



STOREY COUNTY COMMISSION MEETING

TUESDAY, JUNE 18TH, 2013 12:00 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, Commissioner Gilman, District Attorney Maddox, Deputy Clerk-Treasurer Dore Nevin, County Manager Pat Whitten, Comptroller Hugh Gallagher, Sheriff Gerald Antinoro, Fire Chief Gary Hames, Public Works Director Mike Nevin, Administrative Office/Senior Planner Austin Osborne, Deputy Recorder Roberta Martinoni, Government Affairs Director Greg "Bum" Hess, Community Chest Director Shawn Griffin, Legislative Lobbyist Yvonne Murphy and Community Services Director Deny Dotson.

1. **CALL TO ORDER AT 12:00 P.M. CALL TO ORDER CLOSED SESSION AT 12:00 P.M.** (Closed meeting pursuant to NRS 288.220(4) for the purpose of conferring with the County's management regarding labor negotiations.)
2. **CALL TO ORDER AT 2:00 P.M.**
The meeting was called to order by the Chair at 2:01 P.M.
3. **PLEDGE OF ALLEGIANCE**
The Chair led those present in the Pledge of Allegiance
4. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for June 18, 2013-

Chairman Sjovangen continued item #11 until July 2, 2013 meeting.

Mark Joseph Phillips brought to Commissioners attention that the May Treasurer's report has not been on the agenda this month. He explained that it is actually criminal that the May Treasurers report would be needed for the augmentation of the budget today. There is no way that the Commissioners can know where the funds are at right now. He told the Commissioners

it was their duty to make sure the County Treasurer submits her report for the month proceeding.

Chairman Sjovangen asked Mr. Phillips what changed he would like for today's Agenda.

Mr. Phillips said they should have put the Treasurer's Report on the agenda.

Chairman Sjovangen again asked Mr. Phillips what changed he would like for today's Agenda and if he didn't have any changes to please sit down.

He wanted the record to reflect that the Board of Commissioners have not approved the treasurer's report for the month of May and the next meeting will be after the fiscal year.

Chairman Sjovangen asked if there was anything else if not he was going to ask for a motion.

Motion: Approve the agenda for June 18, 2013 with continuation of item #11 to July 2nd meeting,
Action: Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

Dale Beach asked if he could speak on the Agenda.

Chairman Sjovangen said he was a little too late and to have a seat. Mr. Beach said he tried to sit up there but he was told no. Mr. Beach said "No he wanted to talk that's what he is here for". Chairman Sjovangen said "No to have a seat." Mr. Beach again said "NO" Chairman Sjovangen said his options were to sit down and be quiet, leave the room or he will be escorted out. Mr. Beach said escort me out Chairman.

Chairman Sjovangen called for a recess at 2:05

Chairman Sjovangen called back to order at 2:06

5. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for April 2, 2013

Mark Joseph Phillips asked for the April 2, 2013 minutes to be on the agenda, he was assured that he was the first one to ask for them but he waited weeks and months to have this put on the agenda. He wanted to read a letter in to the record for today's minutes:

Dear Chairman Sjovangen,

The Draft Minutes of the BOCC meeting 02 April 2013, fail to indicate that I was...willfully disrupting the meeting to the entente that its orderly conduct (was) made impractical...and that I was legally removed (NRS-241.030(5.)(B).

Instead I was wrongfully excluded from the remainder of the meeting, against my will. You had been informed of my plans to give public comment, to items later on the Agenda.

Mr. Chairman, I was wrongfully excluded from the meeting because of the content of the public comment, I had prepared to make. A criminal misdemeanor (NRS-241.040(2)).

Janet Houts thanked BOCC for letting her speak. She didn't have a lot of time to review the minutes because they were put out late on Friday and she was reviewing the Agendas. She spoke on the comparisons between the Fire and Sheriffs that the budget was 2 million for the sheriff and in the minutes it does not state anything at all. She would like the minutes corrected on those basis..

Chairman Sjovangen told her to take up with the Clerk afterwards.

Motion: Approve the Minutes for April 2, 2013 **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

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.)

