the Ordinance into the record. He then thanked Harold Swafford and everyone who worked on getting the ordinance together.

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

Harold Swafford read the resolution into the record.

Motion: Approval of Resolution 08-271, **Action:** Approve, **Moved by** Vice Chairman Kershaw **Seconded by** Commissioner Flanagan.

Vote: Motion carried by unanimous roll call vote **summary:** Yes = 2).
Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

DISCUSSION/ACTION: Approval of Resolution 08-273, a resolution of the Board of Commissioners of Storey County, Nevada declaring its intent to undertake the financing a solid waste processing facility for ethanol productions and related actions and prescribing other details in connection therewith.

Mr. Whitten stated that we have senior executives here from Fulcrum Bi Energy as well as outside legal council, Jennifer Stern, from Swenside and Stern. Mr. Whitten added that we have been working on the project for well over two years and this is a tremendous project. This is the type of stuff that Storey County

needs more of. He added that have used Ms. Stern many times in the past and Fulcrum has agreed to reimburse the County for her cost.

James Macias president and CEO of the company Fulcrum Bio Energy gave a brief summary of this company and what they do. He stated that they are a private company that is turning solid waste to ethanol. He said they take and process it into alcohol. He stated that 75% of waste is organic. The process is reducing green house gasses about 60%. He stated Storey County will be the first place we will use this system. He further stated he was impressed with the professionalism of Storey County. He ended with stating he would love the County's support in helping them get this done. Chairman Hess worked with Mr. Macias predecessors. He said the County prides itself on the way it deals with people in the industrial park. This is one of the top 2 or 3 things we are considering bringing into the park. Vice Chairman Kershaw asked where it was. Mr. Macias answered on Peru drive at the upper right rear of development.

Commissioner Flanagan asked if the county bonds this and wants to go out to bond later can us.

Mrs. Stern stated that it does not become part of our general obligation and would not prevent us from obtaining future bonds.

Motion: Approval of Resolution 08-273, **Action:** Approve, **Moved by** Vice Chairman Kershaw **Seconded by** Commissioner Flanagan.

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

Yes: Commissioner John Flanagan, and Vice Chairman Kershaw.

LICENSING BOARD:

SECOND 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 USA Pky, TRI (Additional Location)
7. **DANIELLE's BRASS RAIL-** General / 55 North C St, VC (Cigar Bar / Liquor / Gaming) (30-day TEMP)
8. **DESERT ORDNANCE, LLC -** General / 300 W Sydney Dr, TRI (Mfg/Sale of Firearms/Parts)

9. US ORDNANCE, INC- General / 300 W Sydney Dr, TRI (*Design/Mfg of Small Arms for Govt Sales*)
10. GHOSTWAY, LLC - Home Business / 1721 Main St, GH (*Medical Consulting*)

With the earlier recommendation of Mr. Haymore, Commissioner Flanagan moved to approve items 1-6 and continue items 7-10.

Motion: Approval of Business Licenses 1-6 and continuing 7-10, **Action:** Approve, **Moved by** Commissioner Flanagan **Seconded by** Vice Chairman Kershaw

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

BOARD COMMENT

Sheriff Miller stated that the sheriff's department is on the second phase of removing vehicles on the streets. The department is issuing warrants and citations.

ADJOURNMENT

The meeting was adjourned by the call of the chair at 2:55 p.m.

By _____
Maggie Mahan, Deputy Clerk-Treasurer