



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

MONDAY, MAY 19TH, 2014 9:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN

BILL MADDOX
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

BILL SJOVANGEN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Roll Call: Chairman Marshall McBride, Vice-Chairman Lance Gilman, Commissioner Bill Sjovangen, County Manager Pat Whitten, Comptroller Hugh Gallagher, Management Analyst Jessie Fain, Clerk & Treasurer Vanessa Stephens, District Attorney Bill Maddox, Fire Chief Gary Hames, Tourism Director Deny Dotson, Emergency Management Director Joe Curtis, Communication Director Dave Ballard, Sheriff Gerald Antinoro, Public Works Director Mike Nevin, Deputy District Attorney Anne Langer, Outside Counsel Robert Morris, Community Development Director Dean Haymore, Justice of the Peace Eileen Herrington.

1. **CALL TO ORDER AT 9:00 A.M.**

The meeting was called to order by the Chair at 9:00 a.m.

2. **PLEDGE OF ALLEGIANCE**

The Chair led those present in the Pledge of Allegiance

Due to the agenda stating a 9:00am start time and the publications for the meeting stating a 10:00am start time the Chair called for a recess until 10:00am.

The meeting was recessed at 9:03am; called to order at 10:00am.

3. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for May 19, 2014

Motion: Approve agenda for May 19, 2014, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

CONSENT AGENDA

4. For possible action approval of interlocal agreement for Public Works Mutual Aid with Douglas County, Lyon County and Carson City.
5. For possible action approval of April 2014 Treasurer Report.
6. For possible action approval of Treasurer's affidavit of mailing past due notice for all delinquent parcels.
7. For possible action approval of Payroll Check date 04/20/2014 for \$112.90, date 05/04/14 for \$477,861.24 and date 5/9/2014 for \$858.61. Accounts Payable date for 5/01/14 for \$467,278.15 and 5/05/14 for \$15,144.25.
8. For possible action approval of Licensing Board First Reading:
 - a. Safeguard Restoration, Inc. – Contractor/1455 Deming Way, Sparks
 - b. CBRE, Inc. – Contractor/2100 Ross Avenue, Dallas, TX (Commercial Real Estate)
 - c. Mole Hill Moccasins – Home Business/21310 Sazarac Rd., VC Highlands, NV

END OF CONSENT AGENDA

Motion: Approve consent agenda, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

9. **DISCUSSION (No Action – No Public Comment):** Committee/Staff Reports

Lockwood Community/Senior Center Representative Merilee Miller:

- We are thinking of inviting all the heads of staff for a luncheon probably on the fourth Tuesday in July after budgets are done. A formal invitation will go to Pat Whitten.

Tourism Director Deny Dotson:

- We met Thursday and approved our final budget.
- This Weekend will be the Memorial Day Parade.
- The following weekend will be the Reno Tahoe Odyssey. The congestion problem at the entrance to the Highlands has been worked out.

Emergency Management Joe Curtis:

- He is very pleased with the Highlands evacuation exercise that was put into effect this past Saturday May 17th. They looked at the ability of our local agencies to notify the residents of the Highlands that there was an evacuation process based on a scenario set on a wild land fire. 80-85% of residents were notified by a knock on the door. At 9:15am a reverse 911 call was put out to the area residents as well. Of those 606 calls, 394 residents were reached with a 65% contact factor. A second call was made at 10:15 with 618 calls reaching 401 people. If 100 people signed in at the Middle school, they would have reached their initial goal. 150 people checked in. In addition, 22 residents were participants in the event. Another 20 or so people were at the local baseball games but didn't check in. Another factor they looked at was sufficient shelter. We had very few suggestions, and overwhelmingly positive comments. We did a briefing with each section leader and received great comments and overall it was an outstanding success due to the participation of all of our county departments.

