



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

MONDAY, JANUARY 5, 2015 2:00 P.M.

DISTRICT COURTROOM

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

MARSHALL MCBRIDE  
CHAIRMAN

ANNE LANGER  
DISTRICT ATTORNEY

LANCE GILMAN  
VICE-CHAIRMAN

JACK MC GUFFEY  
COMMISSIONER

VANESSA STEPHENS  
CLERK-TREASURER

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**Roll Call:** Chairman McBride, Vice-Chairman Gilman, Commissioner McGuffey, District Attorney Anne Langer, County Manager Pat Whitten, Deputy Clerk & Treasurer Dore Nevin, Deputy District Attorney Anne Langer, Special Counsel Robert Morris, Sheriff Gerald Antinoro, Administrative Officer/Planner Austin Osborne, Comptroller Hugh Gallagher, and Community Services Director Cherie Nevin.

1. **SWEARING IN OF NEWLY ELECTED OFFICIALS** - Judge Russell swore in the newly elected officials.
2. **CALL TO ORDER AT 2:00 P.M.**  
The meeting was called to order by the Chair at 2:10 P.M.
3. **PLEDGE OF ALLEGIANCE**  
The Chair led those present in the Pledge of Allegiance
4. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for January 5, 2015  
County Manager Pat Whitten requested item 20 be moved to follow the Consent Agenda.

**Motion:** Approve Agenda for January 5, 2015, **Action:** Approve **Moved by** Commissioner Gilman  
**Seconded by** Commissioner McGuffey **Vote:** Motion carried by unanimous vote (**summary:**  
Yes=3)

5. **ELECTION OF CHAIRMAN AND VICE CHAIRMAN TO THE STOREY COUNTY BOARD OF COMMISSIONERS FOR THE TERM OF ONE YEAR** Pursuant to Storey County Code 2.04.008

**Motion:** Elect Commissioner Marshall McBride as the Chairman, **Action:** Approve **Moved by:** Commissioner Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote (**summary:** Yes = 2)

**Motion:** Elect Commissioner Lance Gilman as the Vice Chairman, **Action:** Approve **Moved by** Chairman McBride **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote (**summary:** Yes = 2)

**6. APPOINTMENTS TO SERVE ON STATE, COUNTY AND REGIONAL BOARDS**

1. Safety Committee - *defer appointment to the Safety Committee*
2. Legislative Representative - *Marshall McBride with all others, including staff as needed*
3. Historic Fourth Ward School and Museum Board - *Jack McGuffey*
4. NACO - *Jack McGuffey, with Austin Osborne as secondary*
5. Nevada Works - *Lance Gilman, with Austin Osborne as secondary*
6. Virginia City Senior Center - *Cherie Nevin*
7. Lockwood Senior Center - *Lance Gilman, Cherie Nevin and Maggie Lowther*
8. St. Mary's Art Center - *Jack McGuffey*
9. Western Nevada Development District - *Dean Haymore*
10. Carson Water Subconservancy District - *Austin Osborne*
11. State Land Use Planning Advisory Council - *Austin Osborne, with Dessie Redmond as secondary*
12. Natural Resources Conservation District (USDA) - *Dean Haymore*
13. Truckee River Flood Management Authority (Technical Advisory Committee) - *Lance Gilman, with Austin Osborne and Dessie Redmond as secondary*
14. Comstock Historic District - *Marshall McBride*
15. Nevada Commission for the Reconstruction of the V & T Railway - *Jack McGuffey*
16. Virginia City Tourism Committee - *Scott Jolcover, Molly Burnet, Angelo Petrini, and Ron Gallagher*
17. Oversight of Fire and Public Works - *Marshall McBride*
18. Economic Development
  - a. EDAWN - *Lance Gilman*
  - b. NNDA - *Lance Gilman*
19. Storey County Wildlife Advisory Board - *Rob DuFresne, Greg "Bum" Hess, Jim Clark, Rich Bacus and Greg Hess, Sr.*

**Motion:** Approve Appointments to Serve on State, County and Regional Boards, **Action:** Approve **Moved by:** Vice Chairman Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote (**summary:** Yes = 3)

**7. DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for November 12, 2014

**Motion:** Approve Minutes for November 12, 2014, **Action:** Approve **Moved by:** Vice Chairman Gilman **Seconded by** Commissioner McGuffey **Vote:** Motion Carried by unanimous vote (**summary:** Yes= 3)

**8. DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for December 2, 2014

**Motion:** Approve Minutes for December 2, 2014, **Action:** Approve **Moved by** Vice Chairman Gilman **Seconded by** Commissioner McGuffey **Vote:** Motion Carried by unanimous vote (**summary:** Yes= 3)

