



STOREY COUNTY COMMISSION MEETING

TUESDAY, February 5th, 2013 2:00 P.M.

DISTRICT COURTROOM

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

BILL SJOVANGEN
CHAIRMAN

BILL MADDOX
DISTRICT ATTORNEY

MARSHALL MCBRIDE
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER

VANESSA DU FRESNE
CLERK-TREASURER

Roll Call: Chairman Sjovangen, Vice-Chairman McBride, District Attorney Bill Maddox, Deputy Clerk/Treasurer Dore Nevin, County Manager Pat Whitten, Senior Planner Austin Osborne, Community Development Director Dean Haymore, Community Services and Tourism Director Deny Dotson, Public Works Director Mike Nevin, Emergency Management Assistant Director Cherie Nevin, Comptroller Hugh Gallagher, Fire Chief Gary Hames and Sheriff Gerald Antinoro.

Absent: Commissioner Gilman

1. **CALL TO ORDER AT 2:00 P.M.**

The meeting was called to order by the Chairman Sjovangen at 2:02 p.m.

2. **PLEDGE OF ALLEGIANCE**

Chairman Sjovangen led those present in the Pledge of Allegiance

3. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for February 5, 2013

Mark Phillips has 2 or 3 specific questions on item #5 and would like to discuss separate from the consent agenda. Chairman Sjovangen confirmed with Mark that he only wanted item #5 taken off he said "Yes just #5".

Gunther Prosser from the River District said he is pleased with the seal being moved to the upper corner instead of the whole page he said it was much easier to read. He also would like agenda item requests to be more complete. He would like uniformity, a type of form that has to be completed completely no matter if it's a Department Head, Commissioner or the public. Item #6 was almost complete and item #11 was partially complete. He remembers when item request were rejected if they were not filled out correctly. If a item is rejected he would like it in the packet

with an explanation why it has been rejected. Only correction he would like is if those items were filled out correctly. Chairman Sjovangen said they will handle those items when they get to them.

Motion: Approve Agenda for February 5, 2013 **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

4. PUBLIC COMMENT (No Action)

Pat Whitten advised the Board that Commissioner Gilman was absent today due to a knee injury. Mr. Whitten read a statement from Commissioner Gilman explaining his absence due to an urgent doctor appointment today for pre-surgery checks and his surgery will be taking place in a few days. He thanked Mr. Whitten for reading his statement today and would like his statement attached to the minutes.

Mr. Whitten added that he had received an e-mail from Commissioner Gilman regarding an R.S.V.P for a Legislative function next Wednesday and he planned on attending. So he is expecting he will have a speedy recovery.

Storey County District Attorney Bill Maddox requested Resolution No 13-368 on an emergency basis this resolution is due to the recent incident on Friday regarding former Commissioner Hess. He read Resolution No 13-368 requesting the assistance of the Attorney General in the prosecution of a criminal matter. He asked the Commission to vote on and pass the resolution and if they do he will forward it to the Attorney General, he said this needs to be done on an emergency basis because there a specific statue that requires you only have a certain amount of time after an arrest that a criminal complaint needs to be filed after an arrest has been made. He had just found out about it on Monday so that's why there was no time to put it on the agenda. He asked if there were any questions and there weren't any questions for him. Chairman Sjovangen asked again if there were any questions and there were none.

Motion: Approval of Resolution No 13-368 **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

District Attorney Maddox brought up recent incidents that have happened at the Commissioners meetings and would like to come up with some kind of rules to conduct these meetings. He passed out Decorum for County Meetings that he has prepared. He does not want any action on this today, but would like the public and commission to review it and come up with any changes they would like. He would like any input from the commission and public by the next meeting. He would come up with a uniform set of rules for all board meetings in the county, so all meetings can be held in a polite manner.

Janet Houts Storey County resident made a suggestion that she would like the Decorum for County Meetings draft on the website so the public can read it and give feedback on it on the draft. Mr. Maddox said he will get with County Manager and see if that can happen.

Chairman Sjovangen spoke regarding the incident of former Commissioner Hess. He said "It is a pending open case and there will be no discussion or questions or anything regarding this matter." It is a NO go topic. Anyone that attempts this will be immediately removed.

Chairman Sjovangen advised that Dale Beach was given 5 minutes to speak.

Dale Beach thanked Chairman Sjovangen for letting him speak for 5 minutes. He congratulated and thanked Sheriff Antinoro for his conduct, treating everyone equal. He has lived up to his word. He would like all commissioner meetings at 10:00 on Saturdays due to conflicting schedules for working people, giving an opportunity to participate in county business. He spoke on tourism; he feels it should be its own and not his tax dollars going into tourism. He would like the county to work with "We the People" to cut the budget by 55% in the next four years. He compared the county to other counties and we are 55% higher than other counties and he wants it to stop. He would like this to happen fast because he will have to go to the Legislature and testify at the hearings and beg them to protect him against the county management because he is paying twice of what he is getting. He said this is an urgent thing because he doesn't want to rat mouth his county but if he feels it. Mr. Beach addressed the issue of a homeless shelter, he read somewhere that we needed \$25,000.00, he thinks it was Deny that brought it up. He was going to do it by raising business permits/licenses. Mr. Beach thought we could get pup tents and put them in the park here, he'll go about in recruiting the people that would man the tents during the summer months and they could go about their panhandling and we could charge them a panhandle license from their earnings. He continued then sends them back to Reno for the winter months. It would build up the fund, Senior Center could feed them. He said he was done in 4:45 minutes.

Patrick Flanagan is not representing the VCHPOA at this time just his self. He read his testimony:

I spent a lot of my life lobbying for my community. Not once that I can remember was I ever paid except by enjoying the benefits that my effort yielded to the community. That is not to say that "paid" lobbyists are not important or that they do not perform a valuable service. Just that I've found that unpaid lobbyists, citizens of our community, seem to carry more weight on getting needed legislation passed.

I have a problem with Nevada law or policy which seems to approve of government employees being listed as "paid lobbyists". It seems to me that any government employee is a lobbyist just by being an employee of government and that they are paid to do their job and lobbying is or can be a part of that job. I certainly do not put them in the same position as a "paid" lobbyist or as a citizen lobbyist.

In fact, there have been movements in this country which seem to support that any government employee cannot be a "PaidP lobbyist until his government employment has been terminated for two years. And ther is good reason for such a change in direction. There are real questions

here as to “conflicting interests” and the opportunity for personal gain at the public’s expense. Plus there is also an issue as to credibility and clouded responsibilities. Appearances just are very questionable in this area.

As a result, I am asking the Commission to review the County policies in regards to lobbying.

First, that no government employee who has terminated their employment will be paid any compensation until two years have passed from their termination.

Secondly, that the County not employ any “Paid” lobbying firm or people until they have submitted a formal “Request for Proposal” outlining what they will accomplish for the County. Such payments will be determined either by an hourly rate or a contractual rate or only for services rendered. It will not be used to reimburse fringe costs such as health programs or pensions.

We are all aware of the power of lobbyists today in our government. (Mr. Flanagan’s complete transcript is available in the Clerk’s office)

Chairman Sjovangen told Mr. Flanagan he was out of time. Mr. Flanagan questioned no getting five minutes. Chairman Sjovangen said he was done and told him to sit down. Mr. Flanagan again questioned why he doesn’t get five minutes like the previous speaker. Mr. Flanagan tried to keep talking but Chairman Sjovangen continued to thank him and tell him to sit down. Mr. Flanagan said he had a written testimony and expected it in the minutes. Again, Chairman Sjovangen thanked him and told him to sit down. Mr. Flanagan told them to kick him out he could care less.

Chairman Sjovangen called a recess and asked the Sheriff to escort Mr. Flanagan out.

