



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, AUGUST 19TH, 2014 10:00 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, Deputy District Attorney Anne Langer, Clerk & Treasurer Vanessa Stephens, County Manager Pat Whitten, Comptroller Hugh Gallagher, Community Services Director Cherie Nevin, Planner Dessie Redmond, Sheriff Gerald Antinoro, Building Inspector Shannon Gardner, Public Works Director Mike Nevin, Administrative Officer/Senior Planner Austin Osborne and Deputy District Attorney Robert Morris.

Absent: District Attorney Bill Maddox

1. **CALL TO ORDER AT 10:00 A.M.**

The meeting was called to order by the Chair at 10:00am

2. **PLEDGE OF ALLEGIANCE**

The Chair led those present in the Pledge of Allegiance

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

Mr. Whitten requested item 12 and 16 follow the Consent Agenda.

Motion: Approve agenda for August 19, 2014 with changes requested by Mr. Whitten. **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

4. **DISCUSSION/POSSIBLE ACTION:** Approval of minutes for August 5, 2014

Motion: Approve minutes for August 5, 2014. **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

CONSENT AGENDA

5. For possible approval the Treasurer Report for July 2014
6. For possible action approval of Assessor's recommended corrections to the 2014/2014 tax roll for partial property tax abatements pursuant to NRS 361.4722 through 361.4724
7. For possible action approval of general and liquor license first reading-
 - a. DELTA SALOON/SAWDUST CORNER/PARKING- General and liquor license/28 S C St.
 - b. BONANZA SALOON- General and liquor license/27 N C St.
8. For possible action approval of Payroll Check date 08/01/14 for \$427,414.46. Accounts Payable date for 8/08/14 for \$484,597.05 and \$5,130.39.
9. For possible action approval of Business License First Readings -
 - a. CHEWY.COM LLC - General/700 Milan (ecommerce fulfillment ctr) TRI
 - b. PEEK BROTHERS CONSTRUCTION INC. - Contractor/400 Carroll Drive, Fernley
 - c. A & J PAVING - Contractor/1490 Cherokee Trail, Reno
 - d. dba RED ROCK SPRING WATER/General - 1145 Icehouse Avenue, Sparks
 - e. MARTINEZ TREXLER REAL ESTATE GROUP/Home Business-92 West Taylor VC

END OF CONSENT AGENDA

Mark Joseph Phillips, Storey County resident: Stated that he would like to see the applicants name regarding the liquor license first reading.

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

DISCUSSION/POSSIBLE ACTION: Recommendation to award contract to successful bidder for the construction of the Storey County Courthouse Roof Replacement Project. Bids will be opened on August 14, 2014 and will be included in the Commission packet prior to the meeting. (*Originally listed as item 12.*)

Shannon Gardner, Storey County Building Inspector:

- Received two bids last Thursday at 2pm. One was incomplete with paperwork and was not qualifying. We did get a qualifying bid from Watershed Systems out of Carson City. We were pleased with it. Base bid \$69,020.
- Alternate bid #1 for Snow Retention \$76,80.00
- Alternate bid #2 for Gutters and Downspouts \$3,900.00
- Alternate bid #3 for Metal Access Stairs and Cat Walk \$18,380.00
- Projected budget is a little under \$100,000
- Staff recommends award of contract to Watershed Systems for the base bid of \$69,020 and the Alternate bid #3 for \$18,380 for a total of \$87,400.
- Would like to hold off on gutters and snow retention to research an alternate system first.
- Presented samples of the roofing material

Mr. Whitten pointed out that the bidder, Mike Baxter, took the time to be here and explained why he is very impressed with him.

Mr. Gardner also mentioned that they are looking at doing a powder coat finish on the catwalk and stairs rather than the paint proposed. He is also looking at an increase to the warrantee.

Motion: Award bid to Watershed Systems in the amount of \$87,400. **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

DISCUSSION/POSSIBLE ACTION: Special Use Permit 2014-013: By Mickey Hazelwood (The Nature Conservancy) at properties located on a portion of assessor parcel number (APN) 004-111-33 (approximately 4.08 acres) of Sections 10, 11 and 15 of Township 19 North, Range 21 East and on a portion of APN 004-111-34 (approximately 1.28 acres) located at Section 11, Township 19 North, Range 21 East, in Storey County, Nevada. The overall project also includes a portion of Township 19 North, Range 21 East, Section 11 in former Washoe County, Nevada (Washoe County APN 084-450-02). This portion of the project is part of land that was recently added to Storey County from Washoe County and to which a Storey County current known APN and zoning classification has not yet been assigned. The applicant requests a Special Use Permit to restore and improve portions of the Truckee River and surrounding riparian area near Mustang, Hafed, and McCarran Ranch, Storey County, Nevada. The project will include lowering the existing (abandoned) floodplain, constructing riffles, and grading control structures in and adjacent to the active river channel, lowering an abandoned diversion structure, and sequestering spoils along the floodplain margins in and around the Truckee River. (*Originally listed as item 16.*)

Mickey Hazelwood, The Nature Conservancy: - presentation

- Showed a map and photos of project location
- Explained the terrain and that invasive species of plants have taken over native.
- Explained what they propose to do to correct the problem
- Will not be relocating the river channel - only flood plain excavation to promote native vegetation and wildlife. Flood controls and re-vegetation.
- Working on opening public access
- Also working with Federal, State, and other Local agencies for permits and regulation
- Went over historical projects completed and showed aerial images of improvements
- Increase in numbers and reported species of birds, increase of public use

Mr. Whitten asked how many cubic yards of earth will be moved. Mr. Hazelwood replied just over 100,000. Mr. Whitten complimented The Nature Conservancy and commended their efforts. Mr. Hazelwood described some of the funding sources that make it happen. This project will be just over \$1 million.

Mr. Gilman feels it is a win-win all the way around. Mr. Sjovangen asked the total acres of the project. Mr. Hazelwood said the area of disturbance is limited to about 27-28 acres.

Senior Planner/Administrative Officer Austin Osborne:

- This property has an irrigation canal on the north side which staff wants to be sure is protected along with its easements. (condition #20)

Planner Dessie Redmond read the Findings:

- 6.1.1 The proposed SUP complies with the general purpose, goals, objectives, and standards of the county master plan, this Title 17, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.
- 6.1.2 The proposed SUP will be compatible with existing adjacent land uses and will not cause substantial negative impact on adjacent land uses or other properties in the vicinity.
- 6.1.3 The proposed use in the proposed area will be adequately served by and will impose no undue burden or any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.
- 6.1.4 The proposed SUP will not impose substantial adverse impacts or safety hazards on the abutting properties.
- 6.1.5 The Conditions of Approval of the SUP require compliance with the applicable codes.
- 6.1.6 The Conditions of Approval of the SUP do not conflict with the minimum requirements in SCC Chapter 17.24 Agricultural or Chapter 17.03.150 Special Use Permits.
- 6.1.7 The proposed SUP will not cause uses that will negatively impact existing or planned public serviced or facilities and will not adversely impact the public health, safety and welfare.
- 6.1.8 The proposed SUP will not create any non-conforming conditions, such as non-conforming setback distances or minimum parcel area and width requirements.
- 6.1.9 The proposed SUP is in substantial compliance with and supports the goals, objectives and recommendations of the Master Plan.
- 6.1.10 The proposed SUP conforms to the purpose and intent, as well as the letter and spirit, of the Storey County Zoning Ordinance (Title 17), and conforms with consistent past practices of the Planning Commission and the Board with regard to requiring an SUP for river restoration projects and other land use proposals the substantially alter the Truckee River in Storey County.

Motion: In accordance with the recommendation by the Storey County Planning Commission and Staff, the Findings under Section 6.1 of this Staff Report and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, the Storey County Board of County Commissioners hereby approves Special Use Permit Number 2014-013, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

10. DISCUSSION (No Action - No Public Comment): Committee/Staff Reports

Public Works Director Mike Nevin:

- Bridge decking on the Painted Rock Bridge was installed in record time
- We are working through some contaminated soils issues at the new Wastewater Treatment Plant. We met last Tuesday with the engineer and representatives of Q&D and NDEP and have an approved plan of containment. Work has recommenced.
- The design plan is 90% complete for the two reservoir rehabilitation projects. We are ready to go to bid. We hope to have the opening on September 18th with a recommendation to the board in October.
- Working with Bob Morris on the new Marlette agreement.

- 5 mile was reservoir constructed around 1877. It held 5.5 million gallons of water and served until about 2003 when funding was received to improve the water line to the reservoir. The County tried to clean it and breached the west embankment and it never held water after that. It's been 10-11 years. There is enough room to expand it by an additional 1 million gallons.
- The divide reservoir holds 2 million gallons used mainly for fire protection. It is our hope to turn it into a park-like public use area. The volume there will remain the same, but it will be improved so that it holds water.

Planner Dessie Redmond:

- Very busy - A couple SUPs for murals in VC, parcel map close to TRI, Vista Towers in the Highlands, and a reduced rear yard setback in the Highlands.
- Attended a CDBG application workshop in Fallon with Cherie Nevin, and will be attending the annual forum in Eureka in a couple weeks.
- Will be attending a workshop on environmental and historical preservation in Carson City next week with Ms. Nevin as well.

Comptroller Hugh Gallagher:

- Regarding the V&T Rail Commission meeting: We had an agreement dated January 1, 2010 when we reinstated the ¼ cent option tax for the Railway Commission. There are several things in that agreement that they have not complied on. Mr. Sjovangen came to my office and made it clear that I was going to have to solve the problem. I am going to contact the Carson City Controller, Nick Providenti, the outside auditors for the V&T Rail Commission, Muckel Anderson. We will address the amount of money they owe us back and the way they intend to do that. In the meantime, any future payments from Storey County through the options tax process from the State of Nevada will now be forwarded to the V&T Rail Commission. So we are going to stop that and see if that puts a bur under their saddle.
- Introduced Tom Gransberry as a tax consultant for the County.

Mr. Sjovangen expanded on the situation with the V&T Rail Commission. It is something they will have to continue to monitor. Mr. Whitten complimented Mr. Gransberry and mentioned some of his accomplishments and projects he has worked on.

Community Services Cherie Nevin:

- Last Saturday, August 16th six new site stewards were trained for the Lagomarsino Petroglyphs area. The training was sponsored by the State Historic Preservation Office. All six stewards are members of the Sheriff's Cert team.
- August 13th we hosted 70 Fulbright Scholars here in Virginia City. They were hosted by Storey County, Community Chest, Forth Ward School, and the Northern Nevada International Center. This is the US Government's Flagship International Exchange Program supported by the people of the United States and partner countries around the world.
- September 17th Carson City Health and Human Services will be offering flu shots in Lockwood from 3-6pm. Location to be announced. (Community Center or Hillside Elementary School)
- October 18th - Virginia City Health Fair, 10am-2pm
- Mid-September we will be providing you with an overview of the Community Development Block Grant Program. Three parts - we will explain the program and what we have funded in

the past and seek input. The second meeting we will share input from the public. The third meeting is where we will vote for what we want to see funded.

County Manager Pat Whitten:

- Chief Hames is reviewing bids on the structure engines.
- Fire equipment and staff in California, Oregon, Idaho, and Washington.
- Marilee Miller – There is newly donated art outside Lockwood Community Center.
- Dean Haymore – Working on an all-day inspection for Ardagh
- Underutilized building in TRI that the county uses for some Fire and Community Development is being worked on and leased to Intellisource, the employment agency for Zulily in order to conduct job recruitment and job fairs.
- Moving the B Street houses – The yellow house went very smoothly. The white one is scheduled to move tomorrow morning. Ms. Redmond is working diligently on the design plans and amending the lease. CMI has a home for the green house in American Flats. The last house will be moving to E Street.
- Murals in VC. – West and South walls of Bucket of Blood parking lot – true work of art. Pictorial of Life on the Comstock.
- Passing of Homer Hayes

Administrative Officer/Senior Planner Austin Osborne:

- Storey County Administrative Policies will be up for approval by this board in the next few months.
- Vista Tower will be coming up to the Planning Commission for review. This is to provide an extension for the applicant and to amend the SUP so that he does not have to have the carriers contracted before building the tower.
- Collaborating with Attorney Robert Sader in TRI regarding the 600 acres that is now part of Storey County. We will be developing Master Plan, zone text, and zone map amendments regarding that property. Should take about three months.
- CMI is scheduled for August 21st Planning Commission meeting which will begin at 5pm, but CMI will not be addressed until 6pm. Residents are coming in to work with Mr. Osborne constructively and are welcome to continue to do that.

11. BOARD COMMENT (No Action – No Public Comment)

Mr. McBride followed up on comments made by Mr. Sjovangen regarding the V&T Rail Commission. He agrees that the appropriate action is to cease funding until questions can be answered. He added if we are going to move forward the current situation needs to be reevaluated.

12. DISCUSSION/POSSIBLE ACTION: *Recommendation to award contract to successful bidder for the construction of the Storey County Courthouse Roof Replacement Project. Bids will be opened on August 14, 2014 and will be included in the Commission packet prior to the meeting. (Item was heard following the Consent Agenda.)*

13. DISCUSSION/POSSIBLE ACTION: For possible action approval of Check 79513 for \$4,500 to the Bucket of Blood

Mr. Whitten explained that because Mr. Gilman was absent from the last meeting, and Mr. McBride has to abstain from voting on this item, it was continued to this meeting.

Kay Dean, VC Highlands: Asked when the lease began. Original agreement was to pay for paving. She would like to see if this merits \$18,000 per year to the county as there are additional parking lots that were not in existence when this began. She feels there is plenty of parking and would like to see a cost/benefit analysis.

Mr. Whitten feels feasibility studies to justify an ongoing quarterly payment for a lease approved by a previous board are not appropriate. There are no specific lots that are owned by the County other than perhaps Public Works.

Mark Joseph Phillips, Virginia City resident: Discussed Mr. McBride's disclosure statements and ethics.

Jack McGuffey, VC Highlands: Since the justice court moved into this building, parking has been an issue. He discussed other problems with parking in the vicinity.

Mr. Whitten mentioned that it is a moot point to discuss the ethics on the issue until they are finished with the negotiations with the McBride Family Trust on the expansion of the courthouse parking. One thing this town never has enough of is parking. We hear that from the merchants and the visitors almost every day.

Joyce Kveum, owner Comstock Corner Café: We do not have enough parking for visitors and locals.

Jennifer Barnes, Storey County Resident: Manages Mustang Ranch Steak House - there is not enough parking.

Mr. McBride abstained from this item.

Motion: Approve check 79513 for \$4,500 to the Bucket of Blood, **Action:** Approve **Moved by** Vice-Chairman Gilman **Seconded by** Commissioner Sjovangen **Vote:** Motion carried by unanimous vote (summary: Yes=2)

The Chair called a recess at 11:18am; reconvened at 11:30am

14. DISCUSSION/POSSIBLE ACTION: a.) Reaffirm Storey County Administrative Policies and Procedures Number 010 dated 04-07-2009 "Vehicle and Equipment Assignment and Use." b.) Development of Policies and Procedures relating to the adoption of Volunteer participation programs in certain County events and requirements for use of County owned vehicles.

Comptroller Hugh Gallagher:

This item is about liability. Since May of 2014 there have been two incidents in the Highlands involving county owned emergency vehicles operated by non-employees. Storey County has been very consistent in restricting non-employees from operating county-owned vehicles.

Storey County Administrative policies and procedures number 10 II (A) dated 4/7/09
"Use of County vehicles and equipment will be limited to County employees who, by the nature of their duties, have a need to operate such equipment."

These two incidents give Mr. Gallagher great pause as to a potential catastrophic liability position we may be put in. He recommends that the procedure be reaffirmed.

With this, it may also be a good time to address the volunteer situation. There is a real need for community emergency teams that are out there. They need to be documented from a risk-management perspective to include training. He recommends a committee to include two professionals, Gary Hames and Joe Curtis. Gary Hames' Volunteer Fire Department is a wonderful example of attention to the liability on that equipment and the volunteers that operate it. Again, he recommends a committee to include the risk-management team, the Fire Chief, Gary Hames, Emergency Management Director, Joe Curtis, Safety Committee President, Shannon Gardner, the Sheriff and maybe one or two others. Once in place we will have more information on whom these people are and their training and maybe at some point in the future can talk about them operating county vehicles.

Mr. McBride asked how this changes things from the days when he was a volunteer fire fighter operating emergency vehicles.

Mr. Gallagher responded that with Chief Hames' program they have to have a CDL license, 40-80 hours of instruction, and be tested on inspection and operation of the vehicles.

Sheriff Gerald Antinoro:

This has been a controversial topic for some time. He believes it is a political attack to discredit his office and his volunteer program. The Storey County policy also says that elected officials, departments heads, supervisors shall be responsible for vehicles assigned for their use. He compared the Fire Volunteer program policies to his own as far as training, use of vehicles. One of the incidents was a Horse that ran into the side of a vehicle. He explained that it was not the fault of the driver. Only two people are out doing patrols. He explained their purpose. He read a review of his policies and procedures by Pool/Pact that says it is well-written and consistent with generally accepted policies and procedures of law enforcement agencies nation-wide and they had no recommendations regarding changes. I've also been working with Austin Osborne to get all the forms HR wants filled out in addition to our own. This is no different than other volunteer programs and we are doing everything possible to limit liability.

Mr. McBride said he know that when these incidents first came up, Human Resources and the insurance companies had no idea who these people were, where with volunteer firemen, they are all on record. The other incident involved a volunteer carrying a weapon in the car which should probably not have happened unless he was deputized.

Sheriff Antinoro responded that there are many times when a volunteer might carry a weapon, such as rangers. The vehicle is set up with a locked compartment for weapons. There are times when they may need it to dispose of an animal that's been injured when we can't get out there or something of that nature. Right now there are only two out there. They are together.

HR is fully aware of who they are, and we have most of the rest of the team all documented with HR and should have that completed by tomorrow (day after tomorrow).

Mr. Gilman addressed the statement that this is politically motivated. He assured the Sheriff that it was not on his behalf. He commends the volunteer programs. As far as he's concerned the bottom line is contingent liability. He spoke to his experience in the private sector and the policies of the County and employees operating vehicles. If there is an issue here it should be addressed.

Sheriff Antinoro said that there is no issue. The people in the program are being documented on paper, the policies and safeguards are there. Mr. Gilman said they are being asked to reaffirm the policies. He asked if the Sheriff has a problem with that language. Sheriff Antinoro said he doesn't have a problem with that language, but does have a problem with cancelling the program based on violation of policies. Mr. Gilman asked if the policies are Storey County's or his own. Sheriff Antinoro said there is a little bit of an overlap and autonomy in the Sheriff's office which goes back to the separation of powers clause. The policies work together.

Mr. Sjovangen considers it a breach of the public trust and is extremely serious. Mr. Gallagher sent a letter to the Sheriff in Mid-May with an order cease and desist until this was ironed out and we had all of the proper procedures and insurance and all those questions answered. Again, on May 21st another letter which he read:

Last week I sent you an email regarding the improper use of volunteers operating company vehicles and the proper program approvals necessary per our insurance carrier. As of this correspondence we have not received any documentation as to the volunteers involved or the incident report regarding a sheriff vehicle (the incident where they ran into a horse)...

The potential cost to Storey County can be significant should potential lawsuits be filed as a result of injured persons or property.

At the time this was going on, none of us had any idea who these people were. We had no names, worker's compensation information, and the insurance pool, had we put in a claim, would have told us we were on our own. The volunteers Mr. Sjovangen has seen out in the public, as far as he's concerned, have been imitating peace officer. They have "Sheriff" on their hats, shirts, and cars in violation of NRS. They have had firearms in the vehicles and he doesn't know the legalities of that. He also mentioned background checks on these individuals. These are not things to be taken lightly. It's been pointed out to the Sheriff in writing a couple of times and we are here talking about it again. He believes the CERT program should be shut down immediately even if we get some outside guidance to help out to look at it.

Mr. Antinoro clarified that all of the volunteers have had background checks. There is no violation of law having a shotgun in the car. He agreed that there was a request in May that they suspend the program until they get a weigh-in from Pool/Pact which was done. It was discontinued and no one went out until we got the thumbs-up from Pool/Pact, which Mr. Gallagher was aware of because he was copied on the email. The only thing pending now are a few items of paperwork that I have been working with Mr. Osborne on.

Mr. Osborne explained that all the volunteers and employees have completed the paperwork and HR training required to be familiar with Storey County Policy and are being provided with Workman's Comp. It has taken a year for 15 of the 20 known Certs to go through the process. He recently became aware through the Sheriff that there are approximately 50 of them. Mr. Osborne doesn't know what level they are or if they are driving or not driving, but that is potentially 30 people that he doesn't have on the books. All he asks is that they go through the HR certification process, which includes a background investigation, before moving forward to any other program or training.

Mr. Antinoro confirmed that there are 20 actives 5 of which they are working on. The others are not as active, so they are working on them as they catch up with them. Only two of them actually go out and drive. The ones who are not on paper are not active in the program at all.

Mr. Gilman would like to see policies and procedures developed specifically for volunteers.

Mr. Sjovangen would like the D.A.'s office to look at it and perhaps someone from outside.

Chris Miller, VC Highlands: She is a current member of Storey County School Board, Past President of the Nevada Association of School Boards, and member of the International Science and Engineering Fair Review Committee, but is not speaking on behalf of any of those groups. She would like to share the Engineering Fair and research perspective on safety. Risk assessment is a vital part of safety. There is no such thing as a risk-free environment. These are volunteers who are not being kept safe. If they are in a marked police vehicle that does not indicate, as they do in Reno and Carson, that it is a volunteer unit, they will be perceived by the public to be officers.

Sheriff Antinoro responded that there are large magnetic signs that go on the sides that say CERT Volunteer.

Mr. Sjovangen argued that he has seen them out many times without such signage.

Jim Miller retired Sheriff of Storey County: Agrees with the CERT program. He saw them driving a black and white without the CERT signage and that puts them in a great amount of danger. It's a good program with some housekeeping issues, but they should be in an all-white vehicle so it is clear who they are.

Sheriff Antinoro agrees with Mr. Miller and prefers that they not be in the black and whites, but it is just a matter of having the vehicles available for them. Sometimes the signs fall off, but they do have them normally. He is working on getting the amber lights for the solid color vehicles.

Kay Dean, VC Highlands: Questioned the policy and procedure document where it mentions mileage numbers and wondered how they were determined.

Mr. Whitten explained that these policies come from the risk-management pool. They come in template form, but we work to customize them. These are standardized rates that have historically been used.

Ms. Dean went on to say that these mileage numbers are overstated by 40% according to IRS allowed reimbursements.

Mark Joseph Phillips, Storey County Resident: There is nothing in today's agenda regarding misconduct of a County officer. There is also nothing about suspending the CERT program. NRS gives the Sheriff complete authority over search and rescue.

Mr. Whitten: Mr. Gallagher and Mr. Osborne work directly for me. Sheriff Antinoro is an elected official. In my 15 years, 6 of which were in service as Sheriff, I was fortunate to never have heard the words "autonomy and separation of powers" ever used by any elected official in this county. Throughout this process I have mandated that Mr. Gallagher and Mr. Osborne, that though they have needs and documentation requirements, that there be no political motivation. I removed myself and allowed Mr. Gallagher to take the risk management side for just those reasons. I wanted no political "stanching" as has been referenced today. Autonomy is legal and is in statute, but when the County comes up with \$350k in insurance premiums, it is the County that is responsible for managing the risk associated with that regardless of separation of powers. In looking at the Sheriffs that came before and since me and the hundreds of other elected officials that have understood that yes, they have autonomy to do the job they need to do under statute, but they've got to work as a team. He is concerned that the program is over a year old and they are still doing housekeeping. The bottom line is that our job is to mitigate the risks. It is not our intent to kill the CERT program, but you have to have the structure and conformity before you go through with the program.

Mr. Antinoro and Mr. Whitten further discussed difference of perspective on how the incident was reported. Mr. Antinoro said it was reported within a couple days, and Mr. Whitten disagreed and thought that the report had to finally be requested.

Motion: Reaffirm Storey County Administrative Policies and Procedures and instruct staff with legal assistance to develop policies and procedures relating to the adoption of volunteer participation programs within the County that address liability, to include oversight/overview and an analysis of the Sheriff's programs along with all other programs in the community. **Action:** Approved **Moved by** Vice-Chairman Gilman **Seconded by** Commissioner Sjovangen **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

COMMUNITY DEVELOPMENT AND PLANNING

15. **DISCUSSION/POSSIBLE ACTION:** **Variance 2014-006:** By Joyce Kveum at a property located at 109 South C Street, Virginia City, Nevada 89440 (APN 001-074-03) for a business commonly known as Comstock Corner Café. The applicant requests a variance for the purpose of changing the allowed width and length of a sign which will be attached to the porch of the business.

Planner Dessie Redmond:

Details are listed in the staff report. Page 5 of the staff report outlines section 3.1 SCC 17-84.90 and that the applicant is not in compliance and it is recommended by staff that the sign in the back of the building not in compliance stay in place.

Joyce Kvuam, owner of Comstock Corner Café: Explained that they don't want a cookie cutter sign, but rather something with character. She explained the details of the differences from ordinance and reasons for those differences. She described the location and reasons for the sign in the rear. She also explained which signs will be removed when the permanent one goes up.

Mr. McBride had a concern about the artist's rendering and location of the sign shown on pages 17 and 19. He likes the artist rendering, but the silhouette shows it offset to the one side. He would like to see the adjacent property owner continue the same silhouette to make it cohesive.

Ms. Redmond mentioned that she didn't think they could condition another property owner.

She read the amended condition into the record:

8. All other non-conforming signs, except for legally non-conforming signs, and the existing sign on the rear of the building, on the premises must be brought into compliance with the Storey County Code before the proposed sign allowed by this Variance is installed.

Mr. Whitten asked about requesting the rest of the building be addressed when and if that signage goes up.

Mr. Osborne spoke to the lengthy process to develop the ordinance, and yet small things still come up that need to be adjusted such as the 15" height requirement that should probably be adjusted. They probably will revamp the ordinance. They can't condition the neighbors. They could address the issue should another variance be requested for additional signage on the remainder of the building.

Ms. Kveum suggested removing the circles at either end of the sign. Mr. McBride did not find that necessary.

Mr. Gilman spoke to the importance of good signage and is comfortable with this plan.

Mr. Sjovangen agreed it would be better centered, but likes it. Mr. Osborne discussed the removal of content on signs once a business is no longer there and continuity of the backboard should the rest of the building be addressed.

Findings:

- 6.1.1 There are special circumstances applicable to the subject property, including the configuration of the building and the location of the restaurant therein. Therefore, the strict application of the zoning ordinance deprives the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classifications; and
- 6.1.2 That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant (property owner); and
- 6.1.3 That the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property and;
- 6.1.4 The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations; and
- 6.1.5 The proposed Variance is in compliance with Storey County Code 17.84 Signs and Billboards.
- 6.1.6 The proposed Variance is in compliance with and supports the goals, objectives and recommendations of the Storey County Master Plan.

Motion: In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of this Staff Report and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, the Storey County Board of County Commissioners approves Variance Number 2014-006 Comstock Corner Café Sign Variance, **Action:** Approve **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

16. **DISCUSSION/POSSIBLE ACTION: Special Use Permit 2014-013:** *By Mickey Hazelwood (The Nature Conservancy) at properties located on a portion of assessor parcel number (APN) 004-111-33 (approximately 4.08 acres) of Sections 10, 11 and 15 of Township 19 North, Range 21 East and on a portion of APN 004-111-34 (approximately 1.28 acres) located at Section 11, Township 19 North, Range 21 East, in Storey County, Nevada. The overall project also includes a portion of Township 19 North, Range 21 East, Section 11 in former Washoe County, Nevada (Washoe County APN 084-450-02). This portion of the project is part of land that was recently added to Storey County from Washoe County and to which a Storey County current known APN and zoning classification has not yet been assigned. The applicant requests a Special Use Permit to restore and improve portions of the Truckee River and surrounding riparian area near Mustang, Hafed, and McCarran Ranch, Storey County, Nevada. The project will include lowering the existing (abandoned) floodplain, constructing riffles, and grading control structures in and adjacent to the active river channel, lowering an abandoned diversion structure, and sequestering spoils along the floodplain margins in and around the Truckee River. (Item was heard following the Consent Agenda.)*

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

- A. EAGLES CREST, INC. - Contractor / 4865 Joule Street #C6 ~ Reno (contractor)
- B. ARDAGH METAL PACKAGING USA, INC. - General / 900 Waltham Way (can mfg) TRI
- C. W G YATES & SONS CONST CO - Contractor / 2641 Portofino Drive (contractor) TRI
- D. SILEGACY FLOOR FINISHING, LLC - Contractor / 750 Freeport Blvd ~ Sparks (contractor)
- E. JAMES PAT COLONNA - Home Business / 21217 Highland Road ~ VC Highlands (CPA)
- F. CARSON CITY VENDING, LLC - General / 4083 Montez Drive ~ Carson City (vending service)
- G. DIRECT FORCE MAINTENANCE, LLC - Contractor / PO Box 5611 ~ Fallon (mining support)
- H. HILL & HILL CONSTRUCTION, LLC - Contractor / 8965 Mohawk Street ~ Las Vegas (contractor)
- I. A-Z WELDING & FABRICATION, LLC - General / 1215 Alexandria (welding fab) TRI
- J. STEEL KING INDUSTRIES, INC. - Contractor / 2700 Chamber St ~ Stevens Point, WI (contractor)
- K. HIGH DESERT PLUMBING - Contractor / 131 Coney Island Dr ~ Sparks (contractor)
- L. CH2MHILL ENGINEERS, INC. - Contractor / 50 West Liberty ~ Reno (contractor)
- M. ROSSCO ENT., dba AP STAINLESS MFG - General / 1215 Alexandria (manufacturing) TRI
- N. SUPERIOR INSTALLATION SERVICES, INC. - Contractor / 1230 Crowley Cir ~ Carrollton, TX (cont)
- O. CASEY INDUSTRIAL, INC. - Contractor / 1400 W 122nd Ave ~ Westminster, CO (contractor)
- P. RITCHIE BROS AUCTIONEERS - General / 20202 East Highway 80 MCC
- Q. DATA SALES CO., INC. - General / 3450 West Burnsville Pkwy ~ Burnsville, MN (equip lease)
- R. VEGA ASPHALT PAVING, INC. - Contractor / 385 Freeport Blvd ~ Sparks (contractor)

S. A.S.A.P. PUMP & WELL SERVICE, LLC - Contractor / 10230 Laurent Drive ~ Reno

Motion: Continue items B, C, I, M, and P **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

Motion: Approve items A, D, E, F, G, H, J, K, L, N, O, Q, R, and S **Moved by** Commissioner Sjovangen **Seconded by** Vice-Chairman Gilman **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

The Chair called a recess at 12:53pm; reconvened at 1:02pm

18. PUBLIC COMMENT (No Action)

Kay Dean, VC Highlands: Jeep Posse still shows as being a county organization on the website. They should be removed or included in the HR process.

Kim Fegert, Gold Hill Historical Society: We were forced to take ownership of the fire alarm system in the building and feel this expense would be better borne by the County and would like it added to the next meeting as an agenda item for discussion. Mr. Whitten explained that there is a process to add an agenda item through the Clerk.

Mark Joseph Phillips, Virginia City: Crystal Bar building agreement to sell without any paid off mortgage on record. Mr. Whitten was on the VCCTA board when the building was acquired. He believes it was purchased with cash so there would not have been a mortgage.

Regular meeting was closed at 1:07pm

19. **CALL TO ORDER CLOSED SESSION MEETING** pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding labor negotiations between Storey County (Employer) and the Storey County Sheriff's Office Employees' Association/Operating Engineers Local Union No. 3 (Sheriff's Office Employees' Association), and possible Memorandum of Understanding to clarify salary benefits as applicable to the 2014-2017 Bargaining Agreement between the Employer and the Storey County Firefighter's Association IAFF Local 4227 (Firefighters' Association). (*Closed session was called at 1:10pm.*)

20. ADJOURNMENT

The Chair adjourned the meeting at 2:18pm

Respectfully Submitted,

By _____
Vanessa Stephens, Clerk-Treasurer