**CONSENT AGENDA**

9. For possible action approval of Payroll Checks dated 11/24/14 for \$112,014.02, \$50,132.19, \$428.55, date 12/05/14 for \$403,461.04 and date 12/19/14 for \$308,980.93. Accounts payable checks date 11/26/14 for \$112,558.00 and \$26,707.85, date 12/12/14 for \$1,003,098.49 and \$4,166.85, date 12/17/14 for \$1,000, date 12/26/14 for 382,977.88, \$3,761.33, \$33.60 and \$1,055.71.
10. For possible action approval of November 2014 Treasurer Report
11. For possible action Approval of update to Storey County Administrative Policies and Procedures including: 701 Health Insurance Coverage; 702 Life Insurance Coverage; 703 Retirees (health coverage); 705 Workers' Compensation/Transitional Duty; and 706 Education Assistance. Additionally, Policy 703A Retiree Health Benefits to be replaced with Policy 704 Retirees Health Benefits.
12. For possible action Approval of update to Storey County Administrative Policies and Procedures including: 603 Sick Leave; 605 FMLA Leave; and 609 Military Leave\
13. For possible action approval of Business License First Readings -
  - a. ROSENDIN ELECTRIC, INC - Contractor / 880 Mabury Road - San Jose, CA (electrical contractor)
  - b. PANDA RESTAURANT GROUP - General /745 Sparks Blvd - Sparks (caterer)
  - c. PEED EQUIPMENT CO. - Contractor / 1480 Nandina Avenue - Perris, CA (heavy equipment)
  - d. SCHUFF STEEL COMPANY - Contractor / 1841 West Buchanan - Phoenix, AZ (steel erector)
  - e. QUALITY CONTROL SYSTEMS, INC. - Contractor / 61 Continental Drive - Reno (hvac contractor)
  - f. SURFACE PREP & MAINTENANCE - Contractor / 240 Linden Street - Reno (asphalt contractor)
  - g. STERLING CRANE, LLC - Contractor / 2211 5<sup>th</sup> Street - Elko (heavy lift services)
  - h. ANNING-JOHNSON CO - Contractor / 13250 Temple Avenue - City of Industry, CA (metal deck install)
  - i. SUNVELOPE SOLAR, LLC - Contractor / 96 Glen Carron Cir - sparks (solar contractor)
  - j. SAFWAY SERVICES, LLC - Contractor / PO Box 1991 - Milwaukee, WI (scaffolding equip)
  - k. ANSBERRY SIGNCRAFT - General / 10865 Osage Road - Reno (signage manufacturer)

**END OF CONSENT AGENDA**

**Motion:** Approve Consent Agenda, with the exception of items 9, 10, and 11 pulled for discussion  
**Action:** Approve **Moved by** Vice Chairman Gilman **Seconded by** Commissioner McGuffey  
**Vote:** Motion carried by unanimous vote (**summary:** Yes= 3)

9. For possible action approval of Payroll Checks dated 11/24/14 for \$112,014.02, \$50,132.19, \$428.55, date 12/05/14 for \$403,461.04 and date 12/19/14 for \$308,980.93. Accounts payable

checks date 11/26/14 for \$112,558.00 and \$26,707.85, date 12/12/14 for \$1,003,098.49 and \$4,166.85, date 12/17/14 for \$1,000, date 12/26/14 for 382,977.88, \$3,761.33, \$33.60 and \$1,055.71.

Resident Janet Houts questioned if it was ethical that expenses incurred by the Commissioners be approved by Commissioners. She explained that she asked how much of the total was incurred by the Commissioners and was not able to get an answer.

County Manager Pat Whitten said this is a routine practice in local governments and is appropriate and ethical.

Chairman McBride asked her if she has a suggestion as to who should approve the expenses. Ms. Houts cited the parking lot payment as an example.

Mr. Whitten explained the voucher approval process stating there is not a practical way to do much more than what is being done.

#### 10. For possible action approval of November 2014 Treasurer Report

Ms. Houts asked about journal entries on the Treasurer Report, questioning how a journal entry can be a bank transaction. She asked Vanessa to provide her the list of journal entries. Comptroller Hugh Gallagher said items were moved as part of an accounting requirement and suggested questions regarding the Treasurer Report is brought forward prior to the meeting. Chairman McBride stated we would have to move on; there is no way to answer the question with the information before us. Mr. Whitten explained that the independent auditor is present who reviews all transactions.

Ric Bartshe, Senior Auditor for David Pringle CPA said this type of transaction is not uncommon. Explanations can be found in the bank reconciliations.

Vice Chair Gilman formally requested Ms. Houts to direct questions to the Comptroller for a written response including an understanding of how the County is doing business. Resources are not available at the time of this meeting. She responded that she has requested documents back to 2012 and she still has not received the answer. Vice-Chairman Gilman added all of the information being requested by Ms. Houts will be assembled by County staff and made available to Ms. Houts, as is her right. After the first 20 minutes of time in putting the information together- which is free - Ms. Houts will be charged for all work done by the departments.

#### 11. For possible action Approval of update to Storey County Administrative Policies and Procedures including: 701 Health Insurance Coverage; 702 Life Insurance Coverage; 703 Retirees (health coverage); 705 Workers' Compensation/Transitional Duty; and 706 Education Assistance. Additionally, Policy 703A Retiree Health Benefits to be replaced with Policy 704 Retiree Health Benefits.

Ms. Houts questioned who is covered under the life insurance and the amount of coverage. County Manager Whitten answered \$30,000 for general government workers and \$40,000 for public safety workers. Ms. Houts asked questions regarding coverage provided to dependents that may be employed elsewhere or unemployed. Mr. Whitten provided a brief answer and directed Ms. Houts

to send requests to Mr. Osborne in Human Resources. She explained that she has asked these questions before and has not received an answer.

**Virginia City Resident, Mark Joseph Phillips:** Regarding Item 9, Mr. Phillips requested information regarding the \$1,000 check dated 12/17/14. The information is not in the agenda packet. Chair McBride said this item will be researched.

Mr. Whitten reported this item has been determined to be a VCTC expense - an earnest money deposit on a property purchase.

**Motion:** Approve items 9, 10, and 11 of the Consent Agenda **Action:** Approve **Moved by:** Vice Chairman Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

20. **DISCUSSION/POSSIBLE ACTION:** Approve Memorandum of Understanding between the Nevada Rural Counties Retired and Senior Volunteer Program, Inc., and Storey County and authorize County Manager to sign the Memorandum of Understanding.

