



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

MONDAY, JUNE 1<sup>ST</sup>, 2015 10:00 A.M.

DISTRICT COURTROOM

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

MARSHALL MCBRIDE  
CHAIRMAN

ANNE LANGER  
DISTRICT ATTORNEY

LANCE GILMAN  
VICE-CHAIRMAN

JACK MCGUFFEY  
COMMISSIONER

VANESSA STEPHENS  
CLERK-TREASURER

**Roll Call:** Chairman McBride, Vice-Chairman Gilman, County Manager Pat Whitten, District Attorney Anne Langer, Clerk & Treasurer Vanessa Stephens, Comptroller Hugh Gallagher, Public Works Director Mike Nevin, Sheriff Gerald Antinoro, Administrative Officer/Senior Planner Austin Osborne and Deputy District Attorney Keith Loomis.

**Absent:** Commissioner Jack McGuffey

1. **CALL TO ORDER**

The meeting was called to order by the Chair at 10:00 A.M.

2. **PLEDGE OF ALLEGIANCE**

The Chair led those present in the Pledge of Allegiance.

3. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for June 1, 2015

County Manager Pat Whitten requested continuance of Items 9 and 10 to June 16, 2015, public comment will be accepted today. Mr. Whitten also requested Item 16 be continued to June 16, 2015, and Items 21 and 22 to August 4, 2015.

**Motion:** Approve Agenda with continuation of Items 9, 10 and 16 to June 16, 2015, and Items 21 and 22 to August 4, 2015, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

4. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for May 5, 2015

**Motion:** Approval of Minutes for May 5, 2015, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

5. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for May 18, 2015

**Motion:** Approval of Minutes for May 18, 2015, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

### CONSENT AGENDA

6. For possible action approval of Payroll Checks date 05/22/15 \$311,350.23 and Accounts payable checks date 05/15/15 for \$394,641.84 and \$2,515.52.

7. For possible action approval of Montgomery Turner, Personal Defense, requesting a business license for CCW Instructor in Storey County.

8. For possible action approval of Business Licenses First Readings:

- a. SOLAR CITY CORPORATION - Contractor / 3055 Clearview Way, San Mateo, CA (solar install)
- b. TESLA MOTORS, INC. - General / Gigafactory Electric Avenue (manufacturing) TRI
- c. SEQUEL ELECTRICAL SUPPLY, LLC - 1425 4<sup>th</sup> Street, Meridian, MS (electrical contractor)
- d. EDWARDS ELECTRIC SUPPLY, LLC - 6222 St. Louis Street, Meridian, MS (electrical contractor)
- e. SMITH STORAGE SYSTEMS - 18875 Mesquite Avenue, Reno (racking installer)

### END OF CONSENT AGENDA

**Motion:** Approval of Consent Agenda, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

9. **DISCUSSION/POSSIBLE ACTION:** Approve the Governmental Services Agreement for Storey County Economic Diversification District No. 1 between Storey County, Storey County Fire Protection District and Tesla. **Continued to June 16, 2015 at 10:00 a.m.**

10. **DISCUSSION/POSSIBLE ACTION:** Approve second reading of Ordinance 15-263 adding section 3.50.200 to the Storey County Code providing for a pilot project for granting partial abatements of permitting fees to participants in a qualified project in Economic Diversification District No. 1 and providing for other properly related matters.  
**Continued to June 16, 2015 at 10:00 a.m**

11. **DISCUSSION/POSSIBLE ACTION:** Acceptance of renewal proposal from Nevada Public Agency Insurance (POOL) and approval for payment from fiscal year 2015-2016 funds.

Carol Ingalls with Ingalls & Associates and Doug Smith with Nevada Public Agency Insurance Pool presented this item.

Ms. Ingalls explained because of the stability of the insurance rates and program, this year's renewal is almost flat, with a 2% decrease in premiums. Coverage has increased a small amount with more flood and earthquake coverage. This applies to the entire program. There is a slim chance that all participants would need flood or earthquake coverage at the same time.

Mr. Davis said the County's support and involvement with the Nevada Public Agency Insurance Pool is appreciated. Grant facilities will be expanded this year, aimed at risk management issues and anything related to training.

County Manager Whitten stated he is honored to work with this group for many years. They get better every year.

**Motion:** Approve renewal proposal from Nevada Public Agency Insurance (POOL) and payment from fiscal year 2015-2016 funds. **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

## 12. DISCUSSION ONLY (No Action – No Public Comment): Committee/Staff Reports

### Shaun Griffin, Community Chest:

- The library is moving forward to obtain formal approval of a five-year plan from the State Library. A letter of support needs to be signed by the Commissioners.
- The five-year plan includes the following goals:
  - Achieve a high level of public awareness and visibility;
  - Explore collaborative opportunities and community connections;
  - Provide relevant/current collection in both print and digital formats;
  - Develop and implement programs and services that support the citizens;
  - Establish and maintain sustainable funding;
  - Regain legal public library status;
  - Improve and increase all levels of types of services.
- With the five-year plan, the library can obtain collection development funds, obligated by tax payers to every county.
- An advisory board has been established to develop the plan.
- The plan must be submitted by July 1<sup>st</sup>.
- During the last year, over 450 people used the library. The library is located in 3 sites throughout the County.
- Mr. Griffin will be meeting to discuss the Health Services contract for the coming year.
- Health Services is searching for a nurse to do out-reach in Lockwood.
- A nurse is still needed to do primary care. Currently there is a nurse doing pediatric well-baby checks and a nurse who does women's health. If a primary care nurse is unavailable through the offices of the two nurses mentioned, negotiations will have to be made through another health care provider. There is an issue with the liability required.

### Mike Nevin, Public Works Director:

- Mr. Nevin and Mr. Whitten met with other entities to pursue additional funding for wastewater and other water projects.

- Meeting one was with NDOT to see if they would assist the County in removal of some of the NDOT storm drains on the south end of C Street. It appears the County will enter into a partnership with NDOT for at least 50% of the funding to accomplish this task.
- The second meeting was with BLM and USDA relative to water projects. Specifically, needed easements and changes in right-of-way from the Five Mile Reservoir into Virginia City. This meeting went well.
- Next week hopefully a meeting will be held with Federal officials who control funding on water and wastewater.
- Last week bids were opened for the slurry and pave/seal County-wide project. Funding has been set aside for the next fiscal year for this project.
- Swimming pool opens Sunday, June 14<sup>th</sup>.
- The property purchased by the County north of the swimming pool has been made graded providing additional parking for the pool
- Mr. Nevin is working with Mr. Whitten and Mr. Osborne on plans for the courthouse parking lot.
- Temporary/seasonal workers started today.
- The Marlette system will be shut down on Wednesday for one day. There should be no problems as the Five Mile Reservoir is kept topped-off.

**Hugh Gallagher, Comptroller:**

- At a recent V&T Rail Commission meeting, Jack McGuffey was selected as the Commission Vice-Chair.
- The Rail Commission approved a \$100,000 check to Storey County for payment that was due.
- In the next month or so, the audit will proceed so it can be determined if there are any additional amounts owed.
- This should help in reaching a resolution of this matter. After that, another interlocal agreement with the Rail Commission may be proposed.

**Gerald Antinoro, Sheriff:**

- The Bureau of Indian Affairs has made adjustments to the contract regarding the housing of tribal inmates. The contract is being reviewed by the District Attorney's office. If there are no problems, hopefully the contact will move forward.
- The annual Senior Awareness Program will be held later this month.
- This Friday members of the Sheriff's Office will be running the Special Olympics torch through Virginia City on its way to the opening ceremonies in Reno that evening.

**Austin Osborne, Administrative Officer/Senior Planner:**

- There will be a grand opening / ribbon cutting on State Route 342 tomorrow at 11 am, commemorating the new alignment of the road.
- Comstock Mining has already begun Phase 2 of the realignment of SR 342. Completion date is anticipated to be December 16<sup>th</sup>. Plans have been submitted.
- In order to cut costs on the Courthouse parking lot, thank you to Mike Nevin for stepping up and having Public Works crews do a lot of the work. This would include some landscaping and maybe paving and base.

- The next Planning Commission meeting will be held June 18<sup>th</sup> at 6PM at the Mark Twain Community Center. A master plan workshop will be held.
- At the last Planning Commission, a discussion was held regarding the County-wide sign ordinance. Some adjustments should be made between the County's ordinances and the those of the Comstock Historic District.
- Mr. Osborne is still working with Congressman Amodei's staff and John Porter's office on the Land's Bill to clarify language on how to transfer those lands from the BLM to Storey County, and from Storey County to the respective property owners.

**Pat Whitten, County Manager:**

- Saturday, June 6<sup>th</sup> at 10 am, the annual 10 acre meeting will be held at the Highlands Fire Station. Key elected officials are invited to attend.

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

None

**14. DISCUSSION ONLY (No Action - No Public Comment):** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chairman or the Board to be of critical significance to Storey County.

County Manager Pat Whitten reported the Governor's Budget passed the Assembly and it should pass the Senate. A lot of good legislation has been killed, including possibly a collective bargaining bill. SB111 was amended to only affect the Nevada Highway Patrol. Elected officials salary bill is currently in conference committee and hopefully will pass.

Two bills being watched by the County including an entertainment tax bill, which could have impact on many of the County's venues.

SB170, the Switch Data Center Bill, has passed both Assembly and Senate.

**15. DISCUSSION ONLY (No Action - No Public Comment):** Discussion and direction to staff regarding the request to the Federal Government for an additional zip code in Storey County specifically for the McCarran portion of the County.

Pat Whitten said he has been requested by the Las Vegas Postal system to write a letter to the Director of the Nevada - Las Vegas Post Office, requesting consideration of an additional zip code. Approval is not expected as the Post Office would only approve this request if it were to help efficiencies in the postal system. Congressman Amodei will assist the County with this request.

**16. DISCUSSION/POSSIBLE ACTION:** Approve a License for use of County Property between the County of Storey (County), a political subdivision of the State of Nevada and Mark Twain Community Center (MTCC), a Nevada non-profit corporation. **Continued to June 16, 2015 at 10:00am.**

**17. DISCUSSION/POSSIBLE ACTION:** Approve and authorize the chairman to sign the contract between Storey County and the State of Nevada, State Public Works Division of the Department of Administration to continue to provide water service from the Marlette system.

Deputy District Attorney Keith Loomis stated this is a proposed agreement with the State of Nevada to continue the water supply service from the Marlette system. Past agreements have been for ten years, this agreement will be perpetual, subject to certain termination provisions. Mr. Loomis reviewed changes made to the agreement.

Mr. Loomis indicated the agreement has been reviewed by Mike Nevin, Public Works Director, who feels this is a good agreement.

Vice-Chairman Gilman asked if there was any consideration given to re-visiting the pricing or cost of a cap system that doesn't allow open-ended adjustment. Mr. Loomis indicated this is not in the present agreement. Currently the price is going to be 75 cents per 1,000 gallons, beginning July 1, 2015. This amounts to approximately \$351 per year for the amount to be delivered. The State bought all of the water-rights through the Franktown Decree.

Mike Nevin reviewed the Franktown Decree. All water above the Hobart Creek Dam is Marlette System water. Below that point, it's Franktown ranch water. The State realizes that this water is the sole source for our area. After research, the connection has been determined to be in the middle of the 395 freeway as opposed to the east side of the freeway. Mr. Nevin explained the system. Mr. Nevin continued that this agreement addresses bond obligations previously issued by the State for major improvements to the system.

Mr. Whitten said the increase is related to extensive work being done on the east-slope catchments which has significantly increased the yield into the systems.

Vice Chair Gilman requested a continuance of this item to allow time to review the agreement.

Virginia Highlands Resident, Nicole Barde: What are the uses for the water in this agreement is it limited to the County?

Mr. Whitten answered it is limited to what is defined in the Franktown Decree. Generally, this is Virginia City, Gold Hill, and Silver City - this is Virginia City's water source. The possibility of conveying water to the Highlands has been explored, however that is outside the definitions of the decree. You would have to go back to court to have this adjusted.

Ms. Barde: Is anything short of piping the water allowable?

Mr. Whitten said use of the water trucks is something that just happens, but the answer would be no.

**Motion:** Continue item 17 to the June 16, 2015 meeting, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

## COMMUNITY DEVELOPMENT AND PLANNING

18. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit 2015-009, by Sean Thomas Murray and Ann Marie Aragon Murray. The applicants are requesting a SUP for a short-term vacation rental (less than 30-day rental) for an existing single-family residence located at 275 East Union Street (R1 Single-Family Residential Zone) in Virginia City, Storey County, Nevada (APN: 001-246-08).

No action, application withdrawn by the applicants.

County Manager Whitten said the applicants are a class-act. It is an incredible testimony to the applicant's record that they engaged and talked with neighbors regarding this request. Should the applicants decide to take this in a different direction, Mr. Whitten will be their advocate. Every class quality lodging facility in this area is needed.

19. **DISCUSSION/POSSIBLE ACTION:** Variance 2015-014, by Loren Purcel. The applicant is requesting a sign variance for The Red Dog Saloon located at 76 North C Street in Virginia City, Storey County, Nevada (APN 001-084-09). The applicant requests a variance for the purpose of changing the allowed width, length, and shape of a sign which will be attached to the porch of the business and allowing a painted sign on the north side of the building.

Senior Planner Austin Osborne reviewed this item. Two variances are being requested by applicant for new signs to be placed on the Red Dog Saloon building. A variance is required for a new sign on the front of the building as the sign being requested does not meet the width and height requirements. Applicants are requesting a similar sign on the north facing wall which also requires a variance. Staff is recommending approval of this item while realizing there are some challenges with the current zoning ordinance. However, it is believed that the signs will contribute to economic development in creating an atmosphere for fun in Virginia City.

Mr. Osborne indicated that the Planning Commission requested this item be presented to the Historic District. The Historic District has reviewed the application and provided a Certificate of Authenticity, agreeing that the signs are appropriate for the District's regulations. The County's Master Plan states if there is a mis-match between County ordinances and the Historic District, the two entities get together to obtain a unified approach.

Mr. Osborne read the Findings:

6.1 The Findings listed in this subsection are the minimum to be cited in an approval or approval with conditions. The following Findings are evident with regard to the requested Variance when the recommended conditions in Section 7 are applied. At a minimum, an approval or conditional approval must be based on the following Findings:

6.1.1. There are special circumstances applicable to the subject property, including the configuration of the building and the location of the saloon and 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 classification.

6.1.2 That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant (property owner).

6.1.3 That the granting of the Variance 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 materially be detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.

6.1.4 The proposed Variance is in compliance with the purpose and intent of Federal, Nevada State, and Storey County regulations including, but not limited to, SCC 17.84 Signs and Billboards, and NRS 384 as determined by the Comstock Historical District Commission.

6.1.5 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 Staff and the Planning Commission, the findings under Section 6.1 of the Staff Report and other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I, Lance Gilman, hereby recommend approval for Variance Number 2015-014 for the installation of a sign which will be attached to the porch of the subject property and facing C Street and a painted sign on the side (north) of the subject property located at 76 North C Street, Virginia City, Nevada (APN: 001-084-09) **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

**20. DISCUSSION/POSSIBLE ACTION:** Variance 2015-012. By Jennifer Barnes. The applicant is requesting a sign variance for the Mustang Ranch Steakhouse at 5 North C Street in Virginia City, Storey County, Nevada (APN: 001-086-01). The applicant requests variances to the provisions of SCC 17.84 (ordinance regulating signs and billboards) for the following purposes: (1) to allow a sign to be more than 15 inches in width (height) which will be attached above the porch facing C Street of the subject property; (2) to allow a sign attached to the end of the porch facing Union Street (south) of the subject property, and allow more than 15 inches in width (height) of that porch-end sign; and (3) to allow a back-lighted "Open" sign to be installed inside of a window abutting Union Street but facing C Street (west) of the subject property. **Continue item until July 7, 2015, board meeting.**

Austin Osborne advised that the Planning Commission will be hearing this item at a later date.

**Motion:** Continue item 17 to the July 7, 2015 meeting **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

**21. DISCUSSION/POSSIBLE ACTION:** Approve first reading of ordinance 15-264 an 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). **Continue item until August 4, 2015, board meeting.**

**22. 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. 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). **Continue item until August 4, 2015, board meeting.**

## COMMUNITY DEVELOPMENT AND PLANNING

### 23. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

- a. WORLD SOURCE INTEGRATION, INC - Contractor / 1201 North Raddant Rd ~ Batavia, IL (equipment supply)
- b. PEDRO & MARIA BECERRA TORRES - General / 26 E Prater ~ Sparks (handyman & cleaning)
- c. GERHARDT & BERRY CONSTRUCTION - Contractor / 2134 Kleppe Lane ~ Sparks (engineering)
- d. STEPHON'S MOBILE BISTRO - General / 1810 Andesite Avenue ~ Reno (food truck)
- e. LEE JOSEPH, INC. - Contractor / 864 South Wells Avenue ~ Reno (pool repairs)
- f. PWS SIERRA CATERING CO., LLC - General / 840 Washington Street ~ Reno (food truck)
- g. CONSTRUCTION - Contractor / 5290 Orcutt Rd ~ San Luis Obispo, CA (contractor)
- h. NOTHING BUT SKULLS VIRGINIA CITY NV - General / 11 North C Street (Retail Sales)VC
- i. IONIX, LLC - General / 3033 Waltham Way, Unit 5 (metal fabrication) location change TRI
- j. RICH DOSS, INC. - General / 201 Wild Horse Canyon Drive (transportation)

Senior Planner Austin Osborne, on behalf of the Business License Division, recommends approval of items a., b., c., e., f., g., and h., and to continue items d., i., and j.

**Motion:** Approve items a., b., c., e., f., g., and h. **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

**Motion:** Continue items d., i., and j. **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

### 24. PUBLIC COMMENT (No Action)

County Manager Pat Whitten said word has just come in that the Governor's Tax Bill has cleared the Senate and will now move to the Governor for approval.

### 25. ADJOURNMENT at 11:08AM

Respectfully submitted,

By \_\_\_\_\_  
Vanessa Stephens Clerk-Treasurer