Public Works Director Mike Nevin:

- We've completed the crack-sealing project at TRI. It is being swept and it is our goal to have all the roads restriped by the end of the month.
- The swimming pool should be opened in mid-June. A little face-lift includes some painting on the interior and exterior and installing new lights.
- I received notice this morning from Gus Nunez, Administrator of the State of Nevada Public Works that the raw water rate that is charged to the Storey County water system will increase by approximately 65% beginning July 1st. It affects us to the tune of about \$24,000. They can do this according to our written contract from 2002, on a thirty day written notice to the county. Typically, in the past, this has been done in January to give us time to plan. They suggest that this is due to maintenance that needs to happen. Carson City Public Works is also unhappy as it affects them as well. We will be making some contacts and seeing if there is anything we can do to address or change it.

Fire Chief Gary Hames:

- All of our field projects are wrapped up for the year with the exception of Virginia City which is about 7 days behind due to trainings with the crews.

Community Chest Director Shaun Griffin:

- HAWC facility will be closing. I've asked Pat Whitten to award \$25,000 in county funding to seek community health outreach services for Storey County. We may try to subcontract with Carson City Health Department or some other provider that holds liability. We will also reconfigure the existing building without any construction to co-locate council, case management and healthcare to create a one stop shop and use the other half for library space. When asked the reason HAWC pulled out, he said it was for lack of use. They also want to move the PA down to clinics that are dealing with the huge increase in Medicaid recipients due to the Health Care Law passing. Mr. Griffin hopes to have a new health care provider up after July 10 when HAWC officially pulls out and he plans on making a last plea at the next board meeting, but he feels it is fait de complete.

Sheriff Gerald Antinoro:

- Thanked those who participated in the evacuation drill
- Mentioned that the loss of the HAWC clinic will affect services provided to inmates.

Community Development Director Dean Haymore:

- This Thursday 11am at the Peppermill we will be announcing the arrival of another company building a 703,000 sq. ft. facility and bringing in 1,000 jobs. Everyone is invited to that.
- Three new houses in the Highlands - things are picking up.
- Ongoing meetings for the sewer plant.
- Shannon is working with Cheri Nevin and Deny Dotson and CMI historical organization to get labor down on the Gold Hill Depot. Public Works is working on the electrical.
- Today and tomorrow, all the new business license renewals will go out. Business licenses will not be renewed if there are back taxes owed to the assessor's office for personal property or if the building owner owes back taxes. It doesn't matter if there is a lease situation if the building owner owes the taxes, the business license will not be renewed

until they are paid in full or arrangements have been made with the Clerk/Treasurer. He is also working with Deny Dotson to collect on other monies due such as room taxes.

County Manager Pat Whitten:

- We are preparing to auction off three of the four houses to our south. It is scheduled to happen Saturday, May 31st at 10am. Conditions and terms may be obtained from the Clerk or my office.
- Looking forward to the Lockwood quorum in July and hoping for 100% participation.
- Complimented the work of the Fire Department on the Rim Fire last year in Yosemite.
- On Saturday the VC High School Varsity Boys Baseball team won the regionals. They start their quest for the State Championship at 10am on Peccole Field at UNR on Thursday.

District Attorney Bill Maddox:

- Comstock Mining apparently had some problems with NDEP resulting in fines of \$216,000. There is a program to where they may redirect those funds to an environmental project instead of the State. When they discovered the program they chose to do that in Storey County. So we will receive \$116,000 for our new street sweeper. We are also going to get \$100,000 for the Storey County Water and Sewer Department to put a cover on the Divide Reservoir.
- I did some research on the interest rate that we would have to pay on the Park Funds. It is my opinion that we use the NRS 99040 which is the prime rate (put out by Business and Industries every six months in January and June) +2.

Clerk & Treasurer Vanessa Stephens:

- Close of voter registration is tomorrow at 5pm.
- Early voting begins Saturday and will be held here and in Lockwood.
- On the Sunny Hills advisory question we've received one application so far that is opposed to the question. We need three for each side to write the question.

Pat Whitten, County Manager:

- We did close outdoor burning as of yesterday and it is the season now so everyone be careful.