6. Claims - For possible action approval of Payroll Check date 05/24/13 for \$1,276.76, date 06/07/13 for \$467,447.25 and Accounts Payable date 05/31/13 for \$173,218.30
7. For possible action approval of Licensing Board First Reading:
 - a. Caldera Electric - Contractor/508 Jackson Way, Carson City
 - b. Kalen Johnson- General/1480 Grey Bluff Drive, Fernley
 - c. Cool Breeze Refrigeration & Heating - Contractor/275 Gallaway Lane, Reno

END OF CONSENT AGENDA

Motion: Approve the Consent Agenda **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

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

Legislative Lobbyist Yvonne Murphy- She read a letter in to the record:
Good Afternoon, I am Yvonne Murphy

May I take this opportunity to thank the Commission and the citizens of Storey County for allowing me to serve as your legislative lobbyist from January 2009 thru August 2012.

Over that period of time, I had the privilege and honor of working with devoted Storey County employees; all of whom were exceptional in their duties.

Additionally, I was pleasantly surprised as I developed several friendships with both individuals and families-giving me a much deeper insight and connection. This is something I will hold dear for many years to come.

That said, during this past legislative session, though I no longer officially represent Storey County, as a friend. I continued to monitor issues that could impact this unique and very special community.

And, for the record, I report my observations to my client (and your Commissioner) Lance Gilman.

In closing, as I venture forward into my life and career, I look forward to teaching and attending the John F. Kennedy School of Government at Harvard University where I will study 21st Century Public Policy.

To that end, I'd like to leave you with a quote from Albert Schweitzer (who said):

I don't know what your destiny will be, but the one thing I do know is; the only one amongst you who will be truly happy are those who have sought and found a way to serve.

Thank you,
Yvonne L. Murphy

Deputy Recorder Roberta Martinoni-

Talked on the legislative bill that passed regarding redaction, it gives counties more time to get all personal information such as social security numbers redacted. She added that the Recorder's office is doing great, they are very pleased with Marney Hansen as the Recorder's Office new employee, business is picking up less defaults and more deeds coming through, an indicator our economy is picking up. Chairman Sjovangen said he was glad that the redaction bill passed.

Community Services Director Deny Dotson-

He thanked the department heads and businesses that sent their employees on the FAM tour last week they had 65 people for the tour. He spoke on 4th of July; lots of planned fireworks, parade, Comstock Cowboys, Wine Walk, and a fast draw competition at the south end of town across from the Fourth Ward School. Positive numbers for the month of March means they are doing a decent job in town \$10,000 bump from a year ago with room tax and sales tax.

Chairman Sjovangen says he likes these FAM tours it gives everyone a chance to see their county.

Administrative Office/Senior Planner Austin Osborne-

Appreciated the BOCC continuing Item #11 Comstock Chapter/AFSCME Local Union contract. They all agreed to look back over the contract one more time and fix all grammar. Also thanked the union for being very cooperative and enjoyable to work with.

Austin has received nine applications for the planner job they are all well qualified.

He needs to do more research on planning in regards to SB374 which would amend NRS 453A with medical marijuana dispensaries, it hasn't been approved by the Governor yet. They'll be things that the county will have leverage on regarding zoning and regulations. The bill allows them in commercial zones. The way the bill reads Storey County would be able to have one dispensary. He just wants to start planning for when it does come across his desk, because they will need to update codes. He will update BOCC as soon as more information is available.

Public Works Director Mike Nevin-

Louise Peri Park improvements are almost completed they are waiting on NV Energy to make a decision on the street light placement across from the park. He has been working with Austin regarding a job description/announcement for a seasonal maintenance for that park in Lockwood; he hopes to fill that position by first of July. He thanked Marilee and John Miller for all they have done down there on a volunteer basis with opening and closing of the park gate and keeping an eye on things down there.

Local pool opened for the season on June 8th, there were some broken plumbing problems that got resolved but it is open. Handicap restroom and lift project are 99% completed. They had a walk through on Friday. Cherie and Mike from Miles Construction are doing the final accounting of the grant and match funds. There will be a determination on how much will be left for the purchase of the portable lift which is a very important part of the project. The grant was originally for \$152,000.00 in Community Development Block Grant (CDBG) funding and we provided a \$20,000 match. The grant fund got cut by \$20,000.00 so there wasn't much left to work with and that was a prevailing wage project.