Meeting reconvened at 2:28 by Chairman Sjovangen.

Mark Joseph Phillips- He spoke about that it has been a rough start to the New Year and to the new Board and he is sorry Lance Gilman couldn’t be here. He questioned the minutes from the January meetings and the special meeting. He was hoping that the minutes would be ready for approval at the next meeting. He said those meetings weren’t pretty and that he was working on his open meeting law violation and asked Chairman Sjovangen just to pay the \$500.00 fine for the violation voluntarily. He also asked former Commissioner Hess to pay the \$500.00 violation fine. As soon as those minutes are approved he is going to send his complaint to the Attorney General’s Office. He was sorry they couldn’t get a better start with the new Board of Commissioners, because there are some important things to he’d like the board to do. He thanked Chairman Sjovangen for picking him up the other day and said I guess it’s just politics not personal. Mr. Phillips confirmed about no discussion about a former Commissioner. Chairman Sjovangen confirmed that Mr. Phillips needed to watch out on what he was going to say. He said his new job is under item #11. Mr. Phillips said “be prepared to eject him when it is brought up.”

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.)

5. Claims - For possible action approval of Payroll Check date 1/18/2012 for \$375,550.94 and Accounts Payable date 01/11/2013 for \$334,092.55, 1/25/13 \$636,565.93, 12/14/2012 \$5,356.00, 12/16/2012 \$8,186.32, 12/18/2012 \$1,216.35.
6. For possible action approval of Administrative Policies and Procedures:
 - A. Travel Policy-Mileage Rate 2013
7. For possible action approval of Licensing Board First Reading:
 - A. Nevada Biomass, LLC- Home Business/ 4590 Tybo Road, VC Highlands
 - B. Virginia City Baked Goods- General / 28 North C Street, Virginia City
 - C. Brookstone Development, LLC- Contractor/ 22870 Carriage Drive, Reno

END OF CONSENT AGENDA

Motion: Approve consent agenda with the exception of item #5 **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

Mr. Phillips has questions on item #5. Claims regarding the lease of the Courthouse parking lot from the Bucket of Blood Saloon with being \$4500.00 paid to him four times a year. Commissioner McBride failed to list this money on his financial disclosure. Mr. Phillips also had questions on page 5 regarding James Miller as Pro-tem Justice of the Peace. He said at the time there was discussion about him not being paid and for a Pro-Tem to be paid it has to be on the agenda. He will bring it up next year at budget time. His last concern was a claim for Tri-Venture Inc. for \$2700.00 for the Christmas party it sounds like a lot of money.

District Attorney Maddox mentioned that since it was brought up Mr. McBride would have to disqualify himself from voting on the claim.

Vice-Chairman McBride asked to comment on Mr. Phillips complaint, he is incorrect as he has explained this in the past to Mr. Phillips. This is his family business that he represents and that money was not paid to him but to the family business. DA Maddox asked Vice-Chairman McBride if he felt he had a conflict in voting for this and he said "yes".

DA Maddox said Commissioners could approve all other claims except the one to the Bucket of Blood. They would table that one to the next meeting when Commissioner Gilman is present to vote.

Janet Houts questions on Consent Agenda item # 5 Claims: Request to move to discussion and possible action:

- a) I patrol check of \$375,550.94 dated 1/18/12 for year 2012 or 2013? Is it a typing error?
- b) Why the accounts payable for December 2012 total to \$14,758.67 submitted to the board's approval at this time-February 2013? It is a month plus lapse.
- c) There is no treasury report for December 2012. Previous meeting when I inquired about the dispute of \$628 in the November 2012 treasury report, Mr. Whitten told the board, me and public members, it is immaterial. The amount \$628 is immaterial for decision making only. All payment paid out by the public money need to be identity.
- d) A copy of my November 2012 treasury analysis report for your reference. My analysis on the treasury November 2012 report, the total approved claims by the boards did not tally with the reports. Just November 2012 along, a difference approximately \$2,200. In the past months, I also find discrepancies.
(Transcription from Janet Houts including November 2012 Treasury analysis report available in the Clerk's office.)

Chairman Sjovangen asked if there were any more questions. There were none.

Motion: Approve claims with the exception of the Bucket of Blood Lease **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

8. **DISCUSSION (No Action):** Committee/Staff Reports

Public Works Director Mike Nevin-

- 1) He wanted to explain what was going on Taylor Street between A & B Street. There was an issue with the main line and the lateral one coming from the residents at the corner of A Street with an old drop box that was affected. It was an issue with the main and when they got to the main they discovered some root growth and they wanted to address that at the same time. In the process of the removal of the old concrete sewer which was put in there in the 1950's or so. What they did years ago on the Comstock was put in redwood sewers which is what was there and what they had done is take the top of the redwood sewers off and poured concrete into the box. It made their jobs just that more difficult. Chairman Sjovangen asked if they saved any for a souvenir. Another thing they discovered was the water line that fed from the flume up above us to the CC Shaft pumps. They found that still intact on the side of the street, he said that was an interesting find. The work is completed they just need to pave it, they were unable to get the material today. He promised by tomorrow it would be open. He thanked everyone for their patience.
- 2) He explained the metal plate at the corner of Sutton and C Street is a NDOT thing. The slot drain has come loose from the culvert and when that happened it created some issues with the concrete apron and both sides had developed large holes, large enough for a small child to fall into. Do to the weather they have placed these steel plates to cover up the holes.

- 3) With the good weather they have started a crack sealing project in the Mark Twain Estates; they haven't got too far on it because of having to deal with sewer and water issues.
- 4) Swimming Pool retro fit is progressing nicely. Hannifin Architects have completed the drawings and they are in for review and everything looks good. They should be going out for formal bidding soon. That project deals with handicap access, and some minor improvements to the existing facility interior. Historic District has passed off on it so they are moving forward.
- 5) County Manager and I are in the process of re-negotiating a raw water rate with Comstock Mining. They had a meeting with the Scott Jolcover last week; he feels it will be a win-win situation for both the county and Comstock Mining. He asked if there was any one had questions.

Mrs. Houts asked the measurements. Mr. Nevin said it's measured in the 1000 gallons per month and Jennifer up at the Public Works Office has all the information. He explained they track it and get billed monthly.

District Fire Chief Gary Hames

- 1) Just completed an academy for seven new volunteers firefighters that just graduated from a Haz-Mat Material Operations Qualified Personnel, from there they will start a 140 hour Firefighter I class, which OSHA mandates and is quite intensive anymore. He congratulated those seven staff members and welcomed them to the Volunteer Fire Department. They have also just completed a Reserve Academy which they use to have. The Reserve program is a less than part-time position. They come in and help cover overtime for annual and sick leave for the full time positions. With the signing of the collective bargaining agreement ratification they were able to bring this program back and it was a very positive step for future staffing purposes and reduction of overtime.
- 2) Recently had a firefighter resign taking a position with City of Sparks Fire Department. One of his Battalion Chief's has asked to step down into that position. So he will be advertising to fill that position for Battalion Chief next week. He is hoping to fill the position within the next 30-40 days after all testing has been completed.
- 3) He has been dialoging a lot with Central Lyon County. He explained that Lyon County and Storey County have Fire Stations that are maybe a half block away from each other in Mark Twain. He was doing a district tour with Commissioner Gilman and he was showing where they have staffing and what their response plans are, Commissioner Gilman had a significant idea about basically consolidating and merging those two stations into one and combining our volunteer staff into one volunteer fire department with Lyon County. He has been in contact with Chief Gillenwater from Central Lyon County and he is completely amicable about the idea too. They are in the process of rewriting the inter-local agreements. It has been forwarded to Bill Maddox for review. Chief Hames said he could go on and on about the consolidations. Chairman Sjovangen said it's pretty obvious. Chief Hames said the one thing it will do is leave a vacancy in our fire station. Again, dialoging with Commissioner Gilman they feel that there can be an inter-local agreement with the fire district and the county and turn that fire station into a community center and maybe down the road a senior center or whatever the county would like to do with that building. Chief Hames thinks it's a win-win situation, we can reduce our operational costs by consolidating with Central Lyon County where we pay fifty percent of the station cost and they pay fifty

percent; they save money and we save money and our station gets converted into a community center. They will have legal counsel review it and it will be hopefully be on the February 19th agenda for hearing. He asked if there were any questions.