Cherie Nevin, Community Services Director, reviewed the Memorandum of Understanding which formalizes the use and responsibilities of Storey County and Nevada Rural Counties Retired and Senior Volunteer Program (RSVP), for the van purchased in 1994 for the transportation of seniors receiving services. Storey County maintains the vehicle and also provides insurance and fuel. RSVP provides trained drivers for the vehicle. The vehicle is housed in Lockwood.

**Virginia Highlands Resident, Nicole Barde:** Asked if services provided by the van are just in the River District.

Ms. Nevin replied that services provided are County-wide.

**Motion:** Approval of Memorandum of Understanding as presented on the Consent Agenda, **Action:** Approve **Moved by** Vice Chairman Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

14. **DISCUSSION ONLY (No Action):** A presentation by the Bureau of Land Management, Carson City District, regarding their draft Resource Management Plan (RMP)/Environmental Impact Statement (EIS). The 120-day public comment period runs from November 28, 2014 through March 27, 2015. A hard copy of the draft document is available for review in the Planning Department.

Colleen Sievers, representative from the Bureau of Land Management, presented an over-view of the current BLM Resource Management Plan revision process.

BLM has approximately 15,000 acres in Storey County. Just over 1700 comments regarding issues to be addressed have been received. Storey County is a cooperating agency and the County has been active in communicating issues the County would like to be considered.

Ms. Sievers reviewed alternatives being considered in the process. This would include highlighting the Virginia City National Historic Landmark.

Six public meetings are currently planned with the comment period ending March 27, 2015. A final EIS should be available in about one year and will be released for public review. Comments can be emailed to BLM or mailed to the Carson City office. Documents are available on the website and hard copies are available throughout the District.

County Manager Pat Whitten recognized the attendance of the BLM State Director. The BLM can anticipate that the County, especially in the historic district area, will want to continue to support special events such as the Grand Prix and the endurance ride. View shed protection from wind farm resources on BLM land will be critical. Ms. Sievers stated that in one of the alternatives, the wind exclusion area has been extended over the whole Virginia Range to protect the setting to Virginia City.

Commissioner McGuffey expressed concern over closing of roads to off-road and hunting use. Ms. Sievers said it will be a completely public process, with maps of the roads available to the public when BLM goes in to the trouble management planning process. Storey County can be a cooperating agency at the time of that process.

Vice Chair Gilman asked if there was a wild horse component being discussed in this process. Ms. Sievers responded there definitely is.

#### **15. DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff Reports**

##### **Administrative Officer/Planner Austin Osborne:**

- Working on the Master Plan and Zoning Code updates which will be brought to the Planning Commission on January 15<sup>th</sup> for discussion, no action, allowing the public a chance to review.
- On February 5<sup>th</sup>, there may be action on some of the recommendations and there will be a workshop for the Master Plan. A rough draft of the Land Use chapter is substantially completed. The meeting will likely be held at the high school training room. These documents are on the website at [storeycounty.org/planning/updates.asp](http://storeycounty.org/planning/updates.asp)

##### **Shaun Griffin, Community Chest/Library:**

- The Open House at the Storey County Health & Wellness hub will be January 21<sup>st</sup>, 4 to 7 PM. The entire community is invited. Medical services case manager, mental health representatives and interns will be in attendance.
- The library will offer services two days per week in Lockwood, Mark Twain and Virginia City, and soon in the Highlands. A fund raiser was held in November. One of the volunteers contributed over 140 hours, which will be matched by Chevron. A \$1,000 donation will be received from her work.
- Mr. Griffin introduced Ronni Galast - Director of Nursing at Carson City Health & Human Services and Tammy Bowman, Nurse Practitioner. An agreement has been reached to bring health services to Storey County. Thanks to Ronni and her staff for making this happen. The clinic will be open Wednesday, January 7<sup>th</sup>.
- Ronnie Galast explained services provided by the Community Health Nurse and the Nurse Practitioner - mostly preventive health services.

##### **Comptroller Hugh Gallagher:**

- Staff was recently given the recommendation to research the possibility of relief in personal and real property tax rates. The objective is to ascertain amounts generated by ad valorem tax. The amounts will come from the Department of Taxation. Assistance has been requested from Tom Gransbury, Department of Taxation retiree. Mr. Gallagher reviewed the steps to be taken before a decision can be made. It is a long process and updates will be given when requested.

**Sheriff Gerald Antinoro:**

- The holiday weekend was good. There was an accidental discharge of a firearm where the owner shot himself.

**County Manager Pat Whitten:**

- Mr. Whitten discussed Senate Bill 1 of the Special Session 2014, allowing negotiations on a Government Services Agreement assisting the County to receive monies for certain costs in certain areas, and allows for negotiation of business licensing & permitting specific to the Tesla project with talks continuing.
- Notification has been received that we are ready to start bill draft request disseminations from the Legislative Counsel Bureau. Meetings will be held every two weeks with the Legislative Coalition led by Mary Walker's group.
- Drafts of Master Plan documents will be made available as they come out.

**16. BOARD COMMENT (No Action - No Public Comment)**

**Commissioner McGuffey:**

- Proud to be working as a County Commissioner and to be serving Storey County. Welcome to District Attorney Anne Langer.

**Vice Chairman Gilman:**

- Welcomed Commissioner McGuffey.

**Chairman McBride:**

- Welcomed Commissioner McGuffey and thanked the Board for electing Mr. McBride Chairman.
- In light of recent events around the country, Chair McBride said this Board has confidence and trust in the local law enforcement - County and State-wide.

Chair called for a recess at 3:30 PM; reconvened at 3:44 PM.

**17. DISCUSSION/POSSIBLE ACTION:** Approval of Storey County Audited Financial Statements for the year ended June 30, 2014.

Comptroller Hugh Gallagher reviewed the Audited Financial Statements for the year ended 2014, which reflects a healthy, un-reserved, ending fund balance which has doubled since 2009. This is due greatly to business licensing and permitting. Mr. Gallagher stated expenditures are in line with the previous years.

The General Fund is automatically decreased by funds put in to Capital Projects. Revenues were higher mainly due to the previously mentioned licensing and permitting. Expenditures were lower than budgeted. Every department was under budget for 2014.

Recommendations regarding the Fire Fund will be presented at a later date.

Mr. Gallagher would like to retire some of the bond obligations early. Mr. Gallagher also reviewed the TRI liability and explained differences brought up at a previous meeting, which have been resolved.

Mr. Whitten discussed the delay in the preparation and release of the audit. There was a public challenge to the Nevada Accountancy Board questioning the credentials of the auditing firm. Auditing was suspended while the Accountancy Board conducted an investigation and made a determination, which took approximately 60 days. This cost every taxpayer additional expense. The Accountancy Board totally cleared the Pringle accounting firm of the needless, groundless stall tactics and accusations.

Vice Chair Gilman heard that Storey County had been praised for being one of the more organized and profitable Counties in the State.

Chair McBride reiterated that the Accountancy Board found no irregularities in the audit whatsoever. The filing of the complaint delayed the process for months.

**Virginia Highlands Resident, Kay Dean:** Ms. Dean read comments prepared by resident Dave Thomas who was unable to attend today:

"1. On July 1, 2013, Storey County issued \$3,000,200 of USDA sewer revenue bonds. The cash balance on the statement of net assets appearing on page 9 of the Audit Report includes the \$2,908,833 cash balance of the USDA Bond Fund. The June 30, 2014 \$3,000,200 principal balance of the USDA sewer revenue bonds is not included in the liabilities appearing on the statement of net assets. Please explain how this is possible. I will note that this type of misstatement appears to be a continuing problem. In the fiscal 2012 Audit Report, the statement of net assets failed to include in liabilities the June 30, 2012 \$330,000 balance of the note payable to Dann Eggenberger. In the fiscal 2013 Audit Report, the statement of net assets failed to include in liabilities the June 30, 2013 \$250,000 balance of the note payable to the Virginia City Highlands Property Owners' Association.

2. At the December 2, 2014 Commissioners meeting I raised the issue that the TRI infrastructure loan balance appearing on the Storey County fiscal 2013 Audit Report was \$120,012 lower than the balance appearing on the TRI Public-Private Partnership fiscal 2013 Audit Report. Has this prior year discrepancy been corrected on the Storey County fiscal 2014 Audit Report?

3. The auditor's opinion letters contained in the Storey County fiscal 2014 Audit Report are dated October 31, 2014. This is in compliance with NRS chapter 354.624, subsection 1 requirement that each annual audit must be concluded not later than 5 months after the close of the fiscal year for which the audit is conducted. NRS chapter 354.624, subsection 6 requires that the opinion and findings of the auditor contained in the report of the audit must be presented at a meeting of the governing body held not more than 30 days after the report is submitted to it. It is now January 5, 20-15. Do you agree that the county has failed to comply with the timing requirement specified in NRS chapter 354.624, subsection 6?

4. I am requesting that you provide me with a breakdown of the June 30, 2014 Park Tax Special Revenue Fund balances of \$64,731 between Virginia City, Lockwood, Mark Twain and the Highlands.”

County Manager Pat Whitten said two of the questions have been answered relative to the discrepancy of \$120,012. Mr. Whitten said to be clear the County had no choice but to fail to comply with the statutory deadlines due to the complaint filed by Ms. Dean.

Tom Gransbury said there is a statute that allows for a request for extension if requested.

Chair McBride requested the auditor and comptroller to submit responses to Mr. Thomas’ two unanswered questions at the next Commission meeting.

**Motion:** Approval of Storey County Audited Financial Statements for the year ended June 30, 2014.

**Action:** Approved **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey

**Vote:** Motion passed by unanimous vote **(Summary:** Yes=)

18. **DISCUSSION/POSSIBLE ACTION:** Approve the second reading of Ordinance 14-261, an ordinance amending Storey County Code chapter 5.16 Prostitution to change the name to Brothels, amending the procedure for revoking a license, and changing requirements on work cards, and providing for other properly related matters.

Vice Chairman Gilman recuses himself from this item pursuant to NRS 281a.420 due to a conflict of interest, abstaining from vote and discussion.

Special Counsel Robert Morris reviewed the draft of the Ordinance. Additions have been made insuring that the due process on revocation of licensing is in compliance with NRS, and also dealing with the death, disability, or insolvency of a licensee. There are other issues that need to be discussed and resolved. Mr. Morris requested this item be continued to the February 3, 2015 meeting.

**Motion:** Continue the second reading of Ordinance 14-261 to the February 3, 2015 Commission meeting at 10:00 AM **Action:** Approved **Moved by:** Commissioner McGuffey **Seconded by:** Chair McBride **Vote:** Passed by unanimous vote **(Summary:** Yes=2)

22. **DISCUSSION/POSIBLE ACTION:** Consideration of application to add Donny Gilman as a Co-Manager to the World Famous Mustang Ranch Brothel.

Vice Chairman Gilman recuses himself from this item pursuant to NRS 281a.420 due to a conflict of interest, abstaining from vote and discussion.

Sheriff Gerald Antinoro read the following in to the record:

“RE: The Matter of the Application of Donald Gilman  
Commissioners,

Donald Brent Gilman made application through the Sheriff’s Office to be added as ‘manager’ to the brothel license held by L. Lance Gilman. An incomplete application was submitted September 16, 2014. The applicant ultimately submitted the requested financial documentation and the background history, I would not recommend him as a license holder, and however nothing was discovered

during the background investigation that would preclude the applicant from being added to the existing license as a manager.”

Sheriff Antinoro reviewed issues being addressed in proposed Ordinance 14-261 relating to the death, disability, or insolvency of a licensee. Sheriff Antinoro indicated he would have reservations considering Donald Gilman as a license holder, but not as a manager on an existing license.

Courtney Forester, attorney for Donny Gilman, said under the Ordinance there is essentially one license with no distinction between a manager and an owner. At this point, Donny Gilman would not be an owner of the brothel. Should Lance Gilman be deceased or incapacitated, Donny Gilman as the Trustee of the Lance Gilman Trust would take over and continue operation of the brothel with the full assets of the Trust behind him.

Sheriff Antinoro said there will always be some amount of review when a succeeding licensee takes over.

Special Counsel Morris said under the existing code a licensee is allowed to have a manager. The Sheriff has approved Donny Gilman to be added on the license as a manager.

**Motion:** Consideration of application to add Donny Gilman as a Co-Manager to the World Famous Mustang Ranch Brothel **Action:** Approved **Moved by:** Commissioner McGuffey **Seconded by:** Chair McBride **Vote:** Approved by unanimous vote **Summary:** (Yes=2)

**19. DISCUSSION/POSSIBLE ACTION:** Approve the Resolution 15-418 setting the fees for applications for a brothel license, the licensing of brothels, and setting penalty fees.

Vice Chairman Gilman recuses himself from this item pursuant to NRS 281a.420 due to a conflict of interest, abstaining from vote and discussion.

Special Counsel Robert Morris said the application and licensing fees are currently in place under County Code. This Resolution will add penalty fees of 10% of the delinquent amount due each month. This matter is required to be continued to a second reading.

Sheriff Antinoro said historically 10% is the rate that has been applied. There have been no penalties in quite some time. Sheriff Antinoro referred to the license originally granted to Mustang Ranch wherein two brothels were licensed under one. A license fee adjustment has never been re-visited and consideration should be given to an adjustment.

County Manager Whitten said with the revocation of the Wild Horse license, both brothels were consolidated in to one operation. Mr. Whitten suggested defining with the re-writing of this Resolution, two separate brothels operating and a brothel operating in multiple buildings.

Sheriff Antinoro said there needs to be clarification on how many locations there can be under one license. Each location needs to be visited during enforcement and compliance checks even if records are housed at one location.

**Motion:** Continue Resolution 15-418 setting the fees for applications for a brothel license, the licensing of brothels, and setting penalty fees to February 3, 2015 Commission Meeting at 10:00 AM  
**Action:** Approved **Moved by:** Commissioner McGuffey **Seconded by:** Chair McBride  
**Vote:** Approved by unanimous vote **Summary:** (Yes=2)

21. **DISCUSSION/POSSIBLE ACTION:** Adopting and approving, the Second Amended Interlocal Agreement for Western Nevada Regional Youth Center, an agreement between Carson City, Churchill County, Douglas County, Lyon County, Storey County, the First Judicial District, the Third Judicial District, the Ninth Judicial District, and the Tenth Judicial District, for the operation of the Western Nevada Regional Youth Center to solidify the relationship between the Center's Operation Technical Committee (OTC) and the Administrator and provide direction and clarification.

District Attorney Anne Langer said this is a contract for the Western Nevada Regional Youth Center. This is a minor change to a prior agreement regarding Administration and yearly evaluations.

Pat Whitten said Storey County is a minimal user of this facility. There is very little fiscal impact as fees are charged on the basis of usage. There was a desire from the agency participants to be more involved since these agencies are supporting the Youth Center.

**Motion:** Approve the Second Amended Interlocal Agreement for Western Nevada Regional Youth Center **Action:** Approved **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Approved by unanimous vote **Summary:** (Yes=3)

## COMMUNITY DEVELOPMENT AND PLANNING

23. **DISCUSSION/POSSIBLE ACTION:** Application No. 2014-020 (Continued from 12/02/14) by the Tahoe-Reno Industrial Center, LLC to amend the text of Storey County Code Title 17 (Zoning Ordinance) by adding Chapter 17.39 I-C Industrial-Commercial Zone. The intent of the proposed I-C Zone is to provide for certain mixed-use industrial and commercial uses where found appropriate by the board with recommendation by the planning commission. Additional information including, but not limited to, reports and the draft zone text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org). Item is most likely to be continued to the February 3, 2015 meeting.

Vice Chair Gilman recuses himself from this item pursuant to NRS 281a.420 due to a conflict of interest, abstaining from vote and discussion.

Senior Planner Austin Osborne has applied for two things. First, Item 23, to add a chapter creating an Industrial-Commercial Zone. Second, Item 24, to apply zoning to an area of 600 acres in and near TRIC. It is requested that this item be continued to February 3, 2015.

**Motion:** Continue Application No. 2014-020 to the February 3, 2015 Commission Meeting at 10:00 AM **Action:** Approved **Moved by:** Commissioner McGuffey **Seconded by:** Chair McBride  
**Vote:** Approved by unanimous vote **Summary:** (Yes=2)

24. **DISCUSSION/POSSIBLE ACTION:** Application No. 2014-021 (Continued from 12/02/14 meeting) by the Tahoe-Reno Industrial Center, LLC., and Storey County on behalf of The Nature

Conservancy, LLC and the Union Pacific Railroad Company to amend the Official Storey County Zoning Map. The amendments will apply regulatory zones to approximately 600 acres of land located in McCarran, Nevada (river District near the Tahoe-Reno Industrial Center) which was in July of 2014 transferred from Washoe County to Storey County by mean of boundary line adjustment. The subject area is described approximately as portions of Section 31 and 32, Township 20 North, Range 22 East; Section 6, Township 19 North, Range 22 East; Section 36, Township 20 North, Range 21 East; Sections 2 and 11, Township 19 North, Range 21 East; and Section 1, Township 19 North, Range 21 East, all in the Mount Diablo Baseline and Meridian (MDB&M). The specific zones and subject properties will be as follows: (a) F Forestry zoning will be applied to land located as Assessor's Parcel Numbers (APN) 004.161.98, 004.161.99, 004.162.01, and 004.162.02; (b) N-R Natural-Resources zoning will be applied to land located at APNs 004.161.85, 004.161.86, 004.161.88, and 004.161.96; (c) I-C Industrial-Commercial zoning will be applied to land located at APNs 005.121.01, 005.121.02, 005.121.03, 005.121.04, and 005.121.05; and (d) P Public will be applied to land located at 004.161.87, 004.161.89, 004.161.90, 004.161.91, 004.161.92, 004.161.93, 004.161.94, 004.161.95, and 004.161.97, all within the approximate subject area described above. The purpose of the zone map amendment is to apply zoning to newly acquired land in Storey County that is consistent with surrounding uses and the Storey County Master Plan. Prior to their transfer into Storey County, the properties were zoned in Washoe County as Agriculture, Medium Density Rural, Industrial, and Public Infrastructure. Additional information including, but not limited to, reports and maps may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org). Item is most likely to be continued to the February 3, 2015 meeting.

Vice Chair Gilman recuses himself from this item pursuant to NRS 281a.420 due to conflict of interest, abstaining from vote or discussion.

**Motion:** Continue Application No. 2014-021 to the February 3, 2015 Commission Meeting at 10:00 AM **Action:** Approve **Moved by:** Commissioner McGuffey **Seconded by:** Chair McBride  
**Vote:** Approved by unanimous vote **Summary:** (Yes=2)

**25. DISCUSSION/POSSIBLE ACTION:** Second reading of Ordinance No. 14-262, an Ordinance creating interim development regulations affecting Title 16 and 17 of the Storey County Code by creating Title 16A establishing minimum interim requirements for subdivision map approvals and Title 17A by limiting master plan amendments for approvals of planned unit developments during the master plan approval process, and providing for other properly related matters. The moratorium on subdivisions and planned unit developments will be in effect until the comprehensive update to the Storey County Master Plan is adopted, or December 18, 2015, whichever comes first.

Senior Planner Austin Osborne said a County-wide moratorium is being recommended for approval of planned unit developments, subdivisions and master plan amendments that would allow subdivisions to occur until December 18, 2015, or the completion of the Master Plan. This does not affect an individual's ability to request a variance, special use permit, a building permit on an existing parcel, nor does it disallow dividing of a parcel - up to four parcels. This allows time to complete the Master Plan without large-scale developments coming forth at this time. After six months, staff will present an update of the Master Plan to the Board and the appropriateness of the moratorium.

**Motion:** Approve Ordinance No. 14-262, an Ordinance creating interim development regulations affecting Title 16 and 17 of the Storey County Code by creating Title 16A establishing minimum interim requirements for subdivision map approvals and Title 17A by limiting master plan amendments for approvals of planned unit developments during the master plan approval process, and providing for other properly related matters **Action:** Approve **Moved by:** Vice Chairman Gilman **Seconded by:** Commissioner McGuffey **Vote:** Approved by unanimous vote  
**Summary:** (Yes=3)

**26. DISCUSSION/POSSIBLE ACTION:** The Applicant, Comstock Mining, LLC, requests an amendment to Special Use Permit (SUP) Number 2000-222-A-4 to modify and expand the existing SUP boundary. The amendment applies to modifying boundaries related to surface and underground mining (mining), mine definition, exploration, milling, beneficiation (processing) and ancillary uses on the subject lands in American Flat and Gold Hill and located approximately in Township 16 North, Range 20 East, Section 1 and 12; and Township 16 North, Range 21 East, Sections 4, 5, 6, 7, 8 and 9 in the Mount Diablo Baseline and Meridian in Storey County, Nevada.

Planner Dessie Redmond said applicant has acquired additional properties and affidavits, and is requesting the mining and ancillary uses allowed in the existing SUP on these additional lands, modifying the boundary of the SUP. Residential uses within the SUP are discussed in the staff report.

Commissioner McGuffey stated he felt unable to make a decision on this item as he is not up to speed on the SUP process.

Austin Osborne explained the process of modifying an SUP and the assignment of subsequent numbers to each modification. The conditions, the uses, the area allowed to work in, are not changing with this modification. The only changes will be to portions of land within the SUP area that were not previously owned by applicant which have now been acquired. Notice of this request has been given to many interested parties.

Chair McBride said the Planning Commission has previously reviewed and approved this item prior to presenting to the Board.

Vice Chair Gilman said this is an appropriate request. The applicant has formally asked to amend the SUP to bring in small land parcels that have been recently acquired.

**Gold Hill Resident, Ron Cox:** An agreement with Comstock Mining has been reached with the condition that since Mr. Cox's property is now in escrow. If the escrow was to fall out, the boundaries around his property would be re-established.

Ms. Redmond read the Findings of Fact:

All land within the amended SUP boundary is zoned Special Planning Review and Forestry. Accordingly, the application for amended SUP was submitted pursuant to SCC Sections 17.32.020 (M-N), and 17.44.030 (A) which list "mining" and "milling" and processing related to "mining" as allowed in each zone with a SUP approved by the Board of County Commissioners with recommendation by the Planning Commission.

Storey County Code Section 17.92.030 lists Findings of Fact related to mining; mining uses and rights; rights and protections of non-mining uses potentially impacted by mining; and protecting the historical value and integrity of Virginia City national Historic Landmark. Those Findings in their entirety are hereby incorporated into the approval of the amended SUP, and it is hereby recognized that the amended SIUP conforms to the purpose and intent of the findings.

The conditions of the amended SUP are not in conflict with the purpose, intent, and of the Forestry Zone and Special Planning Review Zone in which the subject use will be located.

The conditions of approval under the amended SUP impose sufficient regulations on the proposed use to reasonably mitigate associated impacts on the surrounding environment and existing adjacent land uses.

The conditions under the amended SUP are at least as stringent as and not in conflict with the applicable Federal, State and County regulations. The minimum requirements under Storey County Code Chapter 17.03 (Administrative Provisions) and Storey County Code 17.92 (Mining) for issuance of an SUP are incorporated into the Conditions of Approval for the amended SUP.

The amended conditions and the remaining unchanged conditions in the amended SUP comply with the land use requirements and the underlying regulatory zones and are as stringent and not in conflict with Federal, State, and County regulations pertaining to the uses allowed by the amended SUP.

**Motion:** Approve SUP Amendment Application Number 2000-222-A-5 amending and replacing SUP Number 2000-222-A-4 to modify and expand the existing SUP boundary. The amendment applies to modifying boundaries relating to surface and underground mining (mining), mining definition, exploration, milling, beneficiation (processing), and ancillary uses on the subject lands in American Flat and Gold Hill **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Approved by unanimous vote **Summary:** (Yes=3)

**27. DISCUSSION/POSSIBLE ACTION:** The Applicant, Fulcrum Sierra BioFuels, LLC, requests a Parcel Map dividing one parcel into two parcels located on a portion of the Southeast Quarter of the Southeast Quarter of Section 16, Township 19 North, Range 21 East, Mount Diablo Baseline and Meridian, in the Lockwood-Peri Ranch and Mustang areas, in Storey County, Nevada (Assessor Parcel Number: 004-111-28).

Planner Dessie Redmond said all of the Deeds have been cleared and the process can move forward as explained in the staff report.

Commissioner McGuffey asked applicant the reason for dividing the parcel.

Vince Griffith, Reno Engineering Corporation, said this is a parcel split to establish a piece of property for a commercial facility.

Vice Chair Gilman explained the operation of Fulcrum Sierra BioFuels. This company will be taking trash and turning it into jet fuel. This is high tech and leading edge.

Austin Osborne noted this property is not on the agricultural land directly east of Lockwood and it cannot be seen from Lockwood. This is a trash in-take facility only.

Ms. Redmond read the Findings of Fact:

The Parcel Map must comply with NRS 278.461 through 278.469 relating to the division of land into four or less parcels; and

The Parcel Map complies with all Federal, Nevada State, and County regulations pertaining to Parcel Maps and allowed land uses; and

The Parcel Map will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity; and

The conditions under this Parcel Map do not conflict with the minimum requirements in Storey County Code Chapters 17.35 1-2 Heavy Industrial Zone or any other Federal, Nevada State or County regulations.

**Motion:** Approve with conditions Parcel Map Application Number 214.025 for dividing one parcel into two parcels located on a portion of the Southeast Quarter of the Southeast Quarter of Section 16, Township 19 North, Range 21 East, Mount Diablo Baseline and Meridian, in the Lockwood-Peri Ranch and Mustang areas in Storey County, Nevada (Assessor Parcel Number: 004-111-28)

**Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote **Summary:** (Yes=3)

**28. DISCUSSION/POSSIBLE ACTION:** The Applicant, Fulcrum Sierra BioFuels, LLC, requests a Zone Map Amendment to the Official Storey County Zoning Map to change the zoning of a land parcel (a portion of current APN: 004-111-28) from Agricultural (A) to Heavy Industrial (I-2) on a portion of the Southeast Quarter of Section 16, Township 19 North, Range 21 East in Mount Diablo Baseline and Meridian in the Lockwood-Peri Ranch and Mustang areas in Storey County, Nevada. Additional information including, but not limited to, reports and maps may be obtained from the Planning Department at 775-847-1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).

Dessie Redmond stated the Applicant is requesting a Zone Map Amendment changing the zoning of a land parcel from Agricultural to Heavy Industrial. Generally speaking, the subject property is not well suited to agricultural use and is currently vacant. There is a residential use located approximately 1,000 feet from the Northwest corner of the subject property. This does not abutt the subject property. Staff believes the 1,000 feet and the topography create a natural buffer between the subject property and the residential use.

Ms. Redmond read the Findings of Fact:

The proposed Zone Map Amendment complies with all Federal, Nevada State and Storey County regulations;

The proposed Zone Map Amendment will not impose substantial adverse impacts or safety hazards on the abutting properties;

The conditions of approval of the Zone Map Amendment do not conflict with the minimum requirements in SCC Chapter 17.34 Heavy Industrial (I-2) Zone or Chapter 17.03.220 Zone Map Amendments and Zone Text Amendments;

The uses allowed by the new zones do not appear to cause substantial adverse impacts to existing and allowed abutting zones;

The proposed Zone Map Amendment is in substantial compliance with and supports the goals, objectives and recommendations of the Storey County Master Plan;

The proposed Zone Map Amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity;

The proposed Zone Map Amendment will not cause uses that will negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare;

The proposed Zone Map Amendment will not create any non-conforming conditions, such as non-conforming setback distances or minimum parcel area or width requirements.

**Motion:** Approve with conditions Zone Map Amendment Application Number 2014-026 for an amendment to the official Storey County Zoning Map to change the property from the Agricultural (A) zone to the Heavy Industrial (I-2) zone at a property located on a portion of the Southeast Quarter of the Southeast Quarter of Section 16, Township 19 North, Range 21 East, Mount Diablo Baseline and Meridian, in the Lockwood-Peri Ranch and Mustang areas, in Storey County, Nevada

**Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote **Summary:** (Yes=3)

**29. DISCUSSION/POSSIBLE ACTION:** The Applicant, International Investments, LLC, requests a Zone Map Amendment to the Official Storey County Zoning Map to change the zoning of land parcels (APNs 004-111-29 and a portion of APN 004-111-27 and a portion of current APN 004-111-28) from Agricultural (A) to Light Industrial (I-1); and for land parcels (APNs 004-111-30, 004-111-19 and a portion of APN 004-111-27) from Heavy Industrial (I-2) to Light Industrial (I-1) in portions of Sections 15 and 16, township 19 North Range 21 East in Mount Diablo Baseline and Meridian in the Lockwood-Peri Ranch and Mustang areas, in Storey County, Nevada. Additional information including, but not limited to, reports and maps may be obtained from the Storey County Planning Department at 775-847-1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org)

Dessie Redmond said this is in the same general area as the properties in the two previous items. Staff believes the proposed zone changes will create more consistent and continuous zoning in this section of the County by creating more industrial use in that area. Industrial zoning will allow a broader diversification of businesses, a goal of the Master Plan.

County Manager Pat Whitten stated there will be beneficial impact in terms of property tax revenues.

Dessie Redmond read the Findings of Fact:

The proposed Zone Map Amendment complies with all Federal, Nevada State, and Storey County regulations;

The proposed Zone Map Amendment will not impose substantial adverse impacts or safety hazards on the abutting properties;

The conditions of approval of the Zone Map Amendment do not conflict with the minimum requirements in SCC Chapter 17.17.34 Light Industrial or Chapter 27.03.220 Zone Map Amendments and Zone Text Amendments;

The uses allowed by the new zone do not appear to cause substantial adverse impacts to existing and allowed abutting zones;

The proposed Zone Map Amendment is in substantial compliance with and supports the goals, objectives and recommendations of the Storey County Master Plan;

The proposed Zone Map Amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity;

The proposed Zone Map Amendment will not cause uses that will negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare;

The proposed Zone Map Amendment will not create any non-conforming conditions, such as non-conforming setback distances or minimum parcel area or width requirements.

**Motion:** Approve with conditions Zone Map Amendment Applications Number 2014-027 for a Zone Map Amendment to the Official Storey County Zoning Map to change the zoning of land parcels (APNs 004-111-29 and a portion of 004-111-27 and a portion of 004-111-28) from Agricultural (A) to Light Industrial (I-1) and for land parcels (APNs 004-111-30, 004-111-19 and a portion of 004-111-27) from Heavy Industrial (I-2) to Light Industrial (I-1) in portions of Sections 15 and 16, Township 19 North, Range 21 East in Mount Diablo Baseline and Meridian in the Lockwood-Peri Ranch area in Storey County, Nevada **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote **Summary:** (Yes=3)

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

- a. **AB2C, LLC** - Home Business / 157 South B Street (hat sales) VC
- b. **ROPO, INC.** - General / 1337 Crest Valley Drive ~ Reno (janitorial)
- c. **SNAP ON TOOLS, INC.** - General / 1617 South Deer Run Road ~ Carson City (tool sales)
- d. **LEGACY PAINTING, LLC** - Contractor / 870 Deming Way ~ Sparks (painting contractor)
- e. **HATTON'S CRANE & RIGGING** - Contractor / 3643 Depot Road ~ Hayward, CA (crane svcs.)
- f. **NEVADA BBQ CO dba BJ's BBQ** - General / 80 East Victorian ~ Sparks (catering)
- g. **PRICELESS CONSTRUCTION** - Contractor / 1175 Flint Street ~ Fernley (contractor)

**h. HARRIS INDUSTRIAL GASES - General / 236 East Sydney (welding equip supply) TRI**

Austin Osborne said the Business License Division recommends approval of items a, b, c, d, e, f, g.

**Motion:** Approve Items a. through g. **Action:** Approve **Moved by:** Vice Chair Gilman  
**Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote  
**Summary:** (Yes=3)

Mr. Osborne said Business License Division recommends continuance of item h.

**Motion:** Continue item h. **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote **Summary:** (Yes=3)

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

**Virginia Highlands Resident, Donna Fong:** Ms. Fong feels Storey County is in need of County animal services due to the increase in the number of neglected animals in the County and the growth of the community. Other counties and areas will not help.

Pat Whitten said he will reach out to Community Services and the Sheriff's Office to begin a process to see what can be done.

**Storey County Resident, Nicole Barde:** Ms. Barde questioned grant funds that are in the current budget for each of the communities. Are the funds kept in separate deposits for each of the four communities? Can the funds be accrued year after year?

Mr. Whitten said these funds are line items in the general fund. A roll-over of these funds can be requested.

Ms. Barde asked about the status of rail monies.

Mr. Whitten indicated meetings have been held with the Rail Commission. Total agreement has not been reached. Monies due the Rail Commission are being held.

Ms. Barde asked why Commissioner Gilman, as a principal in TRI, voted on the Ordinance creating the Economic Diversification District.

Mr. Whitten stated it is only Tesla as the lead participant that can benefit from this District. Commissioner Gilman cannot benefit. Chair McBride indicated that this matter was reviewed by the District Attorney and it was determined there was no conflict.

**ADJOURNMENT**

The Chair adjourned the meeting at 6:00 P.M.

By \_\_\_\_\_  
Dore Nevin, Deputy Clerk-Treasurer