Public Works has been involved with St. Mary's Art Center; the board has asked Public Works for assistance on some improvement to the driveway and parking lot. That project is about 75% completed; they had to move on to the next project. (Due to flash flood)

On June 10th they were hit hard and heavy with some severe thunderstorms and flash floods with damage they had not seen in recent years the main damage was to Six Mile drainage, TRI (Portofino drainage area). He thanked Storey County Chief Gary Hames with his assistance in providing help with the dozers and operators.

Chain link fence behind the Courthouse will be replaced with a new solid redwood fence next month. State Office of Historic Preservation is providing grant funding. The reason for this is so there is no view into the courtroom for security reasons. They allocated \$15,000 towards the project got a good quote from a Tahoe Fence in Moundhouse for \$3,500.00. Cherie is working with the company to use the remaining grant funding to start some work on the west wall to make it safer. Mike added it is getting to the point of being unsafe.

Chairman Sjovangen asked Mike if the Highlands people have asked him about paving Cartwright.

Mike has had some initial discussions about it with Pat Flanagan and Jim Stewart to see what they want out there and what they will be able to do. He will sit down and have a meeting with them before they develop a scope of work out there to see if they are in agreement to pay for some of the materials that are going to be required. They are basically talking about approaches

on Delta and crack sealing and a sealant over the crack sealing. As long as nothing pops up he hopes to get on it soon.

Merilee Miller Rainbow Bend-

Had pictures (pictures available in the Clerk's office) of the dying grass and goat heads, she feels there is not enough water pressure to water these areas. Mike feels that GID need to do something about the pressure and he will talk to Doug and Steve about it also. John Miller commended Mike Nevin and all his crews for making the park look like a park. It is being used by several families.

Comptroller Hugh Gallagher-

Internal Financial Statements ending in May 2013, these are unaudited but gives us an idea on where we are as to the budget for all of our departments to make sure from now until the closing which is in 12 days they don't get surprised by anything and that they use diligence in there expenditures and that all revenues get recorded properly. This statement for the end of May reflects a couple of figures that are very positive in going forward. Our overall general budget is about \$900,000 more than we anticipated last year. He feels that is a very good number. Personal property taxes and centrally assessed was about \$214,000 over and above what we had budgeted he feels that is a good number understanding the assessed evaluation, CAP values, he credited Jana Seddon, Tobi Whitten and Vanessa DuFresne on getting numbers out before taxation is. The number we had before taxation was only about \$214,000 less what he came up with, they have a lot more time and stuff to go over then we do. He feels those three ladies should be commended. Merchandise licenses were up \$9,000 from before which means something is going on, special use permits are about \$10,000 over and above what was budgeted, sales tax is up about \$8,000, Assessor fees was up \$46,000 which was a very good surprise. This is an indication businesses are starting to pick up. Utilities fees are up. Vanessa has done a great job at trying to invest things to get a bigger bank for a buck that was about \$28,000-\$29,000 over and above what we thought we were going to get considering the interest rate. Penalties for personal and real property taxes were about \$98,000, which was a lot less than before which indicates people have enough money to pay their taxes.

Vanessa and Hugh went to a GFOA conference in San Francisco; he talked about the courses they attended 1) Office and Management of Budgets it was about federal grants and improper payments 2) Lt. Governor of California Gavin Nelson spoke about wanting to get citizens involved in the government. Hugh is going to do a power point on the current budget and the process of the budget sometime in July with the members of the Highland, Mark Twain and Rainbow Bend Lockwood. He hopes this will help everyone understand the budgeting process. 3) Course on audited financial statements trying to get the audited financials out and approved by the county commissioner's within 120 days, he said that is a real stretch but not impossible. Trying to get all the revenue and expenses in before we close the book which is usually 60 days he wants to try to do it in 45 days. He is going to try to do new things like PBC's (Prepared By Client) which take the accounts that are done by the outside auditor and do it internally which saves money by not having to pay the auditor to do it.

Sheriff Gerald Antinoro-

Spoke about sheriff's office volunteer Chaplin Gary Bowers passing away last week, his services will be on the 29th in Carson City he has been with the department since 2009 and he will be missed.

He talked about the VCTC obtaining a liquor license, they have received the packet and the background investigation has started, he feels the only way they can issue them a license because they are not recognized as an independent entity or independent business the license would have to be issued as part of Storey County so between now and it being put on the agenda he told the Commissioner's to really think about wanting to be in the alcohol business because if something happens they will be responsible. The only other way would be if they were under their own entity.