Chairman Sjovangen likes the idea. He asked if there were any more questions.

From the audience Mrs. Houts asked what the cost is to run that department.

Chief Hames said it was about \$23,000 for their operating costs such as telephones, utilities, drinking water and as simple things as a copy machines. He feels it will cost us about \$12,000 a year when we consolidate. He is pretty sure Central Lyon County costs are similar if not identical to ours, so we should save around \$11,000 to \$12,000 out the gate.

From the audience Mrs. Houts asked if there will be a reduction in staff.

Chief Hames said that he has reduced the Equipment Maintenance fund by \$10,000, and that has been drained quickly due to equipment breaking down. So they are stealing from Peter to pay Paul to stay within the existing budget. His requests for the next fiscal year will be to take any savings and put it back it to equipment maintenance. He asked if there were any question. There were none.

- 4) He reported that the 2012 Annual Report he writes every year and submits to the board was given to the Commissioner's two weeks ago, and it should be on the website by the end of the week, if Deny has time to get it posted for them. As well as the 2013 Business Plan that they have reviewed mutually, one on one will be posted on the county website as well.
- 5) Working with Cherie Nevin on a United We Stand Grant monies for two project requests;
 - a) Water Mapping System update to the Rainbow Bend area. Insurance Services Organization will now accept Electronic GIS Mapping Systems in lieu of flowing hydrant on the ground. Once this project is done they won't have to commit, many staff hours out flowing hydrant every year, it can be done by the GIS mapping.
So it is a win-win for both that community and the Fire District.
 - b) Working with the Sheriff's Office to get security fencing at the jail around where they would put all the reserve, overflow equipment and dozer equipment. He asked if there were any questions. There were no questions.

Comptroller Hugh Gallagher

- 1) Reported that NAC 244 which applies to the quarterly financial statement that Mark Phillips has been looking for since 2006, has now been passed on to Department of Taxation for their review and should be final forth coming. His conversations with Department of Taxation are that they don't want to do anything; they just want to approve it. So he went ahead with our partner Advanced Data Systems and they created a report that will be hopefully be approved. He is hoping they will have that report within the next week or two.
- 2) He did want to speak on what Mr. Beach spoke on earlier about other counties and other counties being 55% of expenses for this county. He took that to heart and took it to Department of Taxation and asked them if this is really correct in your estimation and they said in their estimation it was incorrect. A reason it is incorrect is because in many of these counties we have they separate local governments that are not in their audit report. We have

35 special revenue funds and 30 funds within the general probably extending somewhere around 55,000 line items. But in those physical reports in those counties there is not anything attribute to those. He gave an example of the Fire District, there are Fire District that are outside the county boundaries that have their own special report and are not included in the county budget. So when Mr. Beach's analysis or whoever that may be, when you start looking at this its apples to apples you'll see a drastic difference.

Chairman Sjovangen called Mrs. Houts up. DA Maddox wanted to make a point to Chairman Sjovangen that this is Staff Reports not Public Comment. Chairman Sjovangen told her if she had a quick question for Mr. Gallagher she could ask a question.

Mrs. Houts questioned Mr. Gallagher in his comparison to apples to apples her question is to him are you comparing one human being to another human being does it resemble on how you form it. We have human beings its own structures and county has its own structures is it the same.

Community Development Director Dean Haymore

- 1) He introduced Stacey Bucchianeri as his Administrator Assistant he asked her to come up because a lot of what he was going to talk about she had done a lot of the work for and she should get praised for it. He has been working on raising business license and try to minimize the impact to raise the fees to help out all of Storey County, including Virginia City. His team and Stacey have worked together having numerous weekly meetings and done four or five different studies on how to do this. Washoe County, City of Reno, City of Sparks does their business licenses fees on gross receipts. We bring in a total business licenses fee including one time business application about \$142, 000.00 a year. We have a total of 853 business licenses in the county and out of county. City of Sparks Wal-Mart pays about \$250,000 for their business license alone. They did an analysis and he feels it's not fair to penalize businesses, some counties basis their fees on how many employees they have. They addressed a lot of different versions so they are asking permission to go to Public Comment and to the put in newspapers and on the internet. It should be in there by this week. The way they have to do this is by an impact study, it has to be in the newspaper for two weeks and take comments from the public on the impact. They have to write and present an impact study to the Department of Taxation. They are on tight timelines and are going to take a lot of work; Stacey will be doing a lot of the work. They have a notice ready to go for public newspaper today; in it will be the old business licenses and the Sheriff Fees with the new fees and old fees side by side. He feels they came up with a fair system; a couple of businesses are going to rise substantially. But the mom and pop stores will be about 2.5% or 2.25% it's not much it will go from \$115 to \$118 a year. Mr. Whitten asked Mr. Haymore not discuss any names due to it not being on the agenda. He let the public know they can come to him with any questions he is trying to raise a little money for Virginia City, Gold Hill area and Storey County. So again he is asking permission since this is not an agenized item for him and his staff put a legal notice on the website. They are doing mass mailing for all businesses in the TRI area, because they don't get the local paper.

Mr. Whitten asked the Board since this is not an agenized item if they had any heart ache about this to let them know by the end of the day and they will get in touch with Angela and pull the ad for it.

Mr. Haymore asked if there were any questions. There were no questions

- 2) Pat has asked him to step up and start working on Economic Development. He got a call from a realtor today working out of Chicago. He spent two hours showing him seven sites and of course we are in competing with Washoe County. He has a client willing to come out that is interested in putting a 500,000 sq. foot facility out there. So we are moving forward and trying to bring those in during these lean times He said it takes a lot of time to work with these companies to work with numbers and trying to make it work, then once approved to get them up and running in six months.
- 3) He again thanked Stacey publicly for all the hard work she has done on this.

Judy Cohen asked if he had addressed the temporary business license.

Mr. Haymore said the way his company runs in conjunction with the Fire Department, soon as they apply for a business license and for a temporary business license they come in and get the paper work. If they meet Fire and building requirements, he approves them to open their doors.

Mr. Whitten told Mr. Haymore that she was asking more on special events (temporary business license) Mr. Haymore said they are addressing those out of county licensures. He also explained if it's an event license that it is through Deny. He confirmed with Deny the fee for Special Event license being \$25.00. Deny said it depended on the size of the event. Deny takes care of all those licenses.

Chairman Sjovangen asked if there were any other questions. There were no other questions. He thanked both Stacey and Dean.

Community Services Director Deny Dotson

- 1) He handed out new updated version of their 2013 Event Card; they had to be reprinted for some good and bad reasons. He took his hat off to Piper's because a lot of the event promoters did not check with Piper's prior to booking it. They have several weddings and functions planned at Piper's, he said if you want to book Piper's you need to do it a year in advance or more. He said Toni was doing a great job.
- 2) This weekend we have the "Devil Made Me Do It" kind of theme event it's not completely organized but there are some bands and shops participating in it. Tried putting a pitch in social media trying to get people up here to the shops and spend the weekend. March 16th St. Patrick's Day ad will be unveiled at the next board meeting on February 14th they have a lot of fun with it. The new event promoter's Jess and Neil Horning are doing an outstanding job.
- 3) Last Thursday they had a social media workshop that VCTC sponsored, they had 34 local businesses represent themselves at the meeting, and there was only standing room only. They got exceptional feedback, it was well done and given great tools to help with your own business and communicate with VCTC.

Senior Planner/ Administrative Officer Austin Osborne

- 1) Comstock Mining will be announcing on February 11th, it will begin a sixteen hour shift, and will be operating from 7:00 am to 12 midnight 7 days a week; with trucks being on the highway from 7:00 am to 12 midnight. So they will be doubling the amount of haulage that they are doing now. Essentially, that is needed to move the amount of oar that is needed to be moved. In that process we anticipate a temporary situation; they are working with BLM on an environmental assessment process. BLM is going through the scoping process which they had one last week at Piper's and a meeting here at the Courthouse and with the Planning Commission. They are anticipating that this environmental assessment will be done by this summer 2013 or by the fall 2013. At that point they will issue a FONSI (Finding of No Significant Impact) if they don't have a FONSI they will have an EIS (Environmental Impact Statement) which is a full comprehensive Environmental Impact Assessment. In the meantime Comstock Mining is working very closely with the BLM on their color of title and it depends on what comes first the FONSI or EIS, which we don't know where it will go from there or the color of title is at the point when we get the trucks off the highway and on to lot 51 and they will work with whatever happens on that area. So we are looking at about a six week to eight month process for that particular situation.
- 2) A couple of Special Use Permits Applications that will be going to Planning Commission
 - a) Nature Conservancy they will be doing some river restorations down at the Tracy Power Plant area like they have done in the Truckee River area. They do meandering and create a natural river eco system.
 - b) Motocross expansion out at the Industrial Park.
 - c) Energy Company that essentially through cryogenic process that creates liquid natural gas which then creates energy. They will be going through the process more with the Planning Commission.
- 3) Working with the Dayton Valley Conservation District, Carson Water Sub-Conservancy District and Carson-Truckee Conservancy District, he is requesting a \$14,000 conservancy to send over to Dayton Valley Conservation District that money will then be working with us inter-locally to do our comprehensive Weed Abatement Program in 6 and 7 Mile Canyon, Gold Canyon, American Flat, Gold Hill and Virginia City. He will be sending out property notifications to everyone that lives on those particular parcels that this may take place and if anyone has any questions or concerns, he welcomed them to call him. Spraying should take place late spring to early summer depending on Dayton Valley Conservation District ties into their river restoration in the Dayton Valley.

County Manager Pat Whitten

- 1) Recognized Planning Commission Board Member John Herrington in the audience and told him he was sorry for the loss of his sister. He thanked him for being here.
- 2) Legislature kicked off yesterday and is in full blown session today, they were testifying in support of the CTX Bill in front of the Government Affairs. Government Affairs is also requested testimony on an abbreviated State of the County basis scheduled for late next week. Chairman Sjovangen will be attending, along with some of our lobbying delegation.
- 3) Monthly financials- he's been working with the new Commission and the whole board, there has been a request that we make a diligent effort to let you know how the County sits performance wise budget each month. Past four years our Comptroller has had a great report that he produces that gives him a great snapshot of every fund and every department

within that fund. Their target will be the 15th of each month to have that report out from the prior month, and release it to the Commission as part of the packet for public record.

- 4) Budgets-he will have an alternative suggestion on the table from Commissioner Gilman as we get down the agenda. They have now been in the budget process aggressively now since the first of the year. Anticipating a tentative budget hearing in April, so he would solicit any feedback you may have now, on an ongoing basis from a public perspective, our partners such as Fourth Ward School, Liberty Engine any one that needs help. We are anticipating at this stage stagnant revenues at the best, but that is a moving target. We can't really get our arms around the property tax revenues, until the State and County Board of Equalization are over.
 - 5) On March 5th at the regular Commission Meeting, there will be training that is open to the public if you wish, conducted by Wayne Carlson from the Nevada Insurance Pool. He has a great program that he role out to the incoming boards about the requirement of NRS, Ethics, Open Meeting Laws and Effective Governments. Training will begin at 9:00 a.m. on the 5th. Is a public meeting that they plan on inviting the School Board, VCTC, any GID's, Planning Commission and anyone that are required to know the open meeting law.
 - 6) Email transition- Only problem they are experiencing is if you are trying to e-mail an address to a cox or AOL account. It is because of our brand new license and hopefully it will be fixed by today. He let the public know that if they are trying to respond to us with an AOL or Cox account, we are unable to send any outgoing e-mails to these accounts. If you don't have one of these accounts and are still not receiving e-mails from us please check your spam folder to see if it's in there.
 - 7) Governmental Employee Labor Union has notified us that they would like to negotiate portions of their contract which is set to expire June 30, 2013. They will be involved in dialogs and discussions with them the first part of March.
 - 8) Announcement that our new Administrative Officer will be Austin Osborne. Mr. Whitten asked the clerk to correct or amend the minutes from Staff Reports that he is now our Senior Planner/Administrative Officer; he will be changing his job description as he will be wearing lots of hats but under the title of Administrator Officer. By keeping Austin Senior Planner it will keep Dean Haymore free to do more building issues and work harder on Economic Development. Mr. Osborne will be keeping existing staff over at Building Department, but anticipate we will possibly be hiring an entry level Planner for day to day planning. By making these two moves, saved the county over \$35,000.00 in salary alone plus PERS and benefits. Chairman Sjovangen congratulated Austin. He will be handling Human Resources, Health & Human Services and continue to do planning.
9. **DISCUSSION (No Action):** Presentation from Nevada Division of Forestry about the new State Fire Program.

Michael Klug, Regional Forester for NDF, said they are here to talk about significant changes in the Wildfire Program that NDF has to offer. They have had numerous meetings with Chief Hames, Pat Whitten and Chairman Sjovangen about the new program and have such a close working relationship in wild land fires with Storey County for so many years that they felt they should do the presentation on the State Fire Program at the commissioners meeting to let the other Commissioners know about it. He introduced Rich Harvey, Deputy State Forester that has been spear heading this effort, Dave Prather, Deputy Administrator, Greg Leiss,

Administrative Services Officer and Scott Rasmussen State Fire Management Officer. Mr. Klug handed out a copy of the new program. Rich Harvey gave a presentation on the new program (a copy of the presentation is available in the Clerk's Office for review.) He asked if there were any questions.

Mr. Whitten inquired if Governor Sandoval budget increased from the prior year, are those dollar amounts they talked about for the participation in the program in year one, still be stable for year two.

Rich Harvey said "yes" the difference for those numbers is for early adopters. They are taking different counties and jurisdictions, because it is open to all seventeen counties and every Fire Department across the State of Nevada. They didn't figure everyone would sign up by July 1, 2013, they figured that would adopt by 2014 and others just like Elko County are on track to sign up in 2015. So that number does not reflect any individual jurisdiction or counties distribution. It affects the growth of the actual program to include more jurisdictions.

Mr. Whitten was hoping that was his answer. Rich, Mike and the whole NDF team have moved heaven and earth to make this a positive team oriented transition. We are essential abolishing the 473 Fire District and becoming responsible for our own destiny but with great resources and backing. As he testifies as a paid lobbyist to five of our state delegations last Friday at the luncheon, this really couples the strength in organizations, local government and state. He thanked Rich because he knows he has been working on this or two years and he has done a great job. Rich appreciates our support.

Chairman Sjovangen said this is the best news he has heard in the last year or more. He added that at the Legislative luncheon last week there was a lot of support for this program. He told them we were tickled pink with this.

Janet Houts spoke from the audience she is very interested in this program and she would like to learn more.

DA Maddox commented about if you don't come up to the podium to speak you can't complain if the minutes don't reflect correctly what you said, because if you don't come up to the podium the tape does not pick up what you are saying.

Chairman Sjovangen thanked them and said we are ready to move ahead with it. Mr. Whitten said this is all subject to after the approval through the Legislative process is complete. Chairman Sjovangen said they will be pressuring them a little more this evening.

Vice Chairman McBride asked if they are finding any opposition regarding this at the Legislature against this program.

Mr. Harvey said "No" we've had some questions, but it's in his job description to get out and have these discussions, so if there are questions he can answer them. He feel they have built a program that can stand its own strengths and that it makes sense for local government and for the State of Nevada and that is a collaborate effort that we will get us there. But we don't expect

to see all seventeen counties and every fire jurisdiction by July 1st. Some people will have to see proof in the pudding that it does work. NDF and Storey County have been working on fires in general for over 50 years, we have a great system that works, we know each other and it works well. Our relationship he feels has enhanced. It gives our County more economy and it gives them the ability to enhance this system. They hope that others will look at that and eventually join in as we move forward.

Chairman Sjovangen said he knows they have Lyon, Carson, Douglas and Storey. We are ready to sign on the line right now. As soon as we can get that in a Committee and on the Governor's desk we are ready to go.

Mr. Whitten said we have offered that if DC & R and NDF need us we are available to lobby on their behalf if needed. Rich said they don't ask for Lobbyist. They just appreciate the support.

10. **DISCUSSION (No Action):** Presentation from Shaun Griffin about the update on Community Chests programs, Phase II of the Community Center and the library survey/plans for re-opening in the coming summer.

- 1) Shaun Griffin passed out a Library Survey and a save the date for CCI's annual "A Night to Imagine" benefit on March 22, 2013 from 5:30 pm to 8:00 pm. He said that at the last commissioners meeting a lot of department heads gave reports so he wanted to give an update and he has forwarded a financial report. He introduced Eric Schon, Deputy Director. In the fall they did a library survey regarding the usage of the library. They put it out to as many public venues as they could and online. They got 27 responses; he showed the responses on a pie grid (available in the Clerk's office). He feels they should have got a better response, but that's what you get on a public venue like this. He went over the questions:
 - a) Would you access library resources via personal computer if offered? 15 said yes and the rest were scattered across the others.
 - b) How often would you access the electronics library? 5 said biweekly and the rest were scattered.
 - c) Should the library be co-located in phase II of the Storey County Youth and Community Center? 11 yes and rest were scattered.
 - d) What other types of programs should the library Host? Primarily it was arts 17 yes

In the spring/summer they had 15 Librarians donate their time to go through and thin the collection. Half of the collection was returned to the High School Library, those books were returned there for possible usage and or donation. Remaining is a 3rd of the collection in storage. They hope to have the collection reopened in the summer pending approval of the Commissioner's and possible funding for part-time staffing. His wife just attended a conference on Library's and teens in Seattle. There are 100 different ways libraries across the nation that is approaching online access, alternative programing, teen programing and using as a public facility. She came back with more than enough information and many great ideas. He is open for suggestions. The save the date card he passed out for March 22, 2013, they plan on recognizing the Librarian's that donated their time for this. He said it was amazing that these were all paid Librarian's that donated their own time to do this.

Chairman Sjovangen asked if they got these surveys out to everyone in the county.

Mr. Griffin said he tried to get them in the County and School District boxes, newspapers and, on line. Mr. Whitten shared with him in the past when he has done surveys, there has been miserable response.

Chairman Sjovangen said this just confirms their decision to take the action that they did. It just doesn't seem like there is a lot of interest in it.

Mr. Griffin said he thinks it can be run different with a different focus. His hope is to get it back open with part time funding. He wants it to be a multi-use facility. If you look at it roughly there are 4 out of 10 kids in our school district that are eligible for food reduced lunches in the school district here, that should give some indication that can't afford internet access in their houses. He feels he we will need to have some kind of portable electronic devices to loan out to people and it might be possible to access the Moth Ball Bookmobile from Washoe County or make computer access available in those regions.

Mr. Whitten said when he toured the Carson City Remote Library in the Boys & Girls Club that the machine had it was a gift from a significant grant. He thinks it was a grant affiliated with some group in the Carson City area. The former Library Board tried for grants but were unsuccessful. We have not found any grant sources; he asked Mr. Griffin if they have found anything that might help us get through this process.

Mr. Griffin has not applied for anything at this point. There is grant funding through State Libraries systems and private funding to do this. They would have to go to someone in the electronic district to get the tablet and internet access side of it solved. He's confident it's something they can do. But he has not done it.

Mr. Whitten offered support from our Grant Officer Cherie Nevin to help him when he is ready to do it.

He apologized for the survey being small. He confirmed that CCI are only storing the collection they do not own it or are running it they just didn't want the books to get discarded.

- 2) Community Center-They have applied for 3 grants to get the formal plans done for Phase II, which will cost \$100,000.00. After that the remaining cost will be \$1,330,000.00. Which is the cost from the first phase; it will be 6700 sq. feet. They are getting more done because the underground work has already been completed. He is working with three private foundations to help fund the \$1,330,000.00 part of it. He is hoping to get this done in a reasonable amount of time 3 years is his goal. He is continuing fundraising to get this done.
- 3) Eric Schon updated on the programs:
 - a) Lockwood- Employment Case Program has really expanded, in the past they only had one case manager but now there are two and have expanded out to Silver Springs, Dayton and Lockwood. There is an employment case manager that goes down to Lockwood once a week and helps whoever needs help to find work. Sabrina has been working with Austin to see if there are any businesses that may need employees. They also will work with them if

they need Welfare applications or food. They have a case manager who is a mental health counselor go down once a month, it is either himself or his partner Adrian they meet primarily with seniors who are homebound for one reason or another. They make them feel not so isolated and connect them to whatever resources they might need.

- b) Vibrant Youth Programs is staying on the employment theme. They have an in school Program that started with only ten students here in Virginia City High School. They now have a total of three schools Virginia City High School, Dayton and Silver Springs with a total of 50 students. This program is run through Tamara Burnet they connect these students' up with resources to become successfully academically and they stay with them for the duration. If they enter the program as a sophomore they hound them and become there second parent making sure they are getting their exams in and doing whatever they need to get them think about their future and graduation. Out of School Youth program where also they help kids that are out of school either get their GED's and/or employment. They have 10 slots and are still recruiting for that program.

Mr. Whitten spoke on behalf of Mr. Osborne thanked them for helping us do what they do, so that we can work effectively with skill sets. Eric has helped us in couple of incidents where individuals may or may not need our help from our public guardian. He helped us professional in determining that.

Mr. Phillips said this is discussion only, the update on CCI. Back when Storey County closed the public library, he did his research and found that when counties don't have a public library, the state law requires the county to post a public access to the internet for public computers. Since then the county has failed to put up a sign for public access, the County Recorder and CCI have been forced to carry the burden. He's hoping in the upcoming budget year that public access of the internet is respected and funded. He said he spent 2 hours today looking up lobbying and lobbyist so he will see about the next item.

Mr. Whitten said that he wanted to add to that to that list VCTC has public access to the internet.

Mrs. Houts said she tried to call CCI 3 years ago to help find a job she said she was told, No because of her household income is above the poverty line.

Mr. Griffin said he is not clear on that and to come on back. They have never turned anyone away for the amount of money they have made. If a staff member said that they were mistake.

Mr. Osborn explained to Mrs. Houts that working with CCI the county we also work with Develop Education and Rehabilitation and Nevada JOIN through Washoe County and Carson City, City of Fernley and a host of other organizations that help them find jobs for individuals and it does not depend on anyone's income. If she was to come in he would direct her to an organization that could help her. He said he had two organizations this week come and ask him if he could help them find employees, within 3 days he had found them secure employment for those individuals. They are starting to work with other counties on this too. Mr. Osborne thanked everyone and especially Sabrina for helping him.

Mrs. Houts said she went to ProNet and attended the class and she was an Assistant Director of Education and she is still trying to get a job. She said she can with ProNets if they need her to.

DA Maddox wanted to make an observation on the next item #11 Resolution Setting of Salaries. It does not refer to any individual occupying that position. It just set that salary for that position. In an effort to avert any problems if you might want to comment on the salary or the position that is appropriate on this item. To comment on any individual person to occupy the position would not be appropriate. Couple reason it is not appropriate a) it is outside the scope what this resolution is about. b) If you speak about an individual you lapse into a violation of the Open Meeting Law. If you are going to be talking about the competence of a particular person you need to notify them that it is going to be taking place. Talking about the position and salary or just the position is appropriate to talk about.

11. DISCUSSION/POSSIBLE ACTION : Resolution 13-366 Setting of Salaries of Elected County Officers and Employees fixed by ordinance or Resolution per NRS 245.043 for Elected Officials and NRS 245.045 for Appointed Officials.

Mr. Whitten spoke on this, if typically comes up once a year usually takes place after first meeting of the fiscal year but, there are some changes that need to be done and one oversight that he would like to apologize for. Going over them individually there are 5 changes all together from the previous resolution that was passed:

- a) Administrative Officer- with the departure of Holli Kiechler her position has been restructured and saves on salaries. In this case we have lowered the grade on this position.
- b) Management Analyst I & II -have been adjust for market purposes and staff quality purposes.
- c) Government Affairs Director- position has already been filled and this sets the salary.
- d) Justice of the Peace- This has been an oversight and would like his apologies passed on to Justice of the Peace Herrington. For the past several years it has been the counties practice that statues sets the salary for Assessor, Commissioners, Clerk/Treasurer, District Attorney Recorder and Sheriff and are silent on the JP. For the last year we did not increase JP salary as we have previously done. That is why we are asking to reflect this affected January 2nd and this would correct the mistake with Justice of the Peace Herrington. And that was the day that the Government Affairs Director was functional as well.

Chairman Sjovangen asked if there were any question.

Mrs. Houts:

- a) Reviewing the resolution and analyzing, I find the administration officer being downgraded from 148 to 137 a total deduction \$19,285 (using the basic starting pay). Why downgrade the position when this grade 137 can be assigned as senior administration having the same role of duties as administration officer? It indicates the management has flip flop decision making.

- b) A reduction \$19,285 of administration officer position, the management is applying increase in pay of Justice of Peace -\$1,847, Management Analyst I 5,206, and Management Analyst II \$12,555. I am confused of this payroll increase and appreciate clarification. A copy of my analysis comparison report for your review.
- i) Justice of Peace - A new elected justice of the peace just start her job on January 7, 2013, has her performance proven for 29 days that entitle to the increment or because she work with the County Manager and District Attorney before her current employment.
- ii) Management Analyst I and II - The position Management Analyst I created December 2011 and filed by Ms. Jessie Fain. This position is so new (1 year and 1 month) that has not even go through the 10 scale payroll and now the management want to upgrade the position entitle \$5,206 payroll increment. Reviewing the duties of Management Analyst I, the duties involve with administration, human resource and finance department. How is her performance? If the management indicated her performance is good and entitle to this promotion, her analysis will indicate a different view of the county budget (reduction of expenses) nor increase community benefit. A good example is Mark Twain community - no benefit and services for all the years when the county revenue from \$4 million \$20 million.

I understand Management Analyst II position not create nor fill by anyone as Ms. Jessie Fain, why have the payroll administration adjust unless the county manager plan to promote her or employ additional staff?

- c) Government Affair Director - I sent an email to District Attorney copied to all commissioners, county manager and human resource department on January 31, 2013 requesting public documentation. I have not received the documents nor received any reply.

An overview of the resolution my analysis find, I sincerely hope the board will reject this resolution.

I am submitting my transcript including analysis report to reflect and attach to the minutes. (A copy of Mrs. Houts report is available in the Clerk's Office.)

Chairman Sjovangen told her they could not answer all those questions at this time. He asked if there were any more questions or comments

Mr. Phillips said he was going through Resolution 13-366 from the updated Resolution 12-348 which was passed by the Board of Commissioner's last year. He was trying to find the differences from last year. He found this is the first he has seen about the Government Affairs Director as of this morning it is the first time he actually had time to read the job description. Mark said it was a brand new \$30,000 job. Chairman Sjovangen tried to talk, but Mr. Phillips wanted to go over the job description.

Chairman Sjovangen told him we have all read the job description. Mr. Phillips wanted to know how it happened. When there has been someone appointed and there has been no discussion about the job description or salary until now. He said his 3 minutes were up and he will sit down before he ejected but he continued to talk about how bad this makes him feel especially after the circumstances.

Mr. Whitten told Mrs. Houts he would work with her on her questions and he answered Mr. Phillips

- a) Governmental Affairs- this has been a long standing direction from the prior board and has not been advised otherwise and that staff and day to day administration of the county falls on his shoulders. We do not take individual appointments. He believes the job description states that they are to report to the County Manager.
- b) Positions that are created and staff that is appointed are done through his office in conjunction with Human Resources and conjunction with the Comptroller and others.
- c) Lobbying from an economic stand point the answer is simple; we were paying someone to lobby for us at \$12,000 a year more than what we are paying this position. When he said "we" that is the School District and us, we were each paying \$6,000.00 more a year. This is saving the school and the county money. It was structured then internal hire, through partnered with the School District as we usually do.

Mr. Whitten answered Mrs. Houts by saying he will go back a couple of years and that it is just a matter of preference. Why don't we call it different then an Administrative Officer we try to keep things simple, this position has been known as Administrative Assistant Officer for many years. It's not saying we can't change. He was glad to see her hand out and would like to tell her that her hand out that is referencing Lander and Mineral County he agrees on per capita certainly there is a reason to take a look and that is fine, but that is where it needs to stop. We are not competing against Lander or Mineral to get the best employees.

Chairman Sjovangen asked if there were any more discussion before making a motion. There were none.

Motion: Approval of Resolution 13-366 **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

12. DICUSSION/POSSIBLE ACTION: First reading of Ordinance No. 13-246 amending Storey County Chapter 2.04 to provide for the election of a chair and vice chair, changing the scheduling of meetings and adding special meetings of the board, amending the section on election districts for commissioners and providing for other properly related matters.

Robert Morris asked the Board to introduce this ordinance. Mr. Morris felt it was a great time to explain to the new board the procedures of the ordinances. He would like them to read the title completely before passing it. He read the tile of the Ordinance 13-246 to be passed. The reason for this is when they were going through Title 17 regarding any Board of Commission

ordinance he was looking at it and it didn't match NRS so he cleaned it up and brought it up to date.

Chairman Sjovangen asked if there was any comment. He reminded everyone this is the first reading. The hearing will be on the second reading of the ordinance.

Mrs. Houts asked when there was a hearing on this under the NRS 244.100 you are supposed to have a hearing can you tell us when the hearing is. Mr. Morris told her that this is the first reading

DA Maddox explained the new bill is being introduced now and the second reading will be when it is discussed.

Mr. Morris said it can be approved at that time or modified. They can have a second meeting if they want but if there are no problems with it they can approve it. It has to be published twice in order for it to become affected.

Motion: Approval of First reading of Ordinance No. 13-246 **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

13. **DISCUSSION/POSSIBLE ACTION:** Pursuant to NRS 354.6245 and NRS 354.626 approve a corrective action report as it pertains to the function of Public Safety which applies to the Sheriff Department within the General Fund which had expenditures in excess of appropriations.

Comptroller Hugh Gallagher spoke on this item that was continued from last month. He would go through all the particulars again if he needs to. He continued with the corrected action that they are preparing for the Department of Taxation. The corrected actions on the items are:

- a) Corrected action on Payroll- this has been a ongoing county wide situation that we are going to correct now by now having overtime and call back on a separate line item with in the budget. Every month they will see the appropriate overtime. Each and every payroll period each department will have to list the overtime and the reason why. What will happen is they will give each department head an understanding of what is happening with our payroll.
- b) Leases- at this point the Sheriff is not under any leases or contracts. Should there be any future agreements we will take particular care to ensure they are properly budgeted for
- c) Capital outlay in this case that any large expense items need to be budgeted for the year of occupancy or delivery which means the year they are taking place. In this case when negotiations start the budget should be looked at first to see that it can be done with in this year and if it can, it should either be through financing or through augmentation. It will protect us from doing this kind of thing again in the future.

Mrs. Houts said she has reviewed records, she read a prepared statement

It is so outrageous the audited accounts being approved, fund applied on in he expenses and now seeking approval from the boar to transfer the fund approximately \$411,000 (\$60K+\$351K). Another word issued the checks and considered whether the payments (legal or illegal) justification in future.

Reviewing the Comptroller letter on the building acquired March 12, 2012, the acquisition cost total to \$443,774.53 (Building \$380,000 plus \$53,774.53 deposit) being expense out. I am confused the building is not condemned nor destroys to use, why write off. The accounting practice guideline indicate this building is tangible and should treat as fixed asset and yearly depreciation (replacement cost) write off as an expense - capital layout. Why is the down payment \$53,744.53 treated as expense which is payment building cost?

Further my investigation to the capital layout, two units of newly vehicles purchased in January and February 2012 also write off as expenses. Are these vehicles being sold or condemn? I understand from our Sheriff Jerry, these two vehicles are operating on the road.

The comptroller stated large expenses items need should be taken care and I do agree with him. Is the care proper taken in the appropriate way such as comply with the accounting/finance and other regulations? Have these practices - writing off big item expenses all the past years?

I am submitting my transcript to reflect in the minutes.

Mr. Gallagher answered by saying before we start the budget process, we go through fixed assets and tangible personal property which we are going to put in budget as capital outlay. We put in it there because that's how we expense it. We then take it from there and put it in fixed assets and, this isn't private industry his is governmental.

Chairman Sjovangen said we are going to vote on this quickly

Rick Bartshe Storey County outside Auditor, explained how you budget a capital outlay. He ended by saying everything was properly recorded.

Mr. Whitten wanted to state on the record that if this is administratively required by the Department of Taxation so be it. There was talk that possibly the Sheriff went over his budget. He said that the Sheriff is no more responsible for this then the man on the street and should be applauded for this because it got us out of leases and a great asset. That building has been renovated and modifies for pennies on the dollar. He said Sheriff Antinoro is very responsible for his general budget and jail fund budget. It was a great way for the District Attorney to save money and the Sheriff's Office and the county.

Mr. Whitten read a statement from Commissioner Gilman:

I would first like to applaud Storey County Comptroller, Hugh Gallagher, for his extensive report on the over budget line items mentioned and in particular for his address in detail the corrective steps needed and necessary for complying with State of Nevada Statutes. I believe this report format is a good one for future correction action reports.

This agenda item highlights some concerns I personally have with our current Budget Management process and now allows me the platform to express my concerns. My personal staff and I have reviewed every line item and every penny in the current budget. It appears to me the County has historically been using a "revenue-based budget" (RBB) budget process - meaning that as long as the county was spending less than it brought in, budget authority could be moved around "at will" between line items and even between departments. I understand this type of process was appropriate a few years ago when revenues for the County were low and the general fund was low.

In my opinion the "revenue" based budget process is no longer the best choice for our County especially in these uncertain economic times and considering our revenue is significant, and the economy is struggling. The process is more susceptible to allocation mistakes and the strong potential for inadvertent overspending in the various STOREY county departments. The action now before us is a representative example of the operation exposure created by the "revenue" based budget process and administration.

In addition, it appears to me that our current financial management structure provides no centralized budget oversight. This structure can be amended in our County Government organization and deliver immediate and positive results.

At upcoming meetings, I will be offering specific suggestions, through our County Manager and County Comptroller, to incorporate a "zero based budgeting" (ZBB) process to our County administration as well as centralized budget performance control, by line item.

This will facilitate ensuring (1) the budget as approved by the Commissioners is executed in accordance with their intent, (2) it will ensure that each year, each line item in the proposed budget, must be re-justified with solid information and data, and (3) it will provide better monthly and quarterly oversights for the Commission on budget performance, and most importantly (4) it will save the county money.

Mr. Whitten commented that he has sent Commissioner Gilman an e-mail regarding possible avenues to take in to the budget process and that there are certainly some statements he takes exception to for current budget oversight but the debate over zero based budgets vs. revenue based budgeting is certainly valid.

Sheriff Antinoro commented:

- a) That he had several meetings with Mr. Gallagher and County Manager Whitten about the budget and what got us here and the corrected actions. He doesn't necessarily agree and he knows Mr. Whitten doesn't either, they have all talked about this and it is what it is. He didn't go out and purchase a building and give the County the bill. The commissioners all knew about this from the beginning and everyone voted on it, he got the labor done, they opened the purse and bought the building.
- b) Overtime there are offsets in there that don't reflect on overages we have at least one grant and on special events the county has been reimburse for it or had paid a fee to the county

because of those overtime charges, those do not reflect and Mr. Gallagher does mention it in the corrected plan but those have not been in the offset in the actual expenditures.

- c) Lockwood Substation had no payment there he did have it; he put that figure in there. He'll go back to his worksheet, either it was allocated or it came from somewhere else. On the current budget year he has the purchase price for the 3 vehicles he bought that came out of computer lease, so he doesn't know what happened to the money that was budgeted for the Lockwood Office, but as it has been stated he got us out of it along with the modular space here. This is not an exception with Mr. Gallagher and Mr. Whitten or any gentlemen here, but he does take exception to the ability to provide budget oversight. He gets budget reviews regularly and deals with these gentlemen regularly on the budget.

Mr. Gallagher agrees with Sheriff Antinoro we are saving money and that it is win-win for all. He explained that we just need to let Department of Taxation know and explain why we are over budget; they are in control of the local county government budgets. If they don't agree with it then that is fine, we just need to explain it though.

Mr. Whitten agrees with Sheriff Antinoro that it was his idea and our execution. Sometimes we just need to do things and if Department of Taxation is going slap our wrists we'll take it. There is strong budget oversight in the County.

Chairman Sjovangen said it needed to be done and needed to be done quickly.

Vice-Chairman McBride asked Mr. Gallagher if the property wasn't for a specific department where would the expense have been charged to.

Mr. Gallagher explained and Mr. Whitten explained that a purchase like this would typically have come from the infrastructure account, similar to the Tunnel Six Project.

Motion: Approval Pursuant to NRS 354.6245 and NRS 354.626 approve a corrective action report as it pertains to the function of Public Safety which applies to the Sheriff Department within the General Fund which had expenditures in excess of appropriations.

Action: Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

COMMUNITY DEVELOPMENT AND PLANNING

14. **DISCUSSION/POSSIBLE ACTION:** First reading of Ordinance No.13-247 amending Storey County Code Chapter 17.38 I-S Special Industrial Zone to update the chapter by adding allowed uses, to make changes consistent with Title 17, and providing for other properly related matters.

Mr. Morris read the title of the first reading of the Ordinance No.13-247. He is the reason they are going to need to approve this outside Title 17. When the original ordinance was put together he took Mr. Osborne paperwork from the Planning Commission and reformatted it in to an ordinance and he did lose 17.38 so he is here today to have commissioners introduce the

ordinance. It is consistent with the rest of Title 17 and it fills a small hole we left in it. It has been passed by the Planning Commission, so he feels there shouldn't be any problem with them redoing it. He feels at the hearing it would be appropriate for the approval. He and Mr. Osborne both made changes that they felt were appropriate, it's not that they didn't take advantage of it. The ordinances are going to be consistently worked and it's an ongoing process.

Mr. Phillips he said this needs no discussion today but he feels Mr. Gilman should excuse himself from voting on this as a conflict of interest. So is hoping by the second reading everyone can do their homework and talk to Lance and see if it qualifies as a conflict of interest.

Motion: Approval of First reading of Ordinance No.13-247 **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

15. **DISCUSSION/POSSIBLE ACTION:** Approval of 2013 Storey County Transportation Improvement Program (STIP) and direct Community Development and Public Works Department staff to present the STIP to the Nevada Department of Transportation (NDOT) and other appropriate state and federal agencies for local infrastructure funding and support.

Mr. Osborne explained that this STIP is nothing more than a Storey County Transportation Improvement Program. When we go for grant funding or we go to NDOT for funding to get us cooperation from NDOT. For example USA Parkway and other projects, these agencies and entities that want grant money they want the counties to have some kind of plan to list the most important improvements you want to see done. This is just an administrative thing to has to be done.

Mr. Whitten read a statement from Commissioner Gilman:

I have been in direct contact with Senator Harry Reid regarding item #1 on the STIP - the USA Parkway Extension. As you may know, TRI has been diligently processing the environmental clearance for this road for many years and the completion of this process is in sight. Sen. Reid, in a personal letter to me last week, indicated his full support for this project and he offered to assist in the process.

I ask this letter be read into the record and attached to the minutes of the meeting. (A copy of the letter is available in the Clerk's Office)

Yesterday, we were contacted by one of Sen. Reid's senior staffs who requested to meet with us on the project in order to see what assistance their office can provide. I will be meeting with the staffer, and sending Sen. Reid further information on the status of this project and specific requests for his engagement in the funding process in order to speed the funding for this road construction.

This project would (1) create construction jobs immediately upon funding of the project, (2) allow County residents along Hwy 50 corridor and in Virginia City, Gold Hill, Mark Twain, the

Highlands, and Southern part of the County access to jobs at TRI, and (3) energize the businesses in Silver Springs, the Silver Sprigs airport, Dayton, and Yerington.

January 28, 2013

Mr. L. Lance Gilman
Tahoe Reno Industrial Center
420 USA Parkway
McCarran, NV 89434-5612

Dear Mr. Gilman:

Thank you for contacting me regarding transportation options in Silver Springs. I appreciate hearing from you.

I agree with you on the importance of connecting Silver Springs to the rest of Northern Nevada through increased road infrastructure projects, which will help create jobs. In fact, according to the Department of Transportation, every \$1 billion in federal funds (matched by state and local governments) saves or creates 34,700 jobs, and I remain committed to doing my part in the United States Senate to ensure Nevada receives its fair share of federal transportation appropriations.

As you know, the USA Parkway project will connect Interstate 80 in Storey County with US 50 near Silver Springs. The economy of Silver Springs plays an important role in Northern Nevada, and the need for roadways to connect workers to the Reno-Tahoe Industrial Park will play a key role in creating industrial and manufacturing jobs. In shipping options for the manufactures goods produced at the site.

Although I work to bring federal funding to Nevada in my role as your US Senator, many of the transportation priorities are established at the local level. Because federal funding may not be used for projects that are not approved on the State Transportation Improvement Plan (STIP), you may also wish to share your concerns about road projects in Silver Springs with the Nevada Department of Transportation (NDOT).

Currently, the USA Parkway project is in the environmental phase which includes the preparation and review of multiple alternatives to extend USA Parkway to U.S. 50 while satisfying the requirements of the National Environmental Policy Act (P.L. 91-190). In addition, the preparation of the preliminary plans for the selected alternative will be conducted. It is important to note that this phase is necessary in order to qualify for federal funding.

Again, thank you for taking the time to share your thoughts with me. If I can be of further assistance to you, please let me know.

My best wishes to you.

Sincerely,
HARRY REID

United States Senator

Mr. Haymore also said he had a meeting a with NDOT to try to get us on this STIP so when he goes back in March he can start lobbying for \$50 million to start that process Mike has gone over this STIP and has added to it also. He is trying to get Lyon County to get a STIP too.

Mrs. Houts asked if we don't receive grant money do we have an alternative method of getting some funding.

Mr. Haymore said we have looked at the options and this is a hard one because majority of this is in Lyon County and we can't use Storey County tax dollars in Lyon County, it doesn't fit the development agreement on the reimbursement and Lyon County doesn't have any money. So the other option is developers driven. But if we put developer paid for we won't qualify for any more funding. So we are at a catch 22. We are going after federal funding, and the other thing we are going to do is make it an NDOT project and NDOT road because Lyon County doesn't have the money to maintain the road in their section or in their county, we own the section in our county so this is why we are going through this procedure. We are hoping to get Tiger Funds the developer has agreed to maybe do some rough grading to do the match of the Tiger Fund. We've been putting different projects together to look at that to see if we can meet the Tiger Fund, which is a 50% match.

Motion: Approval of 2013 Storey County Transportation Improvement Program (STIP) and direct Community Development and Public Works Department staff to present the STIP to the Nevada Department of Transportation (NDOT) and other appropriate state and federal agencies for local infrastructure funding and support **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

16. **DISCUSSION (No Action):** (Per TRI/Storey Development Agreement): Tahoe-Reno Industrial Center parcel map 2012-028 for TRI General Improvement District for Peru Water Tank #4, portions of section 14 and the E ½ of Section 15, T19N, R22E, M.D.M.

Mr. Osborne explained that the next 5 items are pursuant to the developer agreement; it is a courtesy to the County Commission to look at parcel maps that are taking place at the Tahoe-Reno Industrial Center per the developer agreement with them. He is open to any questions.

Mr. Whitten asked Mr. Osborne to read through each item since there are no action to be taken today on these that they are just notifications.

17. **DISCUSSION (No Action):** (Per TRI/Storey Development Agreement): Tahoe-Reno Industrial Center parcel map 2012-029 for Fama Dairy/Charter Communications in SW ¼ of Section 11, T19N, R22E, M.D.M

18. **DISCUSSION (No Action):** (Per TRI/Storey Development Agreement): Tahoe-Reno Industrial Center parcel map 2012-030 for TRI General Improvement District for Sydney Water Tank #3, within the SE ¼ of Section 2, and portions of Section 11 & 12, T19N, R22E, M.D.M
19. **DISCUSSION (No Action):** (Per TRI/Storey Development Agreement): Tahoe-Reno Industrial Center parcel map 2012-031 for TRI General Improvement District for USA Parkway Booster Station in portions of the SW ¼ of Section 35, T20N, R22E, M.D.M
20. **DISCUSSION (No Action):** (Per TRI/Storey Development Agreement): Tahoe-Reno Industrial Center parcel map 2012-032 for TRI General Improvement District for Clark Station Well Site in portions of the S ½ of Section 36, T20N, R22E, M.D.M

He said these maps will go right in for recording.

21. **FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:**

A. Rod Hall Licensed Products, LLC- General / 175 Wildhorse Canyon, McCarran

Community Development is requesting approval of Rod Hall License Product.

Motion: Approval of Rod Hall License Item A **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Chairman Sjovangen

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

BOARD COMMENT

None

ADJOURNMENT

Meeting adjourned at 4:53 p.m.

Respectfully submitted,

By _____
Dore Nevin, Deputy Clerk-Treasurer