10. BOARD COMMENT (No Action - No Public Comment)

Chairman McBride complimented the evacuation exercise.

11. DISCUSSION/POSSIBLE ACTION: Approve second reading of Liquor License for Philly's NV located at 420 USA Parkway

Sheriff Antinoro announced that the investigation has been completed and recommended approval.

Motion: Approve second reading of liquor license for Philly's NV, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

12. **DISCUSSION/POSSIBLE ACTION:** Approve second reading of ordinance 14-255 deleting Storey County Code chapters 8.12 Fire Hazards, 8.16 Fire and Explosive, and 8.20 Alarm Systems and amending chapter 15.04 Buildings and Construction to adopt new uniform codes including fire and, building and constructions amending chapters 15.04, 15.08 Building Official, and 15.12 Permits to make amendments to the codes for Storey County specific requirements for other properly related matters.

Deputy District Attorney, Robert Morris: Explained the ordinance and how it applies to Storey County. Noted some changes and asked it be passed with the following amendments:

- Deleted a section on page 11 that was covered in 15.12.094 that covers it in more detail.
- Page 31 Section 15.08.060 was changed from a 5 to 3 member standing board of appeals independent of the county to make it more efficient.
- Page 36 - 15.12.094 - Three added definitions were in the first reading.
- Page 39 - 15.12.140 mobile homes was passed in 2000 but was not effectively used so was taken out.

Dale Beach, Storey County Resident: If I sell my house does it have to be upgraded to current building standards? The answer from the commissioners was no. Are we going to keep having to get special use permits for mother-in-law quarters, or will we get to the point where we can build with them included?

Dean Haymore addressed Mr. Beach's question. Currently our policy is that if it is detached they need a special use due to the State requirements for separate well and septic. We always encourage building them so they are attached so we may consider them as one dwelling with two living quarters and do not require a special use permit.

Motion: Approve second reading of ordinance 14-255 with amendments as presented by Robert Morris, **Action:** Approve **Moved** by Commissioner Sjovangen **Seconded** by Vice-Chairman Gilman
Vote: Motion carried by unanimous vote (**summary:** Yes=3)

13. **DISCUSSION/POSSIBLE ACTION:** Final Budget Hearings for FY 2014/15

Comptroller Hugh Gallagher summarized the process and the changes to the final budget. He addressed the process for 2016 including an attempt to create a 5 year plan. He also wants to create a property book for each department with items and descriptions to be reviewed and approved each year. He commended the efforts of Jessie Fain and her positive attitude throughout the process. He went through the departments and funds and noted changes. His notes have been submitted to record.

14. **RECESS TO CONVENE AS STOREY COUNTY WATER AND SEWER BOARD**

The Chair called the Storey County Water and Sewer Board to order at 11:10am.

15. **DISCUSSION/POSSIBLE ACTION:** Final Budget Hearings for FYE 2014/15 for the Water and Sewer services in Virginia City, Gold Hill and Silver City.

Mr. Gallagher continued discussing the budget regarding the Water System. His notes are submitted to record. He addressed the water increase imposed by the state (discussed earlier by Mike Nevin in staff report) and said that he would address that with Mr. Nunez.

Motion: Approve Final Budget Hearings for FYE 2014/15 for the Water and Sewer services in Virginia City, Gold Hill and Silver City, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

16. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

The Chair reconvened the Storey County Board of Commissioners at 11:13am.

17. DISCUSSION/POSSIBLE ACTION: Final Budget Hearings for FYE 2014/15

Mr. Gallagher continued discussion on the Final Budget. His notes are submitted to record. In Sheriff's fund he noted that with the reduction in overtime, there is the understanding that this is an estimate. County Manager Pat Whitten reminded the commission that this is the one active collective bargaining that is still ongoing.

Mr. Beach: Regarding 12 hour days, which the State does, he would like that discussed in the collective bargaining.

Mark Joseph Phillips: Park fund – He sees no indication that more money is going into those funds. He is not happy with the list of contracts with Storey County that are not listed. County School fund – he still hasn't heard anything from the School District regarding them keeping their own accounts. He would like to see the commissioners take some effort to check in with the School District. VCTC – he doesn't feel they should be using the D.A for legal counsel.

Gunther Prosser: Concerned regarding Park Funds. Would like to see the final total before the final budget is completed. Mr. McBride explained it would not be completed by final budget as this is the final budget, but that it will be addressed forthwith.

Nicole Barde:

- Where is the list of infrastructure projects that has been prioritized? How are the projects going to be prioritized? She feels it is in the minutes that she was told that a final list would be presented at with the final budget. Mr. McBride does not recall any conversation that promised prioritization. He explained again that the list may change as monies become available through grants. Some things are easily obtained and cost less money and other things require more complicated funding with grants, loans, and savings that cannot be predicted. This is the same explanation that has been given in the past.
- She likes the idea of five year projections. She feels the format in which the budget is presented on the website does not lend itself to easy interpretation by the public. The format submitted to the State is much better.
- She handed out and discussed some analysis to the commission and audience which are submitted to record.

Marshall McBride interrupted Ms. Barde and asked that she bring up her discussion again at the end of the budget hearing in the interest of time as she was bringing up details that might be addressed later.

18. RECESS TO CONVENE AS THE 474 FIRE PROTECTION DISTRICT BOARD

The Chair called the 474 Fire Protection District Board to order at 11:35am.

19. DISCUSSION/POSSIBLE ACTION: Final Budget Hearings for FYE 2014/15 for the NRS 474 Fire Protection District.

Mr. Gallagher discussed the Final Budget for the Fire Protection District. His notes are submitted to record. County Manager Pat Whitten addressed one of Ms. Bard's concerns regarding increases in head count. He explained that the Fire District has increased reliance on intermittent part time and the integration of the seasonal part time program which produce a significant savings to the County.

Motion: Approve Final Budget Hearings for FYE 2014/15 for the NRS 474 Fire Protection District, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

20. DISCUSSION/POSSIBLE ACTION: Approve the 2012 International Fire Code (IFC) and Appendices B, C and D, with the amendments in section 15.04.08 2012 and specific parts of the 2012 International Wildland Urban Interface Code amendments in section 15.04.080 as regulations for the fire district.

Bob Morris recommended approval of the code.

Motion: Approve the 2012 International Fire Code (IFC) and Appendices B, C and D, with the amendments in section 15.04.08 2012 and specific parts of the 2012 International Wildland Urban Interface Code amendments in section 15.04.080 as regulations for the fire district, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

21. ADJOURN TO RECONVENE AS STOREY COUNTY BOARD OF COMMISSIONERS

The Chair reconvened the Storey County Board of Commissioners at 11:42am.

Mr. Gallagher continued with the Final Budget hearing presentation. His notes are submitted to record.

Bill Sjovangen mentioned that at the meeting with the VC Rail board last week they found they are still at odds on the amount they owe on the ¼ cent sales tax. Our figure of \$960,000 has been confirmed by the Department of Taxation, but they contend that it should be closer to \$300,000. He has asked their treasurer to meet with Mr. Gallagher and Taxation and try to figure it out. We understand that we won't see it in a lump sum as it would put them out of business, but we need to find agreement. There is a possible sale of land pending that may help in collecting the entire sum.

The Chair called for a recess at 11:50am; meeting was reconvened at 12:02pm

Mr. Beach: Regarding collective bargaining he feels that the Unions should not represent on wages and benefits and the County should use the same rates as the State.

Ms. Barde: continued discussion on her analysis. Her numbers may not be correct, but she presented it as an example in order to show how information should be presented to the public. Questions she gets from the public regard what the public gets for their tax money. Her analysis addresses how this might be presented more clearly.

Mr. Phillips: Requested that the final budget is published on forms provided by the Dept. of Taxation.

Motion: Approve Final Budget Hearings for FYE 2014/15, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

22. **DISCUSSION/POSSIBLE ACTION:** Confirmation by the Board that a Comptroller has been appointed by the County Manager per NRS 251.170 (2)(a)

Mr. Whitten explained that this confirmation was not done at the point of Mr. Gallagher's hire and recommends that it be done now.

Mr. Beach: Urged them to make the appointment tentative and to search for another comptroller.

Motion: Approve Confirmation by the Board that a Comptroller, Hugh Gallagher, has been appointed by the County Manager per NRS 251.170 (2)(a) , **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

COMMUNITY DEVELOPMENT AND PLANNING

Dean Haymore noted that on item b, they have been told that they must stay inside the building and are not to be harassing people out on the boardwalk. This is a stipulation of their license. There is another group not doing exactly what was told them, and he plans on having a discussion with them and letting them know their license may be revoked if they don't stop bothering people on the boardwalk and stay inside the building.

23. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

- a. Idea Drilling- General/1997 9th Ave, Virginia, MN (mining contractor)
- b. Summerwinds Resort Services, LLC - General/164A C Street, VC (timeshare sales)
- c. Streamline Construction, INC - Contractor/8445 Sierra College Blvd, Granite Bay, CA (contractor)
- d. Gold Hill Printers - Home Business/1230 Main Street, Gold Hill (printing novelties)
- e. Intelligrated Systems, LLC - Contractor/7901 Innovation Way, Mason OH
- f. Mark Twain Community Center - Non-Profit/500 Sam Clemens Street, MT
- g. Randa Accessories - General/700 USA Parkway, TRI

Motion: Continue items b, f and g, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

Motion: Approve items a, c, d and e, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

24. PUBLIC COMMENT (No Action)

Mr. Gunther Prosser: Invited everyone to May 21st School Board meeting at 4pm at Hillside Elementary School to discuss releasing seven pieces of exercise equipment in Lockwood to the County to be placed in better locations. It was purchased with Title One grant money, but the trail was a larger project that did not develop as it was supposed to and all the grant money has been spent.

Ms. Barde:

- Bill Maddox said that CMI was penalized and the fee was put into a fund? Mr. Maddox explained that it is not a fund, but the fine is allowed to be applied to local environmental projects. She asked if the residents of Gold Hill were asked what it should be applied to. Mr. Haymore explained what led up to the fine and how it is usually distributed and the option CMI took to pay 25% more to apply it to a project. There is a list of preapproved projects for Carson City, but CMI wanted to apply it locally. Mr. Haymore came up with three projects that had to do with air quality in the county and they were submitted to NDEPA. They approved the two that are being funded. Ms. Barde is only concerned that the community most impacted by the activities of CMI should have a voice in how the money is spent.
- Regarding the advisory question on Sunny Hills – We are getting nothing from Sunny Hills. The conservation strip is land they can't build on. The Washoe County piece that they own right now has topography that would make building difficult. The perception that they are giving something of value is wrong.

Lance Gilman said that what he heard is that they are willing to put on the table that they will place conditions to be identified in the future on project to be approved by the Storey County board. So we don't know today what we can negotiate in that resolution. So there are a lot of things on the table that if we walk away with a vote, we don't get any voice. If we stay in the game and they have to approach the commission for conditions of approval on their project we are now involved in that approval process with Washoe County. It may be nothing, but I'm suggesting that it might be worth vetting and there might be opportunity there.

County Manager Pat Whitten commented on the administrative assessment for CMI. The relining and the reuse of the Divide Reservoir is huge for the people in Gold Hill, Virginia City, and potentially the Highlands. He believes it's close to one million gallons of water that will be stored there. If their hundred year old system takes a hit as it often does, they will have that water for use. It may be used for helicopter drops for wildland fires as well.

Mr. Beach: Complained about his neighbor's property again and wants something done about it.

25. ADJOURNMENT

The meeting was adjourned by the Chair at 12:35pm

Respectfully submitted,

By _____
Vanessa Stephens, Clerk-Treasurer