Fire Chief Gary Hames-

Pump testing has been completed for the type I & II apparatus, they all passed with a few amendments to the gallons per minute ratings from the factory, they found they were rated at 1500 but they are passing test at a 1000 so they are declining.

They have completed county wide a sand table exercise for all county personnel, it was based on a wild land fire in Gold Hill just above what used to be the Cabin in the Sky it ran into the old fire from 1983, it was excellent training. This was the 6th year of doing one with wild fire, and he is hoping to do one for an earthquake next year.

Fire restrictions going into effect today by BLM and NDF, they received notification of it late last week. Storey County will be tagging on to it starting June 28th there will be a press release going out in both papers.

Chief Hames thanked Mike Nevin for letting him use equipment for fuel reduction projects.

He will be getting a press release out regarding the U-Call/U-Haul program; anyone doing fuel reduction can use the trailer to haul off the brush at any time. They will be purchasing a chipper soon so he told the public to haul brush to Highlands Fire Department and Mark Twain and they will be throwing it in to the chipper instead of burning it.

County Manager Pat Whitten-

Reminded everyone that there was only 12 days left to get your ambulance subscription in. He added that CFOA is going on in Carson City this week.

District Attorney Bill Maddox- let everyone know they are shorthanded until January so please be patient with them. He spoke about Judge Ed Reed who has passed away. He was a great Nevadan.

9. **DISCUSSION (No Action):** Greg Hess, Mary Walker and Maggie Lowther - Recap and highlights of the recently concluded 2013 Legislative Session and Special Session.

Pat Whitten told BOCC that Maggie Lowther was at the CFOA conference.

Mary Walker, with Walker & Associates and Storey County Lobbyist, explained the Legislative Coalition which consists of four counties Storey County, Carson City, Douglas County and Lyon County was started 14 years ago, Storey County being involved with it for 7 or 8 years. Basically, when they go to the Legislature and testify on behalf of four counties instead of a single county. Mary thanked Pat for being a strong information gatherer for them. She said they had a wonderful team which consisted of Pat Whitten, Greg "Bum" Hess, Maggie Lowther, Chairman Sjovangen, Hugh Gallagher she really appreciated all the cooperation they received. She stated there were 1,123 bills this session and 404 bills they were monitoring. She feels this is the most successful session in many years. Most of the bills they were supporting became law most of the bills that were detrimental to us were either killed or amended. Some of the bills that they were supporting she talked about AB68, SB3, SB452, SB272, AB511. They spent a lot of time in defense on bills that would have been detrimental to us AB157, SB217, AB423, SB316, AB139, AB286 she was happy with all the outcomes. She talked about the Governor's budget and contrary to what happened in 2011 a lot of cost shift down to us, this time around, because of request to the Governor and Mike Wilden about getting some alleviation from the past push down to us in 2011 and for Storey County they got the assessments decreased by 7%. She spoke on the internal session for the next 18 months those issues that were primary importance and are very complicated issues they can't be dealt with in a four month period, so now over the next 18 months the legislature is going to have a series of studies in regards to a verity of issues it's going to be on water, property tax, health care, funding of community college which is very important one because they are trying to get the counties to pay for the community colleges and not the state. She said it is very important to be involved the next 18 months, because she said the first question at the 2015 is going to be where you were the past 18 month.

Mike Walker spoke on water resources SB400 with the mining coming back to Storey County it will be valuable to our county. He also thanked the Storey County Staff for all their help.

Greg "Bum" Hess thanked Mary and Mike for all their help.

Pat Whitten commended them all on their hard work.

Chairman Sjovangen called a 10 minute recess at 3:14

Chairman Sjovangen called to order at 3:24

10. **DISCUSSION/POSSIBLE ACTION:** Approval of modification to existing license of VC Outlaws. Adding Marla J. McKechnie as a primary owner.

Sheriff Antinoro said only thing they are doing is adding an owner to existing license.

Motion: Approval of modification to existing license of VC Outlaws. Adding Marla J. McKechnie as a primary owner. **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

11. **DISCUSSION/POSSIBLE ACTION:** Approval of modifications and extension of the Agreement between Storey County (Employer) and Storey County Employee's Association (Union) also referred to as AFSCME Local Union, Comstock Chapter.

