

STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, JANUARY 5, 2016 10:00 A.M.

DISTRICT COURTROOM

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

AGENDA

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Members of the Board of County Commissioners also serve as the Board of Fire Commissioners for the Storey County Fire Protection District, Storey County Brothel License Board, Storey County Water and Sewer System Board and the Storey County Liquor and Gaming Board and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda.

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

1. CALL TO ORDER AT 10:00 A.M.
2. PLEDGE OF ALLEGIANCE
3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for January 5, 2016
4. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for December 1, 2015

CONSENT AGENDA

(All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. The Commission Chair reserves the right to limit the time allotted for each individual to speak.)

5. For possible action approval of Payroll Checks date 12/18/15 for \$432,477.83. Accounts Payable Checks date 12/18/15 for \$69,500 and date 12/24/15 233,367.81 and \$14,958.36.

6. For possible action approval of Assessor's Recommended Corrections to Unsecured Tax Roll for Overassessment.
7. For possible action of approval of Sheriff's General Business Licenses First Readings:
 - A. Paul Rusch; PBR Concealed Carry Weapons Instruction, 443 Trellis Dr., Fernley, NV 89408
8. For possible action approval of Business Licenses First Readings:
 - A. **SBA NETWORK SVCS, LLC** - Contractor / 8051 Congress Ave ~ Boca Raton, FL (Contractor)
 - B. **MINATO SANGYO CORP** - Contractor / Tokushima Japan (Panasonic contractor)
 - C. **AZZ, INCORPORATED** - General / 1500 Milan (galvanizing facility) **TRI**
 - D. **OASIS ONLINE, INC** - General / 375 West Williams, Fallon (IT Consulting)
 - E. **HU-BRAIN, INC.** -- Contractor / Osaka, Japan (Panasonic Contractor)
 - F. **HASSHIN CO., LTD.** -- Contractor / Osaka, Japan (Panasonic Contractor)
 - G. **ESPEC TEST SYSTEM CORP.** -- Contractor / Hyogo, Japan (Panasonic Contractor)
 - H. **NIPPON REFINE CO., LTD** - Contractor / Tokyo, Japan (Panasonic Contractor)
 - I. **THE CURTIS CO., INC.** - Contractor / 7200 N Hwy 29 ~ Pelzer, SC (contractor)
 - J. **CERCONE HEATING & AIR** - Contractor / 949 #3 Crestwood Drive ~ Sparks (hvac contractor)
 - K. **BOOTLEG DAVE'S BBQ CATERING CO.** - General / 1555 Big Smokey Drive ~ Reno (catering)
 - L. **CURRIE & BROWN, INC.** - Contractor / 821 Alexander Rd ~ Princeton, NJ (construction consulting)
 - M. **VANDER-BEND MFG, LLC** - Contractor / 2701 Orchard Pkwy ~ San Jose, CA (contract mfg)
 - N. **MITUTOYO AMERICA CORP.** - Contractor / 965 Corporate Blvd ~ Aurora, IL (Panasonic contractor)
 - O. **TORAY ENGINEERING CO., LTD.** -- Contractor / Shigov, Japan (Panasonic Contractor)
 - P. **SPARKS TRAILER REPAIR, LLC** - Contractor / 2095 Kleppe Lane ~ Sparks (repair semi-trailers)
 - Q. **ASADA IRON WORKS CO., LTD.** -- Contractor / Takatsuki, Japan (Panasonic Contractor)
 - R. **AKATSUKI MACHINERY CO., LTD** -- Contractor / Wakayama City, Japan (Panasonic Contractor)
 - S. **TOR ENGINEERING CORP** - Professional / 3731 East Grove ~ Phoenix, AZ (engineering)
 - HORIBA INSTRUMENTS, INC.,** -- Contractor / 9755 Research Dr ~ Irvine, CA (Panasonic Contractor)

END OF CONSENT AGENDA

9. **DISCUSSION ONLY (No Action - No Public Comment):** Committee/Staff
10. **BOARD COMMENT (No Action - No Public Comment)**
11. **DISCUSSION/POSSIBLE ACTION:** Possible action on Order of Remand from District Court requiring Storey County Board of County Commissioners to state on the record the basis for their decision on October 6, 2015 to deny the applications for a business license for the Bonanza.

RECESS AS BOARD OF COUNTY COMMISSIONERS TO CONVENE STOREY COUNTY LIQUOR BOARD

12. **DISCUSSION/POSSIBLE ACTION:** Possible action on Order of Remand from District Court requiring Storey County Liquor Board to state on the record the basis for their decision to deny the application for liquor licenses for the Delta Saloon and the Bonanza.

ADJOURN STOREY COUNTY LIQUOR BOARD TO RECONVENE BOARD OF COUNTY COMMISSIONERS

13. **DISCUSSION /POSSIBLE ACTION:** 2016 Appointments to Serve on State, County and Regional Boards
1. Safety Committee - Chris Hood - Chair; Vanessa Stephens - Vice Chair
 2. Legislative Representative - Marshall McBride with all others, including staff as needed (No Change)
 3. Historic Fourth Ward School and Museum Board - Jack McGuffey (No Change)
 4. NACO - Jack McGuffey with Austin Osborne as alternate (No Change)
 5. Nevada Works - Lance Gilman with Austin Osborne as alternate (No Change)
 6. Virginia City Senior Center - Cherie Nevin (No Change)
 7. Lockwood Senior Center - Lance Gilman, Cherie Nevin and Maggie Lowther (No Change)
 8. St. Mary's Art Center - Jack McGuffey with Cherie Nevin as alternate (Adding Cherie as alternate)
 9. Western Nevada Development District - Dean Haymore (No Change)
 10. Carson Water Subconservancy District - Austin Osborne (No Change)
 11. State Land Use Planning Advisory Council - Austin Osborne with Jason Van Havel as alternate (substitutes Jason for Dessie Redmond)
 12. Natural Resources Conservation District (USDA) - Dean Haymore (No Change)
 13. Truckee River Flood Management Authority (Technical Advisory Committee) - Lance Gilman with Austin Osborne and Jason VanHavel as alternates (Substitutes Jason for Dessie)
 14. Comstock Historic District - Marshall McBride (No Change)
 15. Nevada Commission for the Reconstruction of the V & T Railway - Jack McGuffey (No Change)
 16. Virginia City Tourism Commission - Lance Gilman as Commissioner designate with Marshall McBride** as alternate (Adding Marshall as alternate) and confirming continued appointments of Scott Jolcover, Angelo Petrini and Ron Gallagher (Remains the same)
 17. Oversight of Fire and Public Works - Marshall McBride (No Change)
 18. Economic Development
 - a. EDAWN - Pat Whitten (Changed from Lance Gilman)
 - b. NNDA - Lance Gilman (Remains the same)
 19. Storey County Wildlife Advisory Board - Rob DuFresne (Replacing Deny Dotson) and confirming continued appointments of Greg "Bum" Hess, Jim Clark and Rich Bacus (Remains the same)
 20. Washoe-Storey Conservation District - Austin Osborne with Jason VanHavel as alternate (Reestablishing Board Appointment)

**Appointment of alternate on the VCTC Board is pending legal review which has been requested.

14. **DISCUSSION/POSSIBLE ACTION:** Appointment and/or reappointment of planning commissioners to fill planning commission vacancies in three jurisdictions including: (a) Precincts 3 and 6 (Lockwood/River District); (b) Precinct 4 (Mark Twain District); and (c) Storey County At-Large.
15. **DISCUSSION/POSSIBLE ACTION:** Appointment of Pamela Abercrombie, with St. Mary's Art Center, to the vacant "Motel" seat on the Virginia City Tourism Commission effective January 5, 2016.
16. **DISCUSSION/POSSIBLE ACTION:** Resolution 16-434 authorizing the administrative assistant of the Storey County Public Works department to sign, serve and record liens for unpaid water and/or sewer charges.
17. **DISCUSSION/POSSIBLE ACTION:** Approval of award to Aspen Developers a total amount of \$238,200.00 for the completion of the Storey County Courthouse Parking Lot Project in Virginia City, Nevada, and \$11,799.00 as contingency monies toward the project.
18. **DISCUSSION/ POSSIBLE ACTION:** Approval of General Business & Liquor License Second Reading for Delta Saloon, Tina Perkins, located at 18 S C St., Virginia City.
19. **DISCUSSION/POSSIBLE ACTION:** Approval of General Business License Second Reading for Wells Fargo ATM & Alarm
20. **DISCUSSION/POSSIBLE ACTION:** Action for possible confirmation of Shawn Mahan Settlement Agreement for \$99,000.00 and other consideration arising out of the termination of his employment with the Storey County Sheriff's Office. Discussion of the matter may include Board involvement in settlement of cases in general.

COMMUNITY DEVELOPMENT AND PLANNING

21. **DISCUSSION/POSSIBLE ACTION:** Application No. 2014-021 (Continued from 11/03/15 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.
22. **FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:**
 - A. **SMEE'S ALASKAN FISH BAR** - General / 4650 Aberfeldy Rd ~ Reno (food truck)
 - B. **VECOPLAN, LLC** - Contractor / 5708 Uwhurrie Rd ~ Archdale, NC (equipment contractor)
 - C. **CIC PITTSBURGH, LLC** - Contractor / 2857 Banksville Rd ~ Pittsburgh, PA (contractor)
 - D. **HIRANO TECSEED CO., LTD** - Contractor / Nara, Japan (Panasonic Contractor)
 - E. **HEWLLET-PACKARD JAPAN, LTD.,** -- Contractor / Osaka, Japan (Panasonic Contractor)
 - F. **TECHNO SMART CORP.** -- Contractor / Osaka, Japan (Panasonic Contractor)
 - G. **SOFTWARE CONTROL CORP.** -- Contractor / Osaka, Japan (Panasonic Contractor)

- H. **KACOMS CO., LTD** - Contractor / Osaka, Japan (Panasonic Contractor)
- I. **SIERRA SHADING SOLUTIONS, INC.** - Contractor / 715 Gregory Way ~ Sparks (contractor)
- J. **RED WING BRANDS OF AMERICA, INC.** - General / 314 Main ~ Red Wing, MN (supplier)
- K. **WATER TREATMENT, INC.** - Contractor / 405 S 18th St ~ Sparks (water filtration)
- L. **K2 ENGINEERING & STRUCT DESIGN, LLC** - Professional / 3100 Mill ~ Reno (engineering)
- M. **AMCB, LLC dba Rubbish Runners** - General / 1085 Telegraph ~ Reno (trash hauling)
- N. **PAPE' MATERIAL HANDLING dba Pape' Rents** - Contractor / 25 Vista Blvd. ~ Sparks (equipment)
- O. **YOKOGAWA CORP OF AMERICA** - Contractor / 2 Dart Road ~ Newnan, GA (process control)
- P. **COMSTOCK FOUNDATION FOR HISTORY & CULTURE** -- Nonprofit (HB) / 1669 Main St ~ GH
- Q. **OLD RED GARTER, LLC** -- General / 80 South C Street (Change of Ownership Only)VC
- R. **MODERN MINING SOLUTIONS, LLC** - General / 1280 Alexandria Court TRI
- S. **BI NUTRACEUTICALS, INC.** - General / 625 Waltham Way #101 (milling botanicals)TRI
- T. **RICH DOSS, INC.** - General / 201 Wild Horse Canyon Drive (transportation) MCC

23. PUBLIC COMMENT (No Action)

24. ADJOURNMENT

NOTICE:

- Anyone interested may request personal notice of the meetings.
- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.
- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.

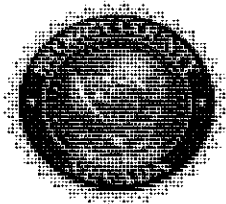
Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners' Office in writing at PO Box 176, Virginia City, Nevada 89440.

Storey County is an equal opportunity provider and employer.

CERTIFICATION OF POSTING

I, Vanessa Stephens , Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before December 30, 2015; Virginia City Post Office at 132 S C St, Virginia City, NV, the Storey County Courthouse located at 26 S B St, Virginia City, NV, the Virginia City Fire Department located at 145 N C St, Virginia City, NV, the Virginia City Highlands Fire Department located a 2610 Cartwright Rd, VC Highlands, NV and Lockwood Fire Department located at 431 Canyon Way, Lockwood, NV.

By Vanessa Stephens
Vanessa Stephens Clerk/Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: January 5, 2016

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approval of minutes for December 1, 2015
2. **Recommended motion:** Approve minutes as submitted.
3. **Prepared by:** Vanessa Stephens
Department: Clerk & Treasurer
4. **Staff summary:** Minutes are attached.
5. **Supporting materials:** Attached.

Telephone: 775 847-0969

6. **Fiscal impact:** N/A

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** N/A

____ District Attorney

8. **Reviewed by:**

VS Department Head

Department Name: Clerk & Treasurer

____ County Manager

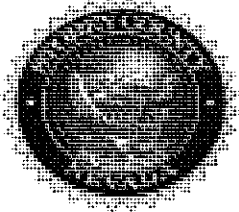
Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 4



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, DECEMBER 1, 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, Commissioner McGuffey, County Manager Pat Whitten, District Attorney Anne Langer, Clerk & Treasurer Vanessa Stephens, Tourism Director Deny Dotson, Community Services Director Cherie Nevin, Public Works Director Mike Nevin, Comptroller Hugh Gallagher, Sheriff Gerald Antinoro, Community Development Director Dean Haymore, Planning Director/ Administrative Officer Austin Osborne

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 December 1, 2015

Mr. Osborne asked that item 18 be continued to January 5, 2016 and item 23 continued to December 15, 2015, subject to approval of item 9 on the Consent Agenda.

Virginia City Resident, Mark Joseph Phillips, requested item 11A be amended to read 54 South C Street.

Motion: Approve Agenda with continuation of item 18 to January 5, 2016, and item 23 continued to December 15, 2015, and amendment to item 11A, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=3).

4. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for October 20, 2015

Mark Joseph Phillips read a letter to the Board regarding the Comstock Historic Preservation Area Map attached to and part of Storey County Code 17.92, Mineral Exploration, Mining and Extraction. A format large enough to read all detail, has not been filed in the office of the County Clerk after approval of Ordinance 15-268 on October 20th, a clear violation of Nevada's Open Meeting Laws, both civil and criminal. Refer to NRS 239 and 241. Mr. Phillips requested the letter be included as part of the record.

Austin Osborne, Planning Director: We are in the process of getting the final, clean document ready for the Clerk's Office. A few changes from that meeting are being made. Within the next 5 days or so the final document will be delivered to the Clerk and fully recorded. Any member of the public is welcome to come to the Planning office and look at the actual zoning ordinance - including that map - that was approved.

Motion: Approve the Minutes for October 20, 2015, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote,
(**Summary:** Yes=3).

CONSENT AGENDA

5. For possible action approval of Payroll Checks date 10/29/15 for \$71,550.49, date 10/29/15 for 119,042.35, date 11/06/15 for \$452,929.82 and 11/20/15 for \$346,412.83. Accounts Payable Checks date 10/30/15 for \$466,172.20 and \$4,752.24, date 11/02/15 for \$99,000.00, date 11/13/15 for 856,613.24, \$6,272.87 and \$4,903.78.
6. For possible action approval of United States Department of Agriculture (USDA) Rural Development Grant Agreement and Loan Resolution for the Financing for the Storey County Wastewater Collection System Improvements with a Loan in the amount of \$4,058,000.00 and in Grant in the amount of \$8,987,000.00.
7. For possible approval reappoint Mike Nevin to serve as the Storey County Representative on the Carson Truckee Water Conservancy District.
8. For possible action approval of Treasurer Report for October 2015.
9. For possible approval convene December 15, 2015 regular Board Meeting.
10. For possible action approval of Business Licenses First Readings:
 - A. **VFI KR SPE I, LLC** - General / 7303 SE Lake Road ~ Portland, OR (leasing company)
 - B. **CODFATHER, LLC** - General / 16180 Tanea Drive ~ Reno (food truck) TRI
 - C. **NEVADA HEALTH CENTERS** - Nonprofit / 175 East Carson VC
 - D. **FIGHTING IRISH SERVICES, LLC dba Clearpay Processing NV** - 839 Lafond Avenue ~ Dayton (home-based credit card processing services)
 - E. **AROK, INC** - Contractor / 2819 West Grovers ~ Phoenix, AZ (Contractor)

- F. **OPTIV SECURITY, INC.** - Contractor / 6130 Sprint Parkway ~ Overland Park, KS (Internet Security Svcs)
- G. **ALLIED CRANE, INC.** - Contractor / 855 North Parkside Drive ~ Pittsburg, CA (Crane services)
- H. **DAS GROUP PROFESSIONAL, INC.** - Contractor / 1330 N Broadway ~ Walnut Creek, CA (wifi provider)
- I. **HELIX ELECTRIC, INC.** - Contractor / 6795 Flanders Drive ~ San Diego, CA (electrical contractor)
- J. **CLARKSON INDUST CONTRACTORS** - Contractor / 256 Broadcast Dr ~ Spartanburg, SC (industrial containers)
- K. **KATOAKA-SS AMERICA CORP** - Contractor / 21255 Hawthorne Blvd ~ Terrance, CA 90503 (equipment installation and maintenance—using “other” contractor’s license tbd)
- L. **H&T NEVADA, LLC** - General / Electric Avenue (manufacturing battery components) TES
- M. **MACKAY MANSION MUSEUM** - General / 291 South D Street (new owner) VC
- N. **RICK’S AEC REPROGRAPHICS, INC.** - General / 488 Kietzke Lane ~ Reno (copy/scanning)
- O. **TITAN CONSTRUCTION SUPPLY, INC.** - General / 250 Edison Way ~ Reno (construction supply)
- P. **AMERICAN FIREPROOFING, INC.** - Contractor / 9900 Georgia St ~ Crown Pt, IN (fireproofing cont.)
- Q. **ON ELECTRIC GROUP dba Integrated Systems Group** - Contractor / 1709 SE 3rd Ave ~ Portland, OR (electrical contractor)
- R. **LLOYD W AUBRY CO., INC.** - Contractor / 2148 Dunn Road ~ Hayward, CA (electrical contractor)
- S. **WILSON TREE WORKS** - Contractor / 425 Channel Drive ~ Dayton (arborist)
- T. **FASTENAL COMPANY** - Contractor / 1117 Gator Way ~ Sparks (industrial fasteners/supplies)
- U. **HILTI, INC.** - Contractor / 5400 S 122nd East Ave ~ Tulsa, OK (construction tools)
- V. **DURA-STONE, INC.** - Contractor / 750 Freeport Blvd ~ Sparks (coatings and sealants)
- W. **ADVANCED TECHNOLOGY GROUP, INC.** - 455 SE 2nd Avenue ~ Hillsboro, OR (drywall cont)
- X. **XL CONCRETE MASONRY, LLC** - Contractor / 4460 Riviera Ridge ~ Las Vegas (masonry contractor)
- Y. **MCDONALD CARANO WILSON, LLP** - Professional / 100 West Liberty ~ Reno (law firm)
- Z. **SAI ELECTRICAL CONTRACTORS** - Contractor / 580 Murray Road ~ Dothan, AL (elect cont)
- AA. **FAST WRAP RENO ONE** - Contractor / 1000 Cottonwood Road ~ Reno (shrink wrap protection)
- BB. **ROSEN MATERIALS, LLC** - Contractor / 1371 Sawgrass Corporate Pkwy ~ Reno (materials)
- CC. **TEMP-AIR, INC.** - Contractor / 3700 West Preserve ~ Burnsville, MN (hvac contractor)
- DD. **BOSSARD NORTH AMERICA** - Contractor / 6521 Production Dr ~ Cedar Falls, IA (installer)
- EE. **LR SELL SERVICES** - Contractor / 9845 Palmetto Dr ~ Stagecoach (manufactured home setters)

FF. JR AUTOMATION TECHNOLOGIES, LLC - Contractor / 13365 Tyler St ~ Holland, MI (mfg)

GG. MURATA MACHINERY USA, INC. - Contractor / 2120 Queen City ~ Charlotte, NC (handling sys)

HH. BEU-MATH ENGINEERING, INC. - Contractor / 3201 W Harrison ~ Phoenix (pollution control)

11. For possible action approval of Liquor License First Reading:

- A. Palace Restaurant & Saloon, 54 C St, Virginia City, NV - Robert and Nicole Wilkinson (requesting to add off-sale to the existing liquor license)
- B. Gold Hill Hotel, 1540 S Main St., Gold Hill, NV - Robert and Nicole Wilkinson (requesting to add off-sale to the existing liquor license)

END OF CONSENT AGENDA

Vice Chair Gilman commented that the number of business licenses being processed is incredible.

Motion: Approve the Consent Agenda, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=3).**

12. DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff

Thor Dysen, District Engineer - Nevada Department of Transportation:

- In regards to SR 342, the guard rail sub-contractor has been working yesterday and today, and should be done tomorrow. Additional signs need to be installed and barrier needs to be placed around a pole. The road could open tomorrow afternoon, if not, sometime Thursday morning - weather permitting.
- This is 2 to 3 weeks earlier than originally predicted.
- Additional work will need to be done in the spring, including the final wearing course and the final striping, along with minor concrete work.
- Very appreciative for the NDOT and CMI staff.

Chair McBride said this is great news, especially for residents in Gold Hill and Silver City. The road is much nicer and is a great improvement. Mr. Dysen has worked tirelessly on this project. Comstock Mining has been a great partner to step up. Everyone involved should be commended.

Vice Chairman Gilman expressed appreciation to Mr. Dysen and the NDOT staff. The extension of USA Parkway through TRI is being done today. The NDOT staff has been gracious and forthright in solving issues that have arisen.

Mr. Dysen stated due to being short-staffed, NDOT personnel from Reno have been re-assigned to Virginia City on a temporary basis for snow removal. NDOT is also short-staffed in the area of USA Parkway. NDOT is sensitive to the needs and everything is being done to fill temporary snow plow positions.

Commissioner McGuffey commended NDOT and Comstock Mining for the diligent work on SR 342. There have been a couple of complaints about the Lockwood interchange which has been repaved. One concern is the westbound on-ramp is too short. Residents expected that the ramp would be lengthened as it is a hazard merging into traffic.

Mr. Dysen said NDOT is aware of this situation. A redesign needs to be done. What has been done is a temporary solution to the asphalt insuring that it is a better quality. Due the growth and truck traffic in the area, the ramps at Lockwood and the USA interchange need to be widened at some point. There has been discussion to make this happen. The work will be very involved requiring removal of a hillside and working with landowners.

Mr. Dysen does not know if this improvement is on the NDOT list, but it has been discussed. Mr. Dysen will check on this.

County Manager Whitten indicated an annual meeting is set with NDOT staff on December 16th. At this meeting, Mr. Whitten will make sure that if the Lockwood exit 22 is not on the NDOT plan, NDOT will be encouraged to do so.

Shaun Griffin, Community Chest:

- The Health Center is doing great with appointments scheduled on the half hour and walk-in visits every 15 minutes. Response has been great from the residents. Mr. Griffin is thrilled with the Nevada Health Centers staff. Medical reception staff has been brought in to the clinic in Virginia City. Numbers are increasing fast. This should lead to increasing the clinic schedule to 2 or 3 days.
- A very good library fundraiser was held Saturday. Author Heidi Durrough gave a presentation that was well attended. The presentation was sponsored by Barrick.
- Regarding the phase 2 building, final foundation request information should be in this week to get six foundations support to go back to the lead foundation for gift request. It is anticipated that all six will step up, which gives the library a strong foundation to request a lead gift.
- Sandy Delusky has been hired for the librarian position. Ms. Delusky has many years of librarian experience.

Vice Chair Gilman: At a recent meeting in Lockwood, residents commented how delighted they are with the nurse and the services provided.

Cherie Nevin, Community Services Director:

- 18 responses are still needed for the Mark Twain resident survey. Ms. Nevin is working with UNR on the survey. UNR will assist Community Services in encouraging residents to complete the information. Ms. Nevin will discuss this at the up-coming Christmas party in Mark Twain. Residents need to be aware of how important the survey is.
- Free radon test kits for residents are available at the library through February 29th. The UNR Cooperative Extension will be at the January 19th Commission meeting to give a presentation regarding radon.

Austin Osborne, Senior Planner:

- Great working with Thor Dysen and the team on the reconstruction SR 342.
- So far van pools have been successful for transportation at TRI. Two additional van pools are starting – V-Ride and the Washoe RTC. Washoe RTC is collaborating with the County and providing subsidies for people who wish to van pool. They have set up in front of restaurants, providing \$5 tickets for those who wish to eat in the restaurants and in turn listen to a presentation regarding van services. Mr. Osborne and the team have met with company directors to promote the van pools. Mr. Osborne met with the Washoe RTC representatives regarding the next step for the middle to long term plan. The Washoe RTC team is taking a realistic approach to transportation issues at TRI and working with the County in coming up with realistic numbers of employees, for traffic, and assessing the EDAWN Epic Report. Someday the County may network with Washoe RTC in some type of transportation for TRI.
- A mandatory contractor's meeting will be held on December 3rd at the location of the proposed "pocket plaza" to be built on the old Black & Howell building site. This project is not a permanent park – it is phase 1 to a permanent building. In an effort to save costs, the structural engineering, foundations, and first floor will be put in place to accommodate a building in the future. Contact the Planning Office to see renderings of the park.
- The Planning Commission has been holding Master Plan workshops, meeting in all of the County communities. The housing, transportation and land use elements, and major parts of the Master Plan are in draft form and on the website. Individuals can comment directly to Mr. Osborne or at Planning Commission workshops. It is anticipated the plan will be complete in March or April when the final work will be prepared for the Board to consider for adoption.

Mike Nevin, Public Works Director:

- Approximately 700 feet of main water line has been replaced on SR 341, from the Fourth Ward School to F Street. There have been issues over the last few years.
- The Courthouse roof project is 99% complete. The final walk through will be scheduled with the contractor to address any additional issues.
- Work continues with the BLM on the water/sewer potential projects. With the approval today of the loan and grant agreement with USDA sewer project, there are concerns to be addressed as to BLM right of ways in order to include water projects needed along some west areas in Virginia City and on the main line between Virginia City and the Five Mile Reservoir.
- Work on the Marlette System syphon under I 580 is scheduled to be completed no later than April 2016. Marlette has taken the lead working with NDOT and the contractor. Storey County may have to enter into a Memorandum of Understanding with the Marlette System. This portion of the syphon is where the water pressure is highest.
- Last week, Mr. Nevin, the contractor, and the engineer, reviewed the Milan Drive extension at TRI and developed a short punch list. Once the items are addressed and there's a request to accept the dedication back to Storey County, it should go smoothly.

Deny Dotson, Tourism Director:

- Christmas on the Comstock, the last major event of the year, will be held this Saturday. Working on line-ups for the parade.
- VCTC is looking to possibly enhance the 4th of July fireworks show. There are a couple of proposals and one company will be doing a "test" shot that will allow a bigger, better show. The test shot will be fired on Saturday immediately following the parade.

Pat Whitten, County Manager:

- With approval of the Consent Agenda, the Commission meeting for December 15th has been re-scheduled for that date.
- During the summer, the Commissioners were in Lockwood where a safety issue involving a trench was brought to their attention. A community member had trenched into the community garden to hopefully connect water. A public works crew will be out there to cover the trench as soon as possible.
- Recently a Polish Trade Delegation was brought to the area by EDAWN and GOED. Mr. Whitten and Mr. Osborne accompanied the delegation on a tour of TRI. Many key business people were in this delegation. They were treated to brunch at Piper's Opera House the following morning. Brunch was provided by The Roasting House.

Commissioner McGuffey asked who put a padlock on the gate of the Lockwood community garden. Is this a County garden?

Mr. Whitten replied that a "self-appointed individual" put the lock on the gate. The garden is on County property. There is no reason to lock it other than the safety issue with the trench.

Dean Haymore, Community Development Director:

- A lot of business licenses are coming in, close to 200 just on the Tesla project.
- This week a temporary C of O will likely be issued to Bi-Neutraceuticals, a company that takes material from 400 countries the grinds, sterilizes and prepares the materials to go to natural food companies.
- Receiving a lot of calls regarding the Fulcrum facility going up in TRI wondering what the big metal building is. Full operation to begin in the middle of next year.
- Tesla project is going very well and fast. Tesla is in the first part of the 280,000 square foot building. Building and fire inspectors are in the rest of the giga-factory building all day long.
- The Agua-Metals metal building comes in next week.
- The first slab has been poured for the Switch facility. Concrete pours continue for Tesla.
- Storey County is lucky with all the new industrial projects. Other counties are still in a recession.
- Meetings are going on consistently with new clients.
- Zulilly will soon be given a C of O for its pit modular. Zulilly is now completely automated.
- A C of O has been given to jet.com.
- In addition, houses are going up in the Highlands and Virginia City, along with a new business on the divide.

- Concrete for the building sites is coming from various and many areas in Nevada and California.
- More construction is going on at TRI right now than in all of Clark County.

Vice Chair Gilman commented that people are coming from all over the world.

April Enloe, Virginia City Senior Center:

- Christmas baskets are being prepared for homebound residents. This year there will be 45 baskets.
- During the Christmas parade the Senior Center will be roasting chestnuts in front of the Mark Twain Saloon.

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

Commissioner McGuffey thanked The Roasting House for providing coffee at today's meeting.

Chairman McBride acknowledged the passing of Ira Claussen – the grammar school basketball referee for almost 30 years. Also Terry Tankersley recently passed away. Our hearts and prayers go out to the people in France.

14. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval or denial of a resolution authorizing the reimbursement of expenses incurred by Fulcrum BioEnergy, Inc. et al. from the proceeds of economic development revenue bonds for an expanded project which recycles solid waste into renewable fuels.

County Manager Pat Whitten presented this item. This project has been in the works for approximately 10 years. This resolution will allow Fulcrum BioEnergy to bond and obtain attractive financing and rates to assist with the project. Technology and research and development have changed since the inception of this project. This resolution takes the 2008 resolution passed, and changes the end product from ethanol fuel to primarily a jet fuel process. In order to make the resolution more applicable, it has been recommended to change the end fuel product to "renewable fuels". Legal research has been completed and no reason was found to not make this change. There is no liability to the County – it is strictly liability on Fulcrum.

Jeannie Benadetti on behalf of Fulcrum BioEnergy, added that for eight years Fulcrum has worked with County staff. Recently Fulcrum brought in a technology partner who was so impressed that the decision makers (from the County) were available to address comments and questions needed to proceed with development of technology. Storey County has always been proactive in support of businesses.

Vice Chair Gilman said Fulcrum's work of taking trash and turning it into fuels is spectacular. This is leading edge, green technology.

Motion: Approve a resolution authorizing the reimbursement of expenses incurred by Fulcrum BioEnergy, Inc. et al., from the proceeds of economic development revenue bonds for an expanded project involving the recycling of solid waste into renewable fuels, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3).

15. **DISCUSSION ONLY/POSSIBLE ACTION:** Approval of resolution 15-432, 2015 Storey County Business of the Year.

Deny Dotson, Virginia City Tourism Commission, presented this item. Each year the County Department heads discuss, nominate and thank a business recognized as giving back to the community. Criteria for the award includes: leadership, entrepreneurship, product or market innovations, significant business achievement, sales or employment growth, possible technological advancement, excellence in community relations, environmental conscience, customer service and reliability, high standard of employee relations, contributions to the economic health of Storey County and Virginia City, and success in filling a marketplace need.

Staff recommends that the Storey County Business of the Year be awarded to Eric and Melanie Troska and The Roasting House.

Chairman McBride read resolution 15-432 into the record.

Motion: Approve resolution 15-432, 2015 Storey County Business of the Year -The Roasting House, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3).

16. **DICSUSSION ONLY/ POSSIBLE ACTION:** Approval of resolution 15-433 honoring Barbara Ohlin Mackey.

Ed Gladding introduced Barbara Ohlin Mackey prior to the approval of the resolution, commending and honoring Ms. Mackey for exemplary service to the community as the Executive Director of the Fourth Ward School Foundation for 15 years.

Mr. Gladding said Ms. Mackey transformed the Fourth Ward School into a nationally recognized museum, learning center, archive for genealogy research, and a distinct destination of the National Trust for Historic Preservation. Ms. Mackey's performance is nothing short of miraculous and will remain as part of history in Virginia City.

County Manager Pat Whitten read resolution 15-433 into the record.

Ms. Mackey thanked the Board for entrusting her with this national treasure. Ms. Mackey quoted an article from the Territorial Enterprise in 1876 that stated "the Fourth Ward School is our pride today but sometime will become our glory in the future". Ms. Mackey feels that it has become "our glory", with the help of an "army" that it has taken to get there.

Chairman McBride presented Ms. Mackey with a plaque.

Ms. Mackey introduced Laura Mather who will be the new director at the Fourth Ward School.

Motion: Approve Resolution 15-433 honoring Barbara Ohlin Mackey, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3).

17. **DISCUSSION/POSSIBLE ACTION:** Approve and rank applications for the Community Development Block Grant Funding for 2016 cycle for submittal to the State of Nevada Governor's Office of Economic Development.

Cherie Nevin, Community Services Director, said this item is to discuss potential applications for CDBG funding prior to submittal to the State Community Development Block Grant program. Some of the proposed projects were discussed at a recent Planning Commission meeting. Two projects can be submitted.

Staff recommendation for projects are:

- #1 - Tahoe Reno Industrial Center General Improvement District Utility Geographical Information System. Estimated cost is \$150,000 to \$175,000. This project would be a great benefit to the economic development activities in Northern Nevada.
- #2 - Storey County Senior Center Sustaining Senior Access to Safe and Healthy Homes (Homemaker Program). Estimated Project cost is \$68,600. This project would be a direct benefit to seniors in Virginia City, Lockwood, and Mark Twain, providing needed services to help seniors remain in their homes and have suitable living environments.

Staff has reviewed these projects and feels that they fit well within the scope of the grant program for funding. Upon approval, grant applications will be submitted to the State CDBG program by January 7th.

Vice-Chairman Gilman recused himself from this item.

Mr. Whitten said the County is very supportive and appreciative of Ms. Nevin's efforts.

Motion: Approve the Tahoe Reno Industrial Center General Improvement District Utility Geographical Information System as the number one project, estimated cost is \$150,000 to \$175,000; and Storey County Senior Center Sustaining Senior Access to Safe and Healthy Homes (Homemaker Program) as a number two project, estimated project cost is \$68,000; for grant application submittal to the State of Nevada Governor's Office of Economic Development for the 2016 Community Block Grant Program, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2).

18. **DISCUSSION/POSSIBLE ACTION:** Approval of award to Aspen Developers a total amount of \$238,200.00 for the completion of the Storey County Courthouse Parking Lot Project in Virginia City, Nevada, and \$11,799.00 as contingency monies toward the project.

Continued to January 5, 2016.

Chairman McBride called for recess at 11:15 AM

Meeting reconvened at 11:29 AM

19. **DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of a proposed contract to purchase partially improved land at 168 South D Street from Tri-Ventures, Inc. for \$84,000.00 for possible use as a parking lot.

Mr. Whitten presented this item. This purchase has been discussed for some time since the Sheriff and District Attorney began occupying their current offices and would provide off-street parking at least for employees. The County and the seller are now in position to move forward. The parcel has been appraised and offers 13 additional parking spaces.

Staff recommends approval.

Commissioner McGuffey said there used to be a lot of parking citations issued for the area on D Street by the school. Having a parking area at that location will definitely help.

Motion: Approve the proposed contract to purchase partially improved land at 168 South D Street from Tri-Ventures, Inc. for \$84,000.00 for possible use as a parking lot, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3).

20. **DISCUSSION ONLY/POSSIBLE ACTION:** Consideration and Possible Action to enter into contract with Tax Management Associates, Inc. (TMA) Pursuant to the contract TMA will provide audit services on behalf of the Storey County Assessor's Office to verify the accuracy of business taxpayer's listing of personal property for ad valorem taxation.

County Pat Whitten presented this item. The agreement has been reviewed and revised by District Attorney Loomis to make it acceptable to the County. Tax Management Associates is a national firm.

Mr. Whitten explained that all businesses are required to declare their personal property, including valuations. The County is not equipped or prepared, particularly at TRI, due to limited staffing levels and specifically in this case in the Assessor's Office, to audit the statements of the businesses. This will be a one year contract, not all businesses will be audited. There is a potential list. This will be a trial for the County.

Mr. Whitten continued that statistically Tax Management Associates (TMA) has demonstrated that their collections, the under-reporting, generally runs in the 20 to 30% range. In Washoe County the percentage is much higher. Washoe County also utilizes TMA's services.

Commissioner McGuffey: Are the fees on page 3 of the contract, per business.

Mr. Whitten: Yes. This is a pretty extensive audit – a labor intensive project. This company is not heavy handed. By statute, the audit can also go back three years. There will always be some level of trust but verify. Some of the companies will probably be right on the mark or very close. There are some that will be difficult. Where negotiations might come in, penalties could be

negotiated. If it's an honest mistake and easy fix, it may be satisfactory to just collect what is due in taxes and not ding them hard with penalties. If it's egregious, that may be different.

Chairman McBride: I think a net gain might be expected above and beyond the fee charged.

Commissioner McGuffey: Depreciation falls in there too.

Mr. Whitten: There should be a net gain or it will be a one-year contract. There are two automatic renewals if the County is satisfied.

Vice Chairman Gilman: How widely is this program and process used in other States? How widely is it applied, especially to industrial users and centers? Are we part of a leading edge trial group or has this been vetted nationally?

Mr. Whitten: The County was not given a list of who TMA audits but did receive a list of who TMA is auditing for. The list is robust. There are a handful of Nevada counties looking at TMA. TMA was present at the recent Assessor's Conference. Mr. Whitten said he could not answer the specifics of whether audits were done in industrial centers versus shopping centers, or whatever. An answer can be requested from the CEO. Looking at some of the jurisdictions on the list, Mr. Whitten is under the impression there are some areas that would hit the industrial mix. The assessor will go through and present a list of five or ten - maximum - companies, that the County would like to audit this year. The reason for the safeguard, sometimes there are delicate negotiations with companies. Timing will be a little bit of an issue.

Vice Chairman Gilman: If we are pioneering an effort that a company is doing, particularly in a very successful industrial park such as the one here in Storey County, Mr. Gilman would not want it to be perceived that the County is being punitive to the taxpayer. If this is a pioneering effort, this will have to be disclosed to all companies coming in that the County operates in the industrial center under these processes. This will be a disclosure issue as companies are looking at re-locating and what the impacts may be. Not that it's good or bad - but there are implications on both sides. The County competes against every market in the west.

District Attorney Anne Langer: Ms. Langer said she was in agreement that the County should look at this contract which was initially for a three year period. Basically, this will be a "test period" every year, and two years to follow if we agree with it. It can be cancelled after a year. In negotiating with TMA on the terms of the contract, TMA seems to be very flexible. The description of the company presented by Mr. Whitten, is the same since Ms. Langer received in dealing with Mr. Cook, the CEO. The agreement went from a three year contract to one year in order to determine what the County thinks of TMA.

Mr. Whitten: Regarding the level of disclosure addressed by Mr. Gilman, all businesses are required by State law to declare personal property and provide valuations. All the County is saying is we are going to verify to see it is being done accurately. In many cases, it would be welcomed as most of the businesses operate under the premise that they declare all property and would like to make sure that their neighbors are declaring all too.

Chair McBride: Audits are customary and routine everywhere. Tourism has talked about also auditing lodging facilities.

Ms. Langer: This is not to search out the "cheaters" - it is just to keep everyone honest. People in business know there will be an audit of some sort.

Vice Chair Gilman: For sake of conversation, Mr. Gilman stated he has had the experience of going through some of the Governmental issues. For example, one from the last session - the "value added tax", which was viewed as imposing a special Nevada extra tax on business. When there are major competitors - other areas or States - looking for a Tesla or Switch, as example, Storey County can take the position that it is just trusting and verifying. Our competitors, if they are aware the County has an "Achilles heel" or is doing something out of the ordinary than in other communities, this will be used against the County as a reason for not locating in the County environment. The fact that we may become less than competitive with our neighbors should be considered. Mr. Gilman is not taking a position one way or the other, however this is his concern.

Mr. Whitten: The County will be sensitive to these concerns. Once results are back from a company, there is nothing to keep the County from reaching out to that company to see what the thoughts are about the process. Mr. Whitten recommends the audit be done. In essence, the County would like to collect what is due.

Vice Chair Gilman: Agrees with Mr. Whitten however would request a continuance of this matter in order to have an opportunity to vet it through the marketing process to see how it stands. Mr. Gilman will report back to the Commission.

Mr. Whitten: That's fair and reasonable.

Public Comment:

Virginia City Resident, Mark Joseph Phillips: Mr. Phillips is concerned with the sovereignty of the Storey County Assessor's Office and believes that this contract requires the personal approval of the Assessor. Mr. Phillips would like to make sure the County Assessor has the authority in any audit that happens and that the Assessor gave permission for each audit. The statutes of Nevada give the Assessor authority to go on to people's property without permission or warrant. Mr. Phillips would like to make sure the Assessor's Office is not being undermined, and would like to hear from the County Assessor before any action is taken.

Motion: Continue Item 20 to December 15, 2015, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=3).**

21. **DISCUSSION/ POSSIBLE ACTION:** Board's order for the Treasurer to hold a sale of real property held in trust because of tax delinquency and to direct that notice be done by publishing in the paper.

Clerk-Treasurer Vanessa Stephens presented this item. There are sixteen parcels throughout the County. Three of the parcels were on the last auction and did not sell.

Ms. Stephens explained the process. Once a list is put together and approved, title searches are done, followed by a 90-day notification process to anyone who has any right to the property. Any person with a right to the property has up until a week before the sale to redeem the property. All properties not redeemed will go to auction. Once auction is held, the minimum bid accepted will be the amount of the outstanding taxes. Any amount above becomes an excess proceed and has to be held by the County for one year. After that year, there is a list of people who can claim the excess proceeds. If the funds are not claimed, it becomes part of the County's general fund.

Chair McBride: Has been of the understanding that even after a property has sold, a landowner can come back and remedy it after the fact. Is there a statute that the property cannot be sold for less than the amount of taxes owed?

Ms. Stephens: Not on a tax sale. Ms. Stephens believes a Sheriff's sale has a provision where people can come in a certain period. Yes, there is a specific statute that the minimum paid for a property is the amount of outstanding taxes.

Commissioner McGuffey: Are there any hidden fees on these properties?

Ms. Stephens: A full title search is done prior to the time of auction. A potential buyer can review all documents, we try to catch everything. Auctions are "buy at your own risk".

Vice Chair McBride: What type of properties are these? Raw land, structures, or mixed?

Ms. Stephens: Most of these are raw land. One has a structure that is dilapidated.

Motion: Approve the order for the Treasurer to hold a sale of real property held in trust because of tax delinquency and to direct that notice be done by publishing in the paper, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3).

COMMUNITY DEVELOPMENT AND PLANNING

22. **DISCUSSION/POSSIBLE ACTION:** Approval of variance 2015-031, by Nick and Jessie Fain. The applicant requests a variance to the provisions of Storey County Code 17.84 (ordinance regulating sign and billboards) changing the allowed width (height), and length, of signs which will be attached to a new building facing C Street (east) of the subject property located at 800 South C Street, Virginia City, Nevada (APN: 001-042-09 & 10).

Planning Director Austin Osborne said this is a request for a variance for a sign. The current ordinance does not accommodate the type of signs on this unique structure. It is not the typical building on C Street - it is a "stand alone" structure. Mr. Osborne described the building. The variance is requested as the sign does not meet the shape and dimensions required in the sign ordinance.

The conditions of this variance are that the applicant goes through the Historic District to obtain a Certificate of Historic Appropriateness before obtaining the sign. The sign will have to be maintained and the Building Department will have to confirm that it is installed in a safe manner. The Planning Commission heard and passed this request unanimously.

Mr. Whitten is excited that this building is in the area of the Bullion Stamp Mill. The Mill was in operation in the late 1800's until it was dismantled. The applicants are attempting, and very well, to recreate signage close to what was on the Bullion Stamp Mill.

Mr. Osborne read Findings for approval:

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 businesses 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 be materially 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 Historic 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: Approve variance 2015-031, by Nick and Jessie Fain. The applicant requests a variance to the provisions of Storey County Code 17.84 (ordinance regulating sign and billboards) changing the allowed width (height), and length, of signs which will be attached to a new building facing C Street (east) of the subject property located at 800 South C Street, Virginia City, Nevada (APN: 001-042-09 &10), **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3).

23. DISCUSSION/POSSIBLE ACTION: Approve second reading of Ordinance 15-270, an ordinance extending interim development regulations affecting Title 16 and 17 of the Storey

County Code by extending through June 30, 2016 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 July 1, 2016, whichever comes first.

Continued to December 15, 2015.

24. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

- A. **RENO PROVISIONS** - General / 100 North Sierra ~ Reno (food truck)
- B. **FLEXIBLE ASSEMBLY SYSTEMS** - Contractor / 9240 Mira Esbe Ct. ~ San Diego (tools distributor)
- C. **US TEST & BALANCE CORP** - Contractor / 10 Corporate Park Dr ~ Hopewell Junction, NY (hvac)
- D. **SUNRUN INSTALLATION SVC** - Contractor / 595 Market ~ San Francisco, CA (pv installer)
- E. **LABEEG BUILDING SVCS** - General / 225 Keystone Avenue ~ Reno (janitorial service)
- F. **XL LANDSCAPE DEVELOPMENT, LLC** - Contractor / 4460 Riviera Ridge ~ Las Vegas (landscaper)
- G. **MODERN MINING SOLUTIONS, LLC** - General / 1280 Alexandria Court **TRI**
- H. **SIMPSON GUMPERTZ & HEGER, INC.** - Professional / 41 Sevon St ~ Waltham, MA (eng svcs.)
- I. **JAMES MAGGARD DESIGN CONS** - Professional / 14665 Ambrie Knolls ~ Saratoga, CA (eng)
- J. **GRAYBAR ELECTRIC CO** - Contractor / 150 East Greg Street ~ Sparks (electrical distributor)
- K. **SHRED-IT RENO** - Contractor / 8670 Technology Way ~ Reno (document destruction contractor)
- L. **JUGGERNAUT SERVICES, LLC dba Square 1 Solutions** - Professional / 780 Smithridge Drive ~ Reno (staffing solutions)
- M. **DUSOUTH INDUSTRIES dba DST Controls** - Contractor / 651 Stone Road ~ Benicia, CA (IT svcs.)
- N. **BI NUTRACEUTICALS, INC.** - General / 625 Waltham Way #101 (milling botanicals) **TRI**
- O. **RICH DOSS, INC.** - General / 201 Wild Horse Canyon Drive (transportation) **MCC**

County Manager Pat Whitten reported that Item A, Reno Provisions has attracted attention recently with the announcement that they contributed to an E-coli event in Washoe County. Prior to today's recommendation, the Community Development staff reached out to the State Health and Washoe County Health Departments. Notification has been received that Reno Provisions is fully open at the Reno location with no restrictions from the State of Nevada Health District. The State has jurisdiction over the trucks.

County Manager Pat Whitten, on behalf of the Community Development Department, requested approval of items A. through F., and H. through M., and continuance of items G., N., and O.

Motion: Approve items A., B., C., D., E., F., H., I., J., K., L., and M., **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3).

Motion: Continue items G., N., and O., **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3).

25. PUBLIC COMMENT (No Action)

Virginia City Highlands resident, Valerie Lebel-Flattley: Ms. Lebel-Flattley discussed on-going issues with the wild horses in Lockwood. One complainant, who is not happy with horses being in his yard and street, has threatened to shoot the horses. There are issues with cattle guards needing to be cleaned out and fencing that needs repair. If the Department of Agriculture is notified, and the situation not handled, they will pick up the horses for auction and slaughter. Mike Nevin has indicated Public Works cannot do anything until spring due to being short-staffed. Volunteers are being sought to do the work, which will require expertise and heavy equipment. Is Storey County willing to help in any way possible?

Chair McBride: Who owns the property where the fencing is located?

Ms. Lebel-Flattley: Unsure. The Peri brothers had previously taken responsibility for some of it. Some may be with homeowners, the GID, or some partly Storey County. It has been a problem determining who is responsible. It is unknown who the complaining resident is. He has been contacted by the Sheriff who will be contacting him again.

Assistance is needed. The Virginia Range Wildlife Protection Association would foot the bill if there are not enough volunteers, and workers with expertise need to be hired. Would the County be willing to reimburse VRWPA for expenses incurred if this (the work) is on Storey County property? Does this need to be put on an agenda?

Sheriff Antinoro: Nothing has been worked out, this is an on-going issue. It is unclear as to who owns what. After talking with many sources, it appears the Peri brothers took responsibility for fixing part of the fencing on Peri Ranch Road. Not sure who owns that property now. Part of the fencing needed to be replaced is on the hill above the water tanks. Some may be GID property, some may have been fence installed by GID but is actually County property, and some is a combination along with VRWPA acquired fencing. In checking with the Clerk's Office, there is no clear record of who owns what along that fence line. It will have be a cooperative effort between everyone. In the past, the cooperative agreement seems to have been between the GID, the County, and VRWPA.

Vice Chair Gilman: How many horses are there?

Ms. Lebel-Flattley: Right now, five.

Vice Chair Gilman: Subject to what VRWPA and the resident would like to do, if the horses were to be moved to the ranch, TRI is willing to accept them. Horses have been accepted from various

areas. The horses would be turned loose and would not be auctioned or purchased. The Department of Agriculture is very familiar with this location.

Chair McBride: How is the program of watering, feeding, and birth control doing in that area? And the agreement with the Department of Agriculture, VRWPA, and the County?

Sheriff Antinoro: Some birth control has been done. There was a meeting regarding diversionary feeding in the Virginia City and Highlands areas. There were some sticking points in the cooperative agreement, which may now have been overcome. Until the fencing in the Lockwood area is fixed, even if these horses are relocated, others will come in.

Vice Chair Gilman: TRI has approximately 70,000 acres of unusable area. There is a significant amount of fencing between Lockwood and TRI. It would be difficult for the horses to migrate from the ranch back to Lockwood.

Commissioner McGuffey: What type of fencing is damaged?

Sheriff Antinoro: Some chain link and some barbed wire fencing.

Vice Chair Gilman: In TRI, Walmart has adopted wild horses and Switch is talking about building a passage for the horses to cross USA Parkway safely. There are businesses in TRI that are certainly compatible with the wild horses.

Commissioner McGuffey: A lot of the companies in TRI love the wild horses and feel it is the best part of being out there.

Vice Chair Gilman: The horses are seen as an asset in TRI. The horses are doing well in that area. Mr. Gilman would like to see consensus amongst the involved groups before moving the horses.

Mr. Whitten: Understands what Ms. Lebel-Flattley is saying. Better fencing needs to be done regardless of whether or not the horses are re-located - which may or may not solve the issue. The question is finding monies to repair fencing. The most effective way to accomplish this, would be to get some type of ballpark estimate - whether or not it is easy to repair and type of fencing. Then it would be appropriate to bring the issue to the Board.

District Attorney Langer: First ownership of the property needs to be determined and whether or not they want the fence fixed. The County cannot go on to someone's property and fix the fence.

Chair McBride: This summer there were a lot of complaints in Virginia City. A lot of the horses have moved down for the winter. Maybe the horses up here could be pushed down to the ranch as long as there is enough food and water to keep them there. They will go wherever the food and water is.

Ms. Lebel-Flattley: There is a problem with people feeding horses, making them friendly, and wanting to be where the food is. The cattle guards are Storey County's property - so if clean up

could be started there that would help. It's legal to put water out for the horses in the Highlands, but not in Virginia City.

Austin Osborne: If maps are needed showing reliable property ownership and where things are and are not, Mr. Osborne would be happy to work with Ms. Lebel-Flatley to obtain reasonable maps.

Virginia City Resident, Mark Joseph Phillips: Mr. Phillips presented four items to the Board:

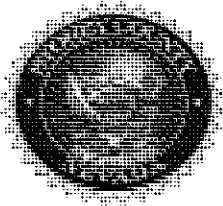
- Watched a show on TV recently regarding machine guns which had been filmed at the Mustang Firing Range. It was quite a show and a good introduction of what's going on down there.
- Talked to Gary Greenlund, Comstock Community Television, about televising Commission meetings on local television. Gary said Commission meetings could be put on a loop after the fact, so someone missing the meeting could see it. This could be a future agenda item.
- After years 270 E. Washington is finally cleaned up. Ten years ago there was a court order declaring the property a public nuisance. As a future agenda item, it would be great to have the Commission request the Court rule the property not a nuisance any more. This would be a reward for all who worked hard.
- Disappointed that at the last meeting, Commissioners engaged in conversation about China Town regarding mis-conduct without someone being at the meeting to defend themselves. Red tags went up in China Town before the October meeting. It was stated that galvanized metal flew out of China Town into the power sub-station. North of China Town is a stone structure with a galvanized roof with a 2 by 3 foot piece of roofing missing from that building. The owners of China Town may have been wrongly accused in this situation.

26. ADJOURNMENT

The meeting was adjourned by the call of the Chair at 12:45 pm

Respectfully submitted,

By Vanessa Stephens
Vanessa Stephens Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: January 5, 2016

Estimate of time required: 0 min

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. For possible action approval of Payroll Checks date 12/18/15 for \$432,477.83. Accounts Payable Checks date 12/18/15 for \$69,500 and date 12/24/15 233,367.81 and \$14,958.36.

2. **Recommended motion:** Approval of claims as submitted.

3. **Prepared by:** Hugh Gallagher

Department: Comptroller

Telephone: 775 847-1006

4. **Staff summary:** Please find attached the claims

5. **Supporting materials:** Attached

6. **Fiscal impact:**

Funds Available: NA

Fund: NA

__NA__ Comptroller

7. **Legal review required:**

__NA__ District Attorney

8. **Reviewed by:**

VS Department Head

Department Name: Comptroller

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No. **5**

Payroll Type: Regular
Payroll Groups: 1 2 3 4 5 6 7 8 9
Check Date: 12/16/15
Period-end Date: 12/13/15

Check/ DD #	Emp #/ Ded #	Payee	Amount
----------------	-----------------	-------	--------

Total User Transfer for EFTPS:			51,833.63
Total Deductor Checks:			111,020.69
Total Employee Checks:			1,012.42
Total Employee Direct Deposit:			253,594.48
Total Employee Deds Xferd on Dir Dep File:			8,026.46
Total User Transfer to Deductor:			6,990.15
Total Disbursed:			432,477.83

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

Report No: FB1390
Run Date : 12/16/15
CHECK FISCAL
NUMBER YEAR RECORD# VENDOR NAME

843240
2016
5049
OWENS EQUIPMENT SALES

STOREY COUNTY
TYPED CHECKS REGISTER

CHECK
TOTAL

CHECK
DATE

INVOICE#

DESCRIPTION

69,500.00
12/18/15
FO #15-1204 12/17/15 1998 IHC 2574 VACTOR TR

TYPED CHECKS TOTAL 69,500.00

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION DATE

COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER

Report No: PB1315
Run Date : 12/22/15

STOREY COUNTY
CHECK REGISTER 12/24/15

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
84325	AIRGAS NCN INC	EMS SUPPLIES		12/24/15	75330	24.30	91.64
		EMS SUPPLIES		12/24/15	75330	67.34	
84326	ALSCO INC	ST 74 LAUNDRY		12/24/15	75331	10.52	182.20
		ST 71 LAUNDRY		12/24/15	75331	13.84	
		ST 72 LAUNDRY		12/24/15	75331	8.77	
		ST 75 LAUNDRY		12/24/15	75331	21.02	
		ST 74 LAUNDRY		12/24/15	75331	10.52	
		SHOP		12/24/15	75273	45.69	
		CH		12/24/15	75273	50.79	
		CH		12/24/15	75273	21.05	
84327	ARC HEALTH AND WELLNESS	LAZZARINO PHYSICAL		12/24/15	75329	107.98	
		SCHROEDER PHYSICAL		12/24/15	75329	410.36	518.34
84328	AT&T TELECONFERENCE SERVI	TELECONFERENCE SERVICE		12/24/15	75327	21.47	21.47
84329	AUTO & TRUCK ELECTRIC, INC			12/24/15	75327		
84330	BANK OF AMERICA #2704	FR B-75 STARTER		12/24/15	75275	215.00	215.00
		FUELS CREW WINTER UNIFORM		12/24/15	75332	222.99	2,820.86
		FUELS CREW WINTER COATS		12/24/15	75332	279.92	
		E75 FUEL PREPAY		12/24/15	75332	52.17	
		TRAINING		12/24/15	75332	356.00	
		RADIO BATTERIES		12/24/15	75332	299.00	
		PARAMEDIC REFRESHER		12/24/15	75332	399.00	
		E75 FUEL		12/24/15	75332	46.90	
		TRAINING		12/24/15	75332	119.78	
		E75 FUEL		12/24/15	75332	61.47	
		OPERATING SUPPLIES		12/24/15	75332	32.57	
		OPERATING SUPPLIES		12/24/15	75332	38.61	
		E75 FUEL		12/24/15	75332	40.01	
		PARAMEDIC REFRESHER		12/24/15	75332	425.00	
		FUEL		12/24/15	75332	59.75	
		E75 FUEL		12/24/15	75332	16.70	
		SAW KIT BAGS		12/24/15	75332	195.58	
		R171 FUEL		12/24/15	75332	96.24	
		EXCAVATOR MAINT		12/24/15	75332	23.80	
		EXCAVATOR MAINT		12/24/15	75332	25.00	
		E75 FUEL		12/24/15	75332	30.37	
84331	BAXTER, MICHAEL T	ROOF		12/24/15	75292	4,800.00	14,291.00
		ROOF		12/24/15	75292	6,891.00	
		ROOF		12/24/15	75292	2,600.00	
84332	BENDER, DEBORAH	DEC 3-16, 2015		12/24/15	75306	800.00	800.00
84333	BERGER BLDG SUPPLY CO INC	CH WOMENS RR		12/24/15	75302	73.16	73.16
84334	BERRY ENTERPRISES	ANTENNA REPAIR		12/24/15	75338	1,062.00	10,105.45
		MTN TOP REPAIR		12/24/15	75369	2,362.00	
		RADIOS- SO SERC GRANT		12/24/15	75271	6,681.45	
84335	BOB BARKER COMPANY INC	IBUPROFEN & SPRAY		12/24/15	75357	88.56	88.56
84336	BURGARELLO ALARM INC	1/1/16-3/31/16		12/24/15	75307	374.04	

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Report No: PB1315
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VENDOR
84337 BURRELL, SCOTT LEWIS
84338 CAPITAL CITY AUTO PARTS

STOREY COUNTY
CHECK REGISTER 12/24/15

INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
DEC 3-16, 2015		12/24/15	75308	45.00	374.04
SOS1627- FILTER KIT		12/24/15	75276	29.49	
PW42560-HTR HOSE		12/24/15	75276	57.05	
PW42560-WORK LMP		12/24/15	75276	41.16	
PW42560-LOG BOOKS		12/24/15	75276	9.96	
STOCK FILTERS		12/24/15	75276	71.39	
SOS6312-ATF		12/24/15	75276	24.48	
SOS6312 HALO CAPSULE		12/24/15	75276	13.83	
SOS1627		12/24/15	75276	73.56-	
BLG DEPT-MIRROR		12/24/15	75276	83.49	
STOCK-FILTER		12/24/15	75276	6.89	
ST-74 GUAGE, VALV, CHUCK		12/24/15	75276	68.66	
SOS18739-ACTUATOR		12/24/15	75276	45.74	
SHOP-RITTINGS		12/24/15	75276	5.72	
PW42560-SWITCH		12/24/15	75276	22.91	
SHOP-THERMO AID		12/24/15	75276	6.10	413.31
PW- UNL & DSL		12/24/15	75277	1,378.31	1,378.31
INV #9756746501 WIFI		12/24/15	75325	40.01	
WATER PLANT		12/24/15	75328	20.02	
IPAD IT CELL INTERNET		12/24/15	75387	10.68	
IPAD DATA		12/24/15	75370	40.01	
HUGHS PHONE		12/24/15	75393	40.01	
972520095-00001 AIRCARD		12/24/15	75353	5.02	155.75
TOILET PAPER		12/24/15	75336	115.97	
TOILET PAPER & DEODORANT		12/24/15	75336	179.97	295.94
CEMETERY GIN		12/24/15	75309	50.10	50.10
GARNISHMENT DISBURSED		12/24/15	75372	368.77	368.77
VSU STOP 51 GRANT		12/24/15	75380	3,878.71	3,878.71
FREY PO 1063033		12/24/15	75310	363.00	363.00
DECEMBER GOOGLE ADV		12/24/15	75311	430.00	430.00
GH DEPOT INSPECTION		12/24/15	75312	250.00	250.00
TELEVISION- LOCKWOOD CNTR		12/24/15	75351	72.00	72.00
HOLIDAY PARTY SUPPLIES		12/24/15	75287	33.70	33.70
SOS8904-ROTORS		12/24/15	75281	116.94	
SOS6312 WIPER MOTOR		12/24/15	75281	100.79	
SIGN BOARD BATTERIES		12/24/15	75281	750.64-	
SR VAN		12/24/15	75281	82.97-	
FR62244-BRAKES		12/24/15	75281	617.29	
PW GEN- DEL 51PS		12/24/15	75281	82.98	
SOS8904-BRAKE PARTS		12/24/15	75281	49.10	
SHOP-COAT STEEL		12/24/15	75281	11.27	
PLUMBER-GRIP TAPE		12/24/15	75281	29.99	

84339 CARSON VALLEY OIL CO INC
84340 CELCO PARTNERSHIP

84341 CENTRAL SANITARY SUPPLY
84342 CHURCHILL VINEYARDS, LLC
84343 COLLECTION SERVICE OF NEW
84344 COMMUNITY CHEST INC
84345 COMSTOCK CEMETERY FOUNDAT
84346 CREATIVE CONCEPTS MEDIA +
84347 DELTA FIRE SYSTEMS INC
84348 DISH DBS CORPORATION
84349 DOTSON, DENY
84350 ELLIOTT AUTO SUPPLY INC

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VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
84351 EVANS, LARRY	IT JEEP		12/24/15	75281	22.88	
	SO-PASS CABLE		12/24/15	75281	135.34	
	BLG61936-BLADES		12/24/15	75281	11.97	
	SO PASSENGER CABLE		12/24/15	75281	203.01	
	S051839-MOTOR ASY		12/24/15	75281	52.92	
	PW25254- TRANS FILTER		12/24/15	75281	32.06	
	PW55405-22"BEAM		12/24/15	75281	33.80	
	PW25254-GASKET		12/24/15	75281	18.60	
	S056000- ROTORS		12/24/15	75281	270.60	
	BLG48248-CONNECTORS		12/24/15	75281	28.16	
	BLG48248 SENSOR ARM		12/24/15	75281	67.50	
	S058904-BRAKES		12/24/15	75281	570.60	1,576.43
84352 FARMER BROS CO	FOR WATER OPERATOR CERT		12/24/15	75303	30.00	30.00
84353 FASTENAL COMPANY	COFFEE- LOCKWOOD CNTR		12/24/15	75354	59.45	59.45
84354 FCC COMMUNICATIONS, LLC	FR T-71-13X2, 1/2X1/4		12/24/15	75282	37.88	37.88
84355 FERRELIGAS LP	NEW PHONE SYS COMM DEV		12/24/15	75376	4,613.02	4,613.02
	COUNTY ASSISTANCE		12/24/15	75297	200.00	
	JAIL PROPANE		12/24/15	75364	172.62	
	93300893		12/24/15	75390	76.59	
	ST 72 RESIDENCE PROPANE		12/24/15	75340	76.94	
	ST 72 PROPANE		12/24/15	75340	163.30	
	ST 74 PROPANE		12/24/15	75340	155.48	
	ST 74 PROPANE		12/24/15	75340	141.84	986.77
84356 FLYERS ENERGY LLC	LW-REG		12/24/15	75283	548.18	
	LW-REG& DSL		12/24/15	75283	753.00	1,301.18
84357 GRANSBERRY, TOM	45 X10.5		12/24/15	75383	472.50	
	45 X12.5		12/24/15	75383	562.50	1,035.00
84358 HAT, LTD	FUEL SUBGRANT LABOR		12/24/15	75341	2,830.71	
	FUEL SUBGRANT		12/24/15	75341	2,424.81	5,290.52
84359 HD SUPPLY CONST SUPPLY LT	ST75- FUEL TANK		12/24/15	75285	94.58	
	ST75-FUEL TANK		12/24/15	75285	137.97	
	ST75-FUEL TANK		12/24/15	75285	105.99	338.54
84360 HENRY SCHEIN	EMS SUPPLIES		12/24/15	75342	445.84	
	EMS SUPPLIES		12/24/15	75342	9.75	455.59
84361 HIGH DESERT MICROIMAGING	FY16 MAINT SCANPRO		12/24/15	75394	995.00	995.00
84362 HOME DEPOT CREDIT SERVICE	ST75-FUEL TANK		12/24/15	75289	55.97	
	ST75-FUEL TANK		12/24/15	75289	75.80	
	ST75-FUEL TANK		12/24/15	75289	164.29	
	ST75 FUEL TANK		12/24/15	75289	22.72	
	ST75-FUEL TANK		12/24/15	75289	29.45	
	VCS-CHANDELIER BULBS		12/24/15	75289	20.84	
	LWSC-EXTERIOR BULBS		12/24/15	75289	20.87	
	DOOR SWEEPS FOR SHOP		12/24/15	75289	35.57	

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STOREY COUNTY
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VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
84363	INNOVATIVE IMPRESSIONS					608.37
	FLOOR CLEANER		12/24/15	75289	18.03	
	DA-CAP & TAPE FOR HEATER		12/24/15	75289	12.13	
	ST72-DOOR, TRIM, NAILS		12/24/15	75289	179.94	
	BLG-LIGHTS & BULBS		12/24/15	75289	124.36	
84364	INTERCEPT INC					138.00
	BUSINESS CARDS-D12, D4		12/24/15	75379	92.00	
	HOOD BUSINESS CARDS		12/24/15	75377	46.00	
84365	IRON MOUNTAIN INFO MGT IN					185.00
	FEES		12/24/15	75343	185.00	
84366	IT1 SOURCE LLC					247.20
	SHRED BIN + 1/2 DETENTION		12/24/15	75290	247.20	
	RAM UPGRADES FD LAPTOPS		12/24/15	75392	170.46	
	CLERK PC		12/24/15	75392	373.37	
	IT OFFICE 2016		12/24/15	75392	373.37	
	MONITOR MOUNTS		12/24/15	75392	202.36	
	CISCO AP FD72 BAY		12/24/15	75392	517.07	
	TONER SHOP PRINTER		12/24/15	75392	69.50	
84367	JBP LLC					1,706.13
	E-72 CHAINS		12/24/15	75298	352.59	
84368	L N CURTIS & SONS					352.59
	THERMAL IMAGER SERCGRANT		12/24/15	75368	13,298.64	
	SAFER HIRE PPE		12/24/15	75349	12,900.00	
	WT72 GATE VALVE		12/24/15	75349	229.50	
84369	LABSOURCE INC					26,428.14
	EMS SUPPLIES		12/24/15	75346	228.00	
	EMS SUPPLIES		12/24/15	75346	82.00	
84370	KOLKER, DAVID LEWIS					310.00
	12/24/15		12/24/15	75286	276.00	
84371	LIQUID BLUE EVENTS LLC					276.00
84372	MA LABORATORIES INC					1,560.25
	CHRISTMAS EVENT COMMISSIO		12/24/15	75317	1,560.25	
	CLERK COUNTER PC		12/24/15	75391	400.13	
	CLERK COUNTER PC		12/24/15	75391	1,407.15	
84373	MADISON, SCOTT & LISA					1,807.28
84374	METRO OFFICE SOLUTIONS IN					2,334.50
	100X100 FIBER		12/24/15	75388	2,334.50	
84375	MICHAEL HOHL MOTOR CO					
	SUPPL-FY16		12/24/15	75347	22.49	
	12/24/15		12/24/15	75381	27.24	
	12/24/15		12/24/15	75347	8.61	
84376	MONTOYA, BRYCE					58.34
	PW PLUMBER-WIRE		12/24/15	75291	35.25-	
	PW PLUMBER-HOOD		12/24/15	75291	521.25	
84377	MORGAN TIRE OF SACRAMENTO					486.00
	DISTANCE CME		12/24/15	75352	399.00	
84378	MORRIS, ROBERT T					399.00
	FR- E-75 TIRES		12/24/15	75293	669.36	
84379	MOUND HOUSE TRUE VALUE					669.36
	BILLING FOR NOV 2015		12/24/15	75385	7,050.00	
84380	MUNICIPAL EMERGENCY SE(CT					7,050.00
	OPERATING SUPPLIES		12/24/15	75355	61.13	
84381	NATIONAL BUSINESS FACTORS					61.13
	SCHA FLOW TESTS		12/24/15	75356	2,869.77	
84382	NEV ADMIN BLDG & GROUNDS					2,869.77
	GARNISHMENT DISBURSED		12/24/15	75373	241.14	
	241.14					241.14

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STOREY COUNTY
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INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
NOVEMBER WATER PURCHASE		12/24/15	75294	4,555.62	4,555.62
FINGERPRINTS		12/24/15	75344	726.75	726.75
INTERLOCAL AGREEMENT		12/24/15	75358	37,500.00	37,500.00
CONTROL		12/24/15	75278	358.04	358.04
OCT MEDICAID OG		12/24/15	75288	174.10	174.10
PORTAL MAINT		12/24/15	75359	50.00	
MONTHLY PORTAL FEE		12/24/15	75378	50.00	
GOLD HILL DEPOT PRINTING		12/24/15	75378	20.20	120.20
VCSC-DRAINS		12/24/15	75296	508.00	508.00
JAHN, BURTON PHYSICALS		12/24/15	75360	271.50	271.50
		12/24/15	75333	3.39	3.39
GARNISHMENT DISBURSED		12/24/15	75375	114.83	
GARNISHMENT DISBURSED		12/24/15	75375	114.83	229.66
12/14/15-1/10/16		12/24/15	75313	609.00	609.00
INSPECT FIRE SPRINKLER		12/24/15	75339	379.40	379.40
DEC 3-16, 2015		12/24/15	75314	16.00	16.00
		12/24/15	75323	57.80	57.80
POSTAGE MACHINE RENTAL		12/24/15	75335	126.42	126.42
OP CERTS		12/24/15	75295	30.00	30.00
ST.75-FUEL TANK PAD		12/24/15	75274	608.00	608.00
COPIER-COMM C STREET		12/24/15	75386	1,606.79	1,606.79
REGIONAL TRAINING		12/24/15	75361	2,097.00	2,097.00
FIRE/TRI		12/24/15	75384	.61	
CLERK		12/24/15	75384	3.33	
RECORDER		12/24/15	75384	.93	
FIRE (VC)		12/24/15	75384	4.81	
PUBLIC WORKS		12/24/15	75384	1.81	
SHERIFF		12/24/15	75384	43.17	
UP		12/24/15	75384	2.75	
SHERIFF		12/24/15	75384	2.75	
COMPTROLLER/ADMIN		12/24/15	75384	.97	
FIRE/LOCKWOOD		12/24/15	75384	.97	
FIRE (VC)		12/24/15	75384	10.81	
COMMUNITY DEVELOPMENT		12/24/15	75384	2.20	
ASSESSOR		12/24/15	75384	2.62	
CENTRAL DISPATCH		12/24/15	75384	7.96	
DA		12/24/15	75384	.07	

84383 NEV DEPT PUBLIC SAFETY
84384 NEV DIV OF FORESTRY
84385 NEV DIV WATER RESOURCES
84386 NEV RURAL REGIONAL CENTER
84387 NEVADA BLUE LTD (RNO)
84388 NORCAL ROTOCO, INC
84389 OCCUPATIONAL HEALTH CENTE
84390 OFFICE DEPOT INC
84391 OREGON AUTO FINANCE
84392 OUTFRONT MEDIA LLC
84393 OVERHEAD FIRE PROTECTION
84394 PETRINI, ANGELO D
84395 PIERETTI-RENAUD, LYNDI
84396 PITNEY BOWES INC
84397 POWERS, IRVING
84398 PYRAMID MATERIALS INC
84399 RAY MORGAN CO INC (CA)
84400 REPORTING SYSTEMS, INC
84401 SBC GLOBAL SERVICES IN LD

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TOTAL

INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT
COMMISSIONER				
FIRE (VC)		12/24/15	75384	2.16
IT		12/24/15	75384	.49
PLANNING		12/24/15	75384	4.27
?		12/24/15	75384	.13
VCTC		12/24/15	75384	2.94
		12/24/15	75384	20.14
84402 SBC GLOBAL SERVICES INC				115.89
847-7500 VCTC		12/24/15	75284	87.92
252-6412-COMMUNICATIONS		12/24/15	75284	5,027.97
847-0962 JOP		12/24/15	75284	72.22
RETENTION		12/24/15	75299	24,415.95
VIRGINIA CITY ST LIGHTS		12/24/15	75324	885.52
SC COMMISSIONERS ST LIGHT		12/24/15	75324	113.80
2610 CARTWRIGHT PUMPHSE		12/24/15	75324	38.16
431 CANYON WAY ST 4		12/24/15	75324	243.37
2612 CARTWRIGHT RD RES		12/24/15	75324	82.97
145 N C ST UNIT		12/24/15	75324	98.06
381 N C ST RESTSTOP		12/24/15	75324	122.98
130 TOLL RD BLDG		12/24/15	75324	48.93
110 TOLL RD BLDG		12/24/15	75324	118.28
100 TOLL RD SHOP 1/2		12/24/15	75324	289.55
201 S C ST DA		12/24/15	75324	81.53
203 S C ST SO		12/24/15	75324	126.50
205 S C ST SO		12/24/15	75324	695.96
911 US HWY 341 JAIL		12/24/15	75324	19.89
490 SAM CLEMENS PARK		12/24/15	75324	92.61
100W SOUTH ST WTR PLNT		12/24/15	75324	126.50
21 S C ST GASLMO		12/24/15	75324	1,090.61
500 SPANIAL RAVINE RD "V"		12/24/15	75324	217.66
205 N E ST VC PARK		12/24/15	75324	65.64
SUTTON ST		12/24/15	75324	32.32
104 S B ST GARAGE		12/24/15	75324	32.16
S C ST UNIT VC/372 C ST		12/24/15	75324	64.68
S C ST OUTDOOR/PAL LIGHT		12/24/15	75324	99.99
S C ST UNIT VC		12/24/15	75324	42.54
CARSON ST BALLPARK		12/24/15	75324	296.42
N C ST FIREHS		12/24/15	75324	287.23
141 N C ST (TRAINING)		12/24/15	75324	320.56
MAIN ST UNIT GH DEPOT		12/24/15	75324	416.88
2220 SIX MILE CANYON		12/24/15	75324	34.32
26 S B ST COURTHOUSE		12/24/15	75324	2,198.56
176 N C ST LIGHTS		12/24/15	75324	684.19
342 S C ST LIGHTS		12/24/15	75324	85.52
531 S C ST LIGHTS		12/24/15	75324	126.82
800 PERI RANCH RD		12/24/15	75324	139.83
1705 PERU DR		12/24/15	75324	142.49
185 N C ST		12/24/15	75324	1,350.20
420 CANYON WAY UNIT B		12/24/15	75324	68.98
420 CANYON WY UNIT A		12/24/15	75324	374.79
2141 EMPIRE RD VCH PARK		12/24/15	75324	219.54
1000 PERI RANCH RD PARK		12/24/15	75324	32.32
160 UNION ST/ B OF A		12/24/15	75324	33.12
TOWN OF GH STR LIGHTS		12/24/15	75324	161.65
100 TOLL RD PED(FOUNTAIN)		12/24/15	75324	99.21
				445.27

Report No: PBI315
Run Date : 12/22/15
CHECK
NUMBER

STOREY COUNTY
CHECK REGISTER 12/24/15

VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
84405 SMITHS FOOD & DRUG CENTER	2610 CARTWRIGHT FIREHSE		12/24/15	75324	321.51	11,968.66
84406 SOUTHERN WINE AND SPIRITS	BENT MEDICATIONS		12/24/15	75350	54.10	54.10
84407 ST CO PUBLIC WORKS			12/24/15	75315	2,060.00	2,060.00
84408 ST CO SCHOOL DISTRICT	LW VAN- BATTERIES		12/24/15	75300	67.62	259.97
84409 ST CO SHERIFF	PIPER'S CHRSTMS RENTAL		12/24/15	75300	192.35	550.00
84410 STAFFORD, MARK			12/24/15	75316	550.00	175.63
84411 STONE, RODGER	TRI RE-APPR LAND & IMPR		12/24/15	75345	175.63	7,417.00
84412 STRYKER MEDICAL	GARNISHMENT DISBURSED		12/24/15	75374	415.49	415.49
84413 SUN PEAK ENTERPRISES	R75 GURNEY BATTERY		12/24/15	75362	402.32	402.32
84414 TEMEN, GENE	DEC 3-16, 2015		12/24/15	75318	19.50	229.50
84415 THE ROASTING HOUSE	DRY VALLEY FIRE		12/24/15	75318	210.00	12,480.00
84416 THERMATEMP	DOCENT END OF YEAR THANKS PARADE COFFEE & CIDER		12/24/15	75319	65.00	93.80
84417 TRI GENERAL IMPROVEMENT	JAIL SHOWER DRAIN REPAIR		12/24/15	75319	28.80	105.00
84418 TRI-VENTURES INC	1705 PERU -W/S		12/24/15	75301	145.53	260.84
84419 ULINE	1705 PERU -IRR		12/24/15	75301	115.31	4,180.00
84420 UNIFORMITY OF NEVADA LLC	PARTY		12/24/15	75280	4,180.00	149.96
84421 US BANCORP EQUIPMENT FINA	JAIL SANITIZER		12/24/15	75371	149.96	11.25
84422 VCTC	DEITRICK PATCHES LAZZARINO PANTS		12/24/15	75367	124.99	136.24
84423 VIRGINIA & TRUCKEE RR CO	COPIER LEASE ACCT-842499		12/24/15	75389	3,671.01	3,671.01
84424 VIRGINIA CITY TOURS INC	G. GRANT VOLARIS FAM D. DOTSON & K. DEMUTH		12/24/15	75320	100.00	130.00
84425 WALKER & ASSOCIATES	ADVERTISING SPONSORSHIP		12/24/15	75321	2,500.00	2,500.00
84426 WASHOE CO BAR DIRECTORY	DEC 3-16, 2015		12/24/15	75322	64.00	72.00
84427 WASHOE COUNTY SENIOR SERV	LOBBYIST SERVICES		12/24/15	75322	8.00	1,666.00
84428 WEDCO INC	STOREY COUNTY DA STOREY COUNTY DDA		12/24/15	75279	1,666.00	150.00
	MEALS- LOCKWOOD NOV 2015		12/24/15	75382	150.00	300.00
			12/24/15	75272	1,786.54	1,786.54

Report No: PB1315
Run Date : 12/22/15
CHECK
NUMBER

VENDOR

84429 WESTERN ENVIRONMENTAL LAB

84430 WIERZBICKI, JASON

STOREY COUNTY
CHECK REGISTER 12/24/15

INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
ST75 FUEL TANK		12/24/15	75304	519.26	519.26
TTL COLIFORM		12/24/15	75305	20.00	
O2, FECAL PH, NITRO, SOLIDS		12/24/15	75305	206.00	
TTL COLIFORM		12/24/15	75305	20.00	246.00
ST74-STAT FOR HEATER		12/24/15	75363	16.98	16.98

CHECKS TOTAL

233,367.81

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

CHECKS TOTAL 233,367.81 CHECK DATE 12/24/15

COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER

Report No: PB5480ST
Run Date : 12/22/15
PC

STOREY COUNTY
PURCHASE CARD REGISTER

Page 2

CARD
TOTAL

FUND-DEPT	INVOICE #	DESCRIPTION	DATE	TRANS#	AMOUNT
	VANHAVEL AIRFARE				
	037666	LV FLOOD CONFERENCE	12/24/15	641	58.14
	069411	BACKUP POWER GENNY	12/24/15	648	925.99
	084409	IT MOUSE RAM UPS STOCK	12/24/15	648	516.93
	084409	UPS IT	12/24/15	648	199.99
	12/03/2015 TMCC	MIKE BACKUP DRIVE LAPT	12/24/15	648	149.99
	143557741	SP 2016 TRAINING COMPR	12/24/15	649	679.50
	145249552	COMDEV DSL	12/24/15	648	85.76
	147413709	DAVE DSL	12/24/15	648	100.76
	24489	CONF BLDG DSL	12/24/15	648	65.76
		AED PADS CH	12/24/15	648	78.00
Card Total					14,958.36

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

DATE

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COMPTROLLER	-----
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TREASURER	-----
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CHAIRMAN	-----
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COMMISSIONER	-----
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COMMISSIONER	-----

PC

NUMBER VENDOR

68

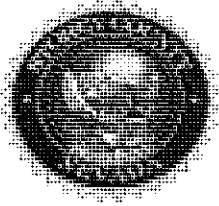
WELLS ONE COMMERCIAL CARD

FUND-DEPT INVOICE #

PAYMENT

STOREY COUNTY
PURCHASE CARD REGISTER

DESCRIPTION	DATE	TRANS#	AMOUNT
COMMUNICATION TOOLS	12/24/15	646	187.96
MASTER PLAN TODD HESS	12/24/15	642	14.21
ARCH FRAMING IMAGE	12/24/15	649	688.33
EDAWN EVENT / EBAY ANN12/24/15	12/24/15	647	60.00
WATER/COFFEE FOR TRI MI12/24/15	12/24/15	647	68.16
INTERNET- 372 S C STRE12/24/15	12/24/15	645	60.00
EXTENSION CORD/TAPE	12/24/15	645	23.16
SATELLITE PHONE	12/24/15	645	52.04
INTERNET- LOCKWOOD CNT12/24/15	12/24/15	645	70.00
CAR WASH- EX62268	12/24/15	645	6.00
PLANNER FOR K.DEMUTH	12/24/15	1470	78.41
OFFICE SUPPLIES	12/24/15	1470	306.72
SPECIAL EVENT SUPPLIES12/24/15	12/24/15	1470	9.44
ANNUAL EVENT PLANNING 12/24/15	12/24/15	1470	792.14
ST CO CHRISTMAS PARTY 12/24/15	12/24/15	1470	323.13
E75 FUEL	12/24/15	650	22.95
CISCO ROUTER REPLACEMENT12/24/15	12/24/15	648	541.67
KEYS BACKDOOR	12/24/15	648	7.00
RAIN GEAR STORM PREP	12/24/15	645	845.85
COMMISSIONERS/VCCC	12/24/15	642	20.95
FM701 FUEL	12/24/15	650	32.00
TRAINING	12/24/15	650	166.29
OCCUPANCY APP	12/24/15	650	9.99
FM701 FUEL	12/24/15	650	49.00
R75 FUEL	12/24/15	650	90.41
R75 FUEL	12/24/15	650	30.61
R75 FUEL	12/24/15	650	23.04
OPERATING SUPPLIES	12/24/15	650	26.95
REPAIRS	12/24/15	650	34.46
REPAIRS	12/24/15	650	222.55
KEYBD & MOUSE FOR LAP12/24/15	12/24/15	643	23.98
SNOW REMOVAL EQUIP	12/24/15	646	25.97
FY16 ALIM DUES	12/24/15	649	139.00
COALITION MTG, MCBRIDE12/24/15	12/24/15	642	27.36
D.C., FEB 20-24	12/24/15	642	1,470.00
CHECK-IN, NACO PW	12/24/15	642	125.00
D.C., FEB 20-24	12/24/15	642	3,377.70
MTG, MCGUFFEY	12/24/15	642	12.91
CHECK-IN, NACO LM	12/24/15	642	25.00
XMAS CARDS REC OFFICE	12/24/15	649	26.96
CAMP PEN TRIP HOTEL	12/24/15	644	111.26
CAMP PEN TRIP-LODGING	12/24/15	644	145.60
FP-701/LIGHTS	12/24/15	644	705.00
CAMP PEN TRIP MEAL	12/24/15	644	31.57
CAMP PEN TRIP-MEAL	12/24/15	644	14.75
CAMP PEN TRIP MEAL	12/24/15	644	8.07
CAMP PEN TRIP MEAL	12/24/15	644	12.18
CAMP PEN TRIP-MEAL	12/24/15	644	28.95
CAMP PEN TRIP MEAL	12/24/15	644	25.72
CAMP PEN TRIP MEAL	12/24/15	644	2.89
CAMP PEN TRIP- FUEL	12/24/15	644	175.00
DT72	12/24/15	650	21.96
TRAINING	12/24/15	650	166.29
BAIC15-IND MED	12/24/15	644	300.00
GARN15-IND MED	12/24/15	644	225.00



Storey County Board of County Commissioners Agenda Action Report

Meeting date: January 5, 2016

Estimate of time required: 0-5 mins

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** For Possible Action – Approval – Assessor's Recommended Corrections to Unsecured Tax Roll for Overassessment

2. **Recommended motion:** Approval

3. **Prepared by:** Tobi Whitten

Department: Assessor's Office

Telephone: 847-0961

4. **Staff summary:** Wal-Mart Stores East LP DC 7048 has misreported several items on their business personal property declaration, and been billed accordingly. They have asked us to recalculate the 2015-16 unsecured taxes based on new information that they have provided to our office.

5. **Supporting materials:** Please see attached letter with adjusted assessed value.

6. **Fiscal impact:** Unknown

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

A handwritten signature, likely of the Department Head, is written over the line next to the checked box.

Department Name: Assessor's Office

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 6

Jana Seddon

STOREY COUNTY ASSESSOR

STOREY COUNTY COURTHOUSE
26 South B Street
P.O. Box 494
Virginia City, NV 89440

(775) 847-0961 Phone
(775) 847-0904 Fax
Assessor@storeycounty.org

December 22, 2015

Memo to: Storey County Commissioners

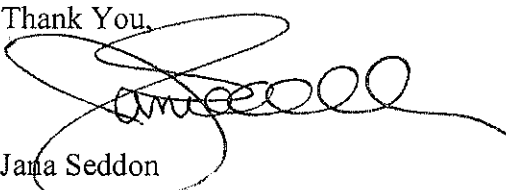
Re: **CM 001014, Wal-Mart Stores East LP DC 7048**

The above referenced account was processed and billed based on the declaration submitted by the taxpayer to the Assessor's Office for the 2015-16 tax year. After the unsecured taxes were paid, an accountant for Wal-Mart contacted our office with information indicating that some of the assets had been classified under an incorrect year-life depreciation category. After further analysis, the appraisers agreed that some of the items in question were incorrectly reported and billed as such. The corrected assessed value should be (also see attached):

	Original	Revised
Acquisition Cost	19,747,715	19,747,715
Assessed Value	2,800,810	2,576,040
2015-16 Unsecured Taxes	\$ 96,927.63	\$ 89,149.02

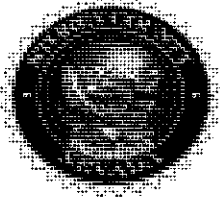
Please approve these corrections, and advise the Treasurer to make the changes and issue a refund as necessary.

Thank You,


Jana Seddon
Storey County Assessor

Assessor's Line Item	Description	Acq Cost	Acq Year	Original Category	Original Cost Index	Original % Good	Original Assessed Value	Revised Category	Revised Cost Index	Revised % Good	Revised Assessed Value
2	Batteries/Cells/Accessories	83,853	2015	FLF - Y15	1	1	29,349	ELE - Y07	1	1	29,349
3	Batteries/Cells/Accessories	78,855	2015	FLF - Y15	1	1	27,599	ELE - Y07	1	1	27,599
4	Batteries/Cells/Accessories	76,754	2014	FLF - Y15	1.01	0.87	23,605	ELE - Y07	1.01	0.71	19,264
5	Batteries/Cells/Accessories	65,195	2014	FLF - Y15	1.01	0.87	20,050	ELE - Y07	1.01	0.71	16,363
6	Batteries/Cells/Accessories	75,827	2014	FLF - Y15	1.01	0.87	23,320	ELE - Y07	1.01	0.71	19,031
7	Batteries/Cells/Accessories	38,600	2013	FLF - Y15	1.02	0.75	10,335	ELE - Y07	1.02	0.51	7,028
8	Batteries/Cells/Accessories	44,393	2013	FLF - Y15	1.02	0.75	11,886	ELE - Y07	1.02	0.51	8,083
9	Batteries/Cells/Accessories	33,381	2013	FLF - Y15	1.02	0.75	8,938	ELE - Y07	1.02	0.51	6,078
10	Batteries/Cells/Accessories	46,052	2013	FLF - Y15	1.02	0.75	12,330	ELE - Y07	1.02	0.51	8,385
11	Batteries/Cells/Accessories	55,416	2013	FLF - Y15	1.02	0.75	14,838	ELE - Y07	1.02	0.51	10,090
12	Batteries/Cells/Accessories	86,598	2012	FLF - Y15	1.04	0.65	20,489	ELE - Y07	1.04	0.36	11,348
13	Batteries/Cells/Accessories	36,894	2012	FLF - Y15	1.04	0.65	8,729	ELE - Y07	1.04	0.36	4,835
14	Batteries/Cells/Accessories	176,085	2012	FLF - Y15	1.04	0.65	41,662	ELE - Y07	1.04	0.36	23,074
15	Batteries/Cells/Accessories	100,594	2011	FLF - Y15	1.05	0.56	20,702	ELE - Y07	1.05	0.26	9,612
16	Batteries/Cells/Accessories	86,423	2011	FLF - Y15	1.05	0.56	17,786	ELE - Y07	1.05	0.26	8,258
17	Batteries/Cells/Accessories	173,438	2011	FLF - Y15	1.05	0.56	35,694	ELE - Y07	1.05	0.26	16,572
18	Batteries/Cells/Accessories	86,423	2011	FLF - Y15	1.05	0.56	17,786	ELE - Y07	1.05	0.26	8,258
19	Batteries/Cells/Accessories	155,866	2011	FLF - Y15	1.05	0.56	32,077	ELE - Y07	1.05	0.26	14,893
20	Batteries/Cells/Accessories	90,058	2011	FLF - Y15	1.05	0.56	18,534	ELE - Y07	1.05	0.26	8,605
21	Batteries/Cells/Accessories	34,345	2011	FLF - Y15	1.05	0.56	7,068	ELE - Y07	1.05	0.26	3,282
22	Batteries/Cells/Accessories	100,865	2011	FLF - Y15	1.05	0.56	20,758	ELE - Y07	1.05	0.26	9,638
23	Battery Watering System	122,741	2011	FFG - Y15	1.05	0.56	25,260	FFG - Y15	1.05	0.56	25,260
24	Forklift Batteries	4,156	2010	FLF - Y15	1.07	0.49	763	ELE - Y07	1.07	0.19	296
25	Forklift Batteries	13,704	2010	FLF - Y15	1.07	0.49	2,515	ELE - Y07	1.07	0.19	975
26	Forklift Batteries	45,262	2010	FLF - Y15	1.07	0.49	8,306	ELE - Y07	1.07	0.19	3,221
27	Forklift Batteries	2,829	2010	FLF - Y15	1.07	0.49	519	ELE - Y07	1.07	0.19	201
28	Forklift Batteries	973	2010	FLF - Y15	1.07	0.49	179	ELE - Y07	1.07	0.19	69
29	Forklift Batteries	19,429	2010	FLF - Y15	1.07	0.49	3,565	ELE - Y07	1.07	0.19	1,382
30	Forklift Batteries	8,205	2010	FLF - Y15	1.07	0.49	1,506	ELE - Y07	1.07	0.19	584
65	Shrink Wrap Machines	94,656	2014	WAR - Y15	1.01	0.87	29,111	CIM - Y07	1.01	0.71	23,757
66	Shrink Wrap Machine Install	8,500	2014	WAR - Y15	1.01	0.87	2,614	CIM - Y07	1.01	0.71	2,133
67	Shrink Wrap Machine Install	8,500	2013	WAR - Y15	1.02	0.75	2,276	CIM - Y07	1.02	0.51	1,548
68	Shrink Wrap Machines	101,773	2013	WAR - Y15	1.02	0.75	27,250	CIM - Y07	1.02	0.51	18,530
69	Shrink Wrap Machine Install	8,500	2013	WAR - Y15	1.02	0.75	2,276	CIM - Y07	1.02	0.51	1,548

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Storey County Board of County Commissioners Agenda Action Report

Meeting date: 1/5/16

Estimate of time required:

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Paul Rusch; PBR Concealed Carry Weapons Instruction

2. **Recommended motion** Approve as part of consent agenda.

3. **Prepared by:** Brandy Gavenda

Department: SCSO

Telephone: 775-847-0959

4. **Staff summary:** Paul Rusch is requesting a general business license for PBR Concealed Carry Weapons Instruction; 443 Trellis Dr., Fernley, NV 89408

5. **Supporting materials:** See attached Agenda letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Gerald Antinoro

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 7



STOREY COUNTY SHERIFF'S OFFICE

Gerald Antinoro
Sheriff

December 22, 2015

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

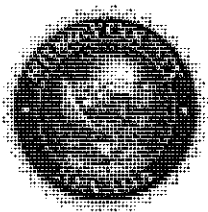
Fr: Brandy Gavenda *HB*

Please add the following item(s) to the January 5, 2016 Commissioners Consent Agenda:

**LICENSING BOARD
FIRST READING:**

**A. Paul Rusch – PBR Concealed Carry Weapons Instruction, 443 Trellis Dr.,
Fernley, NV 89408; General Business License request**

**PO Box 498
205 South C Street
Virginia City, NV 89440
Office: (775) 847-0959 Fax: (775) 847-0924**



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 1-5-16

Estimate of time required: 0 - 5

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Business License First Readings

2. **Recommended motion:** None required (if approved as part of the Consent Agenda)
I move to approve all first readings (if removed from consent agenda by request)

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** First readings of submitted business license applications are normally approved on the consent agenda. The applications are then submitted at the next Commissioners' meeting for approval.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:** None

_____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Community Development

_____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 8

Storey County Community Development

Business Licensing



P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

December 21, 2015
Via email

Fr: Stacey Bucchianeri

Please add the following item(s) to the **January 5, 2016**, COMMISSIONERS Consent Agenda:

LICENSING BOARD

FIRST READINGS:

- A. **SBA NETWORK SVCS, LLC** – Contractor / 8051 Congress Ave ~ Boca Raton, FL (Contractor)
- B. **MINATO SANGYO CORP** – Contractor / Tokushima Japan (Panasonic contractor)
- C. **AZZ, INCORPