



# STOREY COUNTY COMMISSION MEETING

TUESDAY, February 19<sup>th</sup>, 2013 12:30 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

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**Roll call:** Chairman Sjovangen, Vice-Chairman McBride, Commissioner Gilman, District Attorney Maddox, Clerk & Treasurer Vanessa DuFresne, County Manager Pat Whitten, Sheriff Gerald Antinoro, Community Services and Tourism Director, Deny Dotson, outside council Bob Morris and Comptroller Hugh Gallagher

1. **CALL TO ORDER CLOSED SESSION AT 12:30 P.M.** (Closed meeting pursuant to NRS 288.220(4) for the purpose of conferring with the County's management regarding labor negotiations.) **\*Please note the closed session was held in the County Manager's Office**
2. **CALL TO ORDER AT 2:00 P.M.**  
Chairman Sjovangen called the meeting to order at 2:03 p.m.
3. **PLEDGE OF ALLEGIANCE**  
Chairman Sjovangen led those present in the Pledge of Allegiance.
4. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for February 19, 2013

Chairman Sjovangen asked that item 13 be heard after item 5 and items 16 through 20 be continued to March 19th. Item 14 will be heard if and when Mr. Fontaine arrives.

Mark Joseph Phillips asked that the approval of the \$4500 check to Bucket of Blood be added to the agenda as it was continued at the last meeting. Chairman Sjovangen stated it could not be added at this point. Mr. Phillips objected to approval of the agenda due to the claim not being listed.

Gunther Prosser stated that packet was not available on the website until Friday afternoon, with Monday being a holiday this did not allow enough time to review the packet. He asked that item 9 be removed from the consent agenda and heard during the regular agenda.

**Motion:** Approve agenda for February 19 2013 with changes as requested, **Action:** Approve  
**Moved by** Commissioner Gilman **Seconded by** Commissioner McBride

**Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

5. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for January 7, 2013

Mark Joseph Phillips requested that page one of the minutes be amended to include the proof he submitted to the Board that the open meeting law was violated at the meeting held in Mark Twain by the residents.

**Motion:** Approve minutes for January 7, 2013, **Action:** Approve **Moved by** Vice-Chairman  
McBride **Seconded by** Commissioner Gilman

**Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

6. **DISCUSSION/POSSIBLE ACTION :** Resolution 13-367 Honoring Ron James' career,  
dedication and contributions of the preservation of the Comstock

Ron Gallagher, representing the VCTC and many others, spoke to the work and many accomplishments of Ron James. Mr. James has been instrumental in preserving Piper's Opera House, Saint Mary's Hospital, 4<sup>th</sup> Ward Museum and many other buildings throughout Virginia City. Mr. Gallagher presented Mr. James with a plaque inscribed with the proclamation honoring him and his work. He read the proclamation/resolution into the record. Mr. Gallagher asked that we imagine him dressed as an 1800's miner; he thanked Mr. James and his wife for always telling the true history of the Comstock, not the fictional story of the west. Mr. James thanked the Board for the opportunity and commented on the importance of Virginia City and the historic buildings.

Mr. Whitten thanked Mr. James for his tireless efforts and recent work on the Courthouse. The electrical revamp is currently underway.

**Motion:** Approve resolution 13-367 Honoring Ron James, **Action:** Approve **Moved by** Vice-  
Chairman McBride **Seconded by** Commissioner Gilman

**Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

7. **PUBLIC COMMENT (No Action)**

Shaun Griffin was present, not on behalf of Community Chest, as concerned citizen. At the last meeting Austin Osborne stated that Comstock Mining will begin hauling 7 days a week, 16 hours a day. This is not in accordance with the original good faith agreement that was

presented. He requested that the Board hold Comstock Mining to the good faith agreement, this is a forced marriage and we are all doing our best to work together. Comstock Mining needs to hold up their end.

Gunther Prosser noticed that prior to this meeting there was a closed session regarding labor negotiations. He asked the Board to decrease salaries and benefits, with so much of the County budget going to this it leaves little to do other things.

Patrick Flanagan thanked the District Attorney for drafting rules of decorum. He requested that the time for public comment be increased from 3 minutes to 5 minutes. Mr. Flanagan commented that he understands the rules of decorum are being copied from Washoe County; however Storey County is much smaller and should allow the public 5 minutes to speak. In a sense the public is paying the Board to listen to their concerns. (Mr. Flanagan proved a copy of his comments to the Clerk.)

Dale Beach said that his capital concern is a change of venue for his upcoming Board of Equalization hearing. He thanked Vice-Chairman McBride and Chairman Sjovangen for coming down to meet with his team. The survey with their first question will be in the mail tomorrow, the question will be regarding an increase in commissioners from 3 to 5. Mr. Beach seconded the comments made by Mr. Prosser regarding reducing salaries and benefits. The trailers used at the Sheriff's Office were a waste of \$300,000.00 over 6 years. Mr. Beach doesn't believe we need a County Manager. He listed several positions and how the salaries compare to similar positions in Lander and Mineral County. Lander and Mineral County pay far less than Storey County. He commented on the cost of wages and benefits, it could be done for less. Mr. Beach and his team will be sending out surveys asking the people what they want, then the Board won't have to make decisions they will allow the Board to act just as the people have stated.

### **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. )

8. Claims - For possible action approval of Payroll Check date 01/27/2013 for \$470,011.22, date 02/02/2013 for \$2,883.03 Accounts Payable date 02/03/2013 for \$166,106.43
9. For possible action approval of correction to tax roll regarding APN 003-161-51 and 003-161-44
10. For possible action approval of Licensing Board First Reading:
  - A. Biale Construction, LLC - Contractor/1733 Hymer Ave, Reno
  - B. California Drilling & Blasing - Contractor/4144 Arden Drive, El Monte, CA
  - C. Liquid Blue Events, LLC - General/748 South Meadows Parkway, Reno
  - D. Double Down Heavy Repair, LLC - General/45 North Gobi Circle, Sparks
  - E. GBT Cad Services, LLC - Home Business/4470 Victoria Road, VC Highlands

11. For possible action approval to cancel the Commission Meeting of March 5, 2013 to allow Commissioners and staff to participate in the National Association of Counties annual Legislative Conference in Washington DC.

**END OF CONSENT AGENDA**

**Motion:** Approve consent agenda with removal of item 9 to the regular agenda, **Action:** Approve **Moved by Vice-Chairman McBride Seconded by Commissioner Gilman**

**Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

12. For possible action approval of the January 2013 Treasurer Report

Gunther Prosser, from the River District, stated his concern is in regards to a request he submitted for a breakdown of fund 190 from Deny Dotson and Hugh Gallagher. There is a resolution that was passed directing that each park be separated into individual funds. He would like to know which park the expense listed on the treasurer report was for and when individual balances will be available for each park.

Deny Dotson stated the expense was for a new sign at the Mark Twain Park. Mr. Whitten stated he will work with Mr. Gallagher on the park balances.

Janet Houts brought to the attention of the Board that in the past months there was a deposit breakdown and bank statements in the treasurer report. This has not been included lately; she asked that it be provided with the report.

**Motion:** Approve January 2013 Treasurer Report, **Action:** Approve **Moved by Vice-Chairman McBride Seconded by Commissioner Gilman**

**Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

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

Fire Chief Gary Hames:

1. During the last county audit concerns were brought forth regarding the contract for EMS billings. The software currently being used is causing some issues, doesn't allow for needed queries. The contract has expired and will not be renewed. The Fire Department will be advertising for a less than part time position to handle the billings.
2. Meeting with NDF to start the transitional plan the information will be presented at the March 19<sup>th</sup> meeting. Continuing to work with Central Lyon County should be on track for April.
3. Advertisement for Battalion Chief Position has been posted. Will be 6/8 weeks to complete the process.
4. Working on the BLM operational plans will have them completed for the upcoming year.

Senior Planner and Administrative Officer Austin Osborne:

1. Hugh Roy Marshall has submitted a special use permit application for mining on the north end of town. At this point he has received permission for stabilization work on the portal, nothing else.
2. Nature Conservancy has submitted a special use permit for river restoration at the Tracy Power plant.
3. Comstock Mining and BLM are continuing to work on the haul road issue, possible that an agreement may be reached by Friday. He will continue to provide updates.

Community Services and Tourism Director Deny Dotson:

1. Lots of ongoing advertising for the Rocky Mt. Oyster festival coming up in March. The VCTC held a taste testing at the Crystal Bar recently.
2. Liquid Blue has secured a major sponsor for Virginia City's events, Coors Light. The sponsor will be helping with all major events. They will be our signature product.
3. Mr. Dotson shared a photo of the app that is to be released and advertised on the billboard as visitors come in from the north end of town. The app, once downloaded, will assist visitors with getting rooms, buying tickets and finding where to eat.

Mr. Prosser asked that Mr. Dotson update the public and board on the other 80% of his job, not just the tourism section. Mr. Dotson stated that special events have always been a part of his position; he is providing updates on all of his work.

Sheriff Gerald Antinoro:

1. Most of the work on the Lockwood Substation is complete. Most of the work was done through Job Corp for the cost material. They did an outstanding job. Mr. Antinoro is looking at additional projects with them in the future. There will be an open house in early March.
2. The Sheriff's Office will be advertising for two deputy positions and reserve openings. His office is currently short staffed; this will help with the overtime costs.
3. Mr. Antinoro asked that the board and public take an active stance against Senate Bill 144. The bill is being sponsored by Senator Segerbloom. He provided a brief overview of the negative impacts the bill would have on internal investigations and availability of those records once a peace officer leaves a position. Mr. Antinoro believes this is bad government and we need to do all we can to oppose it.

County Manager Pat Whitten:

1. On behalf of Mike Nevin, who is in Carson City testifying on an NDOT issues, we have had and continue to be perplexed with old concrete sewer lines and issue with roots and failure. During the massive AT&T failure last week our entire water delivery system was down. All of the issues have been corrected.
2. In response to Gunther we strive to get the packets out as soon as possible. The real issue this last week ties into the failure of the internet and problems with the switch to the Outlook Server.
3. To Mr. Flanagan more than willing to engage in a conversation regarding agenda items, however he has some concerns with the open meeting law that will need to be addressed.
4. We continue the process of budgeting, actively involving Hugh Gallagher this year with staff modeling. Could have some help in balancing out the overtime in the larger departments.

Hope to have the first part of the process ready by the middle of March with a Tentative Budget hearing in early April.

14. **DICUSSION (No Action):** Jeff Fontaine – Executive Director of the Nevada Association of Counties. Update on NACO activities and 2013 Legislative priorities

Mr. Fontaine was not able to attend the meeting.

15. **DICUSSION/POSSIBLE ACTION:** Second 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.

Bob Morris stated this is basically a housekeeping change to the ordinance that has your procedure comply with NRS. Chairman Sjovangen stated that all of the changes make sense to him. Commissioner Gilman clarified that this allows meetings to be held at location other than the Courthouse. Vice-Chairman McBride added that land use issues must be voted on for the area the meeting is at.

Mark Joseph Phillips thanked Mr. Morris and the District Attorney's Office. This is a very encouraging step forward. Mr. Phillips had concerns regarding the language of the first paragraph. Mr. Morris clarified the issue with Mr. Phillips. There is a process for taking this Board from a 3 member Board to a 5 member Board.

Chairman Sjovangen asked Mr. Phillips if he knew why they switched from 5 to 3 in the past. He stated this was due to a drop in the population.

Gunther Prosser thanked the Board for putting this ordinance through, he believes it will benefit the public. He too would like to see a 5 member Board as well. Chairman Sjovangen stated that all 3 commissioners can come down at any time and talk with you. Mr. Prosser doesn't see where there would be a problem with having 5 commissioners.

**Motion:** Approve second reading of Ordinance No. 13-246, **Action:** Approve **Moved by Vice-Chairman McBride** **Seconded by** Commissioner Gilman

**Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

## COMMUNITY DEVELOPMENT AND PLANNING

16. **FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:**
- A. Nevada Biomass, LLC – Home Business/4590 Tybo Rd, VC Highlands
  - B. Virginia City Baked Goods – General/28 North C Street, Virginia City
  - C. Brookstone Development, LLC – Contractor/22870 Carriage Drive, Reno

Mr. Osborne asked that all second readings be approved.

**Motion:** Approve all second readings, **Action:** Approve **Moved by Vice-Chairman McBride**  
**Seconded by Commissioner Gilman**

**Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

**BOARD COMMENT**

Vice-Chairman McBride asked the audience to keep in mind that as they continue to request a decrease in salaries their request for a five member commission would increase salaries and cost to the county.

Chairman Sjovangen said he is having fun in Carson City, he is seeing some good bills come through.

**ADJOURNMENT**

The meeting was adjourned by the call of the Chair at 3:20 p.m.

Respectfully submitted,

By \_\_\_\_\_  
Vanessa DuFresne, Clerk-Treasurer

The minutes as stated above are a summary of the proceeding and are not a verbatim record.