Continued to July 2, 2013 meeting

12. **DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 13-373 setting salaries

Pat Whitten explained this happens at the end of June every year these set the salary grade ranges for

Non-represented employees, it also acknowledges the NRS statues pay for the Assessor, Recorder, Sheriff, Clerk/Treasurer, District Attorney, Commissioners. There is one elected office plus a non-represented and that is the Justice of the Peace that you do have discretion authority to set. From the original resolution that was provided in the packet there has been two notable changes 1) After talking to the Sheriff there is no need for Court Bailiff or no need for Lieutenant 2) IT Director.

Mr. Whitten read Resolution No. 13-373 into record:

A Resolution Setting 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.

Effected July 1, 2013

Mark Phillips stated that per NRS Appointed Officials need to file financial statements he feels Austin Osborn, Greg Hess and Joe Curtis should all be filing financial statements. Chairman Sjovangen asked Mark what this had to do with this resolution.

Janet Houts wanted to know why the VCTC is on this resolution if they are their own entity.

Pat Whitten explained that even though the VCTC is its own separate local government, we have been working with taxation. VCTC employees under one or more Attorney General Opinion are considered employees of Storey County. VCTC pays portions of the salary for Community Services and Tourism Director, 100% of salary and benefits Tourism and Marketing Manager, but under AG opinion still considered Storey County Employees. Commissioner's still set their salaries.

Chairman Sjovangen said it would be the same for Fire Chief too.

Motion: Approval of Resolution 13-373 setting salaries **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

13. **RECESS TO CONVENE AS THE NRS 473 STOREY COUNTY FIRE PROTECTION DISTRICT BOARD**

14. **DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 13-374 for the dissolution of NRS NDF Fire Protection District. The new Wildland Fire Protection Program (WFPP) will replace the need for the NRS 473 NDF Fire Protection District.

Mr. Whitten recognized Mike out in the audience. They have wanted to do this for a long time. It is going to save a lot of money. Pat Thanked everyone that helped make this happen. He said it will be in effect July1, 2013.

Janet Houts presented questions regarding the 473 and 474 and salaries. Mr. Whitten answered her questions. Janet Houts thanked Mr. Whitten for answering her questions.

Motion: Approval of Resolution 13-374 for the dissolution of NRS NDF Fire Protection District.
Action: Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

15. ADJOURN TO CONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

16. **DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 13-374 for the dissolution of NRS NDF Fire Protection District. The new Wildland Fire Protection Program (WFPP) will replace the need for the NRS 473 NDF Fire Protection District.

Motion: Approval of Resolution 13-374 for the dissolution of NRS NDF Fire Protection District.
Action: Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

17. **DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 13-376 augment the NRS 474 Storey County Fire Protection District Fund.

Pat Whitten spoke on the augmentation being an isolated fund like Chief Hames has with the 474 district being able to minimize the augmentation with flexibility with in the funds. But the Chief operates a great Wildland Fire Protection Program of his own with the dozer operations and those out of district assignments create a large fluctuation that trigger these kinds of augmentations.

Hugh Gallagher spoke on the augmentation out of the 474 fire fund of \$384,566; this is a result of our Mutual Aid program which is a special revenue fund that they created in July 1st of this year. Previously, they were putting it in the fire emergency fund because they needed to know what was being paid and coming in at the end of incidents outside the county. So which means everything in his budgeted items made a great amount of increase then normal so this augmentation will take care of some of that, so anything that comes in with mutual aid fund will go in to its own fund. He said that upon their approval they approve the \$384,566, which is higher than the anticipated to go against salary, wages, services, supplies and capital outlay as they have on the resolution.

Janet Houts had questions on the financials and performance. Mr. Gallagher answered her questions these increase in this revenue go towards salaries in the amount of \$67,000, which was used for fires outside this county. They were billed for separately for this county. So there is an increase of revenues from those fires that were outside this county that he Fire Chief had to absorb with in his fire district. We are now taking revenues that are higher than we thought because of those charges. Now they will budget for those items that were not previously budgeted for in his original budget, because they did not know what kind of money the fires would be, they didn't want to anticipate that because they are a separate incident outside the county. So they have done this for his salary, wages, services, supplies and capital outlay. This will not be the case next year because they have a special fund for all those expenditures and revenues for all the fires outside this county.

Mrs. Houts had more questions on sending employees outside this county and their salary. Her and Mr. Gallagher continued their discussion regarding the salaries employees receive while on assignment outside the county.

Motion: Approval of Resolution 13-376 augmentation of the NRS 474 Storey County Fire Protection District Fund. **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

18. **DISCUSSION/POSSIBLE ACTION:** Acceptance of fuel bids for vehicle and propane.

Pat Whitten commended Jennifer McCain on her hard work on putting together these bids. He explained they went out for a 3 year bid this year. They bid on regular unleaded, mid-grade unleaded and diesel fuel. They opened bids last Thursday at 10:00 am it included, Jennifer McCain, Comptroller Hugh Gallagher, Public Works Director Mike Nevin and himself and two representatives from two of the bidding companies when they publicly opened the bids. Presently we are getting fuel from Flyers. (Spread Sheets are available in Clerks Office). Carson Valley Oil came in at \$.08 a gallon at all locations except Lockwood. Flyers were asked if they would be willing to just serve just Lockwood and they came back with \$.12 a gallon. Mr. Whitten asked the Commissioners when they award the fuel bids to Carson Valley Oil with exception to Lockwood they include Flyers to do Lockwood.

Motion: Approval of acceptance of fuel bids to Flyers bid for Lockwood for vehicle gas and diesel and award Carson Valley Oil for all other locations of fuel bids for vehicle. **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

Mr. Whitten spoke on bids for propane we are currently with Ferrell gas at \$.24 over RAC rate in Sparks. This is for the County and School District, zero dollar tank rentals, zero fees for Haz-Mat or surge charges. Our employees last year received a \$.50 over RAC. Vice-Chairman asked that they get a resident rate also during the bids (Spread sheet available in clerk's office on different bids). He asked that if they award Ferrell Gas the bid, that the residents contact them to get the rate. He also explained that it might be the cheapest because everyone's rates change so much.

Janet Houts asked if they will be sending notification out to all the residents.

Mr. Whitten said they will work on press release.

Pat Flanagan questioned the RAC rate, he said it changes a lot. How do we know they are fulfilling the commitment over the RAC rate.

Jennifer said every time the propane RAC rate changes Jay e-mails her the changes.

Motion: Approval of acceptance of the propane bid to Ferrell Gas for a 3 year contract. **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

19. RECESS TO CONVENE AS STOREY COUNTY WATER AND SEWER BOARD

20. **DISCUSSION/POSSIBLE ACTION:** Approval of resolution 13-379 providing for an increase in the water and sewer rates.

Mike Nevin gave a brief overview of an annual occurrence this happens at the second meeting in June this is setting of the annual rates for the Storey County Water and Sewer System. The rates increases are for residential base rate \$4.11 for and \$5.90 for commercial for water and for sewer its \$4.02 for residential and \$7.09 for commercial.

Mr. Whitten stated that this should be the last year of the operational increases for the sewer, but bottom line there will be more increases on the sewer on the debt service side of it.

Janet Houts had questions on increases. Mr. Nevin answered her questions.

Motion: Approval of resolution 13-379 providing for an increase in the water and sewer rates. **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

21. RECESS TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

22. **DISCUSSION/POSSIBLE ACTION:** Renew, extend or allow to expire a lease on County owned property known as the Gold Hill Depot between Storey County and Gold Hill Historical Society.

Chairman Sjovangen stated he received an e-mail from Kim Fegert wanting this item continued. Request was denied.

Pat Whitten explained that the County has been leasing the Depot to Gold Hill Historical Society they had a 20 year contract but renew it every 5 years last time it was renewed was August of 2008. Mr. Whitten's recommendation is not to renew the contract and he said they could extend it

until August 30, 2013 then ask the Gold Hill Historical Society to vacate it and we need to do exploratory talk with vested interest as well as the Gold Hill Historical Society and go out to bid and have a RFQ that says what you would like to do. He gave several reasons why not to renew the contract and reviewed several documents that are available in the Clerk's Office.

Kim Fegert, Gold Hill Historical, handed out documentation to the Commissioners he started by reading a letter dated 10-14-2011 from Stephen Drew:

Kim:

You beat me to an e-mail reply. A personal thank you to you and your Gold Hill Historical Society cohorts for rolling out the red carpet and giving the V&TRR History Conference attendees a rare behind-the-scenes look at significant restoration-in-progress! I trust you realize you were amidst a most appreciative audience. Your opening presentation and openness to Q & A were "spot-on." You were articulate and capably "stand and delivery." You very eloquently make the case for what you did and why you did what you did. You are an excellent spokesman for your organization. Hats off...congratulations...and our renewed thanks! The Sunday field trip to Gold Hill was a highlight of our conference. And we've already booked the Gold Dust West for the same weekend next year.

It was a pleasure working with you on our little booklet. I hope you like the way it comes out. (Skipped down to end of letter)

Again, Kim, our profound thanks. It was a great pleasure to work with you on the booklet and field trip. The interest of our members in the Gold Hill Depot is only increasing. We'll look for excuses to work together again in the future.

Kindest personal regards,
Stephen

Kim continued talking about the booklet regarding the improvements of the building. He went on about the work they have been done and not having the support from the V& T manager for the best 10 years. He feels it's a personal issue. He feels they have done the County well. When they took the building over from the county it was worth firewood, now it's worth over \$350,000, he has done it all on his own time he has made not one dime on it.

Chairman Sjovangen wants to give others a chance to talk on it.

Judy Cohen had some questions regarding why they are not renewing his lease when he has done work on it.

Pat Whitten answered by saying they want to take a fresh approach at it. He said Mr. Maddox said this is really a lousy lease with no milestone or benchmarks that would govern on a county building. His recommendation is not to rush on redoing this lease, but to look and reassess their options over the next 3-6 months. He would like to see what Kim and Tom Grey, Jim Clark and others have to bring to revitalize it and make it the treasurer it can be.

Chairman Sjovangen added some personal observations over the past year. He sits on the V & T Rail Commission he said at one of the meetings Mr. Fegert went on under public comment for 40 minutes berating Mr. Grey and insulted every one of them that sat on the Rail Commission. He said it was an inexcusable act and the last meeting he did it insulted them again. He said we can no longer operate the rail road under this behavior. His recommendation is its time to move on. He told Mr. Fegert he has done an excellent job on the Depot, but his behavior has been inexcusable for the past year. His opinion is he wants him out of there and out of the picture.

Mr. Whitten spoke on some remarks that are in the packet as public record that Mr. Fegert had wrote to the Nevada Commission of Reconstruction of the V & T Railway on October 5, 2009 saying they planned on being open for business on the summer of 2010, being it is almost summer of 2013 this is one reason he gave his recommendation about not renewing the contract, because the progress of the building is just not happening in a timely manner.

Commissioner Gilman spoke on a personal observation the V & T Railroad and the expansion and the opportunity of tourism and the entire project for Storey County and Virginia City is a critical one and he feels it is a very important one their personal group including himself have sent funds approaching \$15,000.00 to the V & T Rail road fund. They are committed to excellence and professionalism of the operation. He does support a professional and successful operation. One of the outcomes he had heard that was appealing to him was to step back and re-evaluate and request proposals from a variety of individuals and keeping with a bidding process. He feels with Kim's experience would definitely be qualified to submit his vision of plans to the commission. He feels not renewing his lease but take a fresh look at it and consider him a qualified entity to resubmit to the community.

Kim Fegert spoke about the comments on the obscene gestures, at that time he addressed that he asked if there was any possible truth to this, because it would be insane of them to act in such a childless manner. He said no one in their organization has ever done such a thing. He said he put out an award of \$250.00 for anyone that could provide evidence of this. He spoke on his relationship with Mr. Grey tried to bury his letters that he wrote to support the Depot. (Available in packet) he went on to tell about all the improvements in and around the depot that they have done that would benefit the community. He is frustrated because he has pictures of the depot back in 1983 he can testify that it was nearly ready to fall down and now it's a fine structure now. Quite a bit of his own funding came through the State of Nevada through the Cultural Affairs Commission for which he has signed covenants that make him responsible to keep it up and that's what they have done.

Chairman Sjovangen said he was going to cut him off because he was drifting off of the conversation.

Mr. Whitten spoke on the gestures. He received a letter from Mr. Grey that Everett Schropshire's son was here visiting and he is a rail fan. He saw the locomotive at the Gold Hill, he stopped and got out and ask three men standing there if he could take some pictures, one of them was an engineer said to him could he not read the NO Trespassing signs and he could take pictures from the county road.

Mr. Fegert replied to that letter and has a copy of the letter he wrote you. Mr. Whitten stated that he has not seen that letter.

Chairman Sjovagen called for a motion being that there was no further comment. Vice-Chairman McBride said there is no doubt about the work that has been done, however based on the correspondence testimony heard today and conversation had with rail members he moved to allow the lease to expire. Commissioner Gilman added that he encourages Mr. Fegert to be involved in the future of the depot and to continue to work with the County.

Motion: Allow the lease to expire on August 30, 2013 **Action:** Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

Chairman Sjovagen told him that he needs to get all personal items out by August 30, 2013; any large items need to be inventoried. In case things that were donated need to be accounted for. He wants him to provide Deny Dotson with keys.

COMMUNITY DEVELOPMENT AND PLANNING

23. **DISCUSSION/POSSIBLE ACTION:** Second reading of Ordinance 13-248, an ordinance amending Storey County Code Chapter 15.20 Flood Damage Protection updating provisions, providing for new definitions, requiring maintenance in watercourses, and providing for other properly related matters.

Robert Morris explained the ordinance being amending (a full copy of the ordinance is available in the Clerks Office.)

Gunther wants to know if this is in regards to the meeting they had on May 16th. Bob said no this is separate.

Motion: Accepting Second reading of Ordinance 13-248, an ordinance amending Storey County Code Chapter 15.20 Flood Damage Protection updating provisions, providing for new definitions, requiring maintenance in watercourses, and providing for other properly related matters.

Action: Approve **Moved by** Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

24. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

Austin asked that B, E, F, G, H, I, J & K be Continued and A,C & D be approved.

- a. Queen of Spades – General/11 North C Street, VC
- b. Virginia City Mining Company – General/171 South C Street, VC
- c. Commercial Restroom Solutions, LLC – 1379 Waterloo Lane, Gardnerville
- d. Bulette’s Restaurant & Saloon – General/5 North C Street, VC
- e. Nevada Distribution Services, LLC – General/625 Waltham Way #103/104 TRI

- f. Schwabe North America, Inc.- General/2777 USA Pkwy #106 TRI
- g. Mars Petcare US - General/725 Waltham Way TRI
- h. Virginia City Kettle Corn Depot - General/188 South C Street VC
- i. Hot Pot, LLC - General/420 USA Parkway, Suite #101 TRI
- j. American Arms Delta - General/224 East Sydney Drive, Suite B TRI
- k. Battle Born Munitions, Inc. - General/625 Waltham Way TRI

Motion: Approval of A, C & D with continuations of B, E, F, G, H, I, J & K **Action:** Approve
Moved by Vice-Chairman McBride **Seconded by** Commissioner Gilman

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

25. PUBLIC COMMENT (No Action)

Mark Phillips spoke on Item #25 being moved that it is perfectly legal to switch it.

Chairman Sjovangen said it did help a lot it got rid of Dale Beach and it will help when there is a lot of speakers they don't have to wait for all the public comments.

Mr. Phillips readdressed his concerns over the treasurer report not being on agenda.

Janet Houts spoke with concerns on the public comment and commissioners not respecting them DA has told them to respect the commissioners and they will respect them. She also spoke regarding not letting Dale Beach speak regarding Public Comment. She also spoke on package not being out on time for the residents to review it; they don't have time to have be able to get questions answered by commissioners.

Mr. Whitten explained that the package is posted that is when the Commissioners get the packet to. The agenda is always posted on time. He explained the agenda and package process. Janet Houts said the NRS is 5 business days to get packet out. Mr. Whitten disagreed and wants a NRS stating that.

Gunther Prosser commented that we need to fix the Notice on the Agenda to fix Public Comment being at the end of the meeting. He continued about the Louise Peri Park that it is looking better but needs a lot of work. Mr. Whitten commented that they are hiring someone to take care of the park.

26. BOARD COMMENT

Bill Maddox thanked Bob Morris for all his work and being left until the end of the meeting.

27. ADJOURNMENT

The meeting was adjourned at the call of the Chair at 5:20 p.m.

Respectfully Submitted,

By _____
 Dore Nevin, Deputy Clerk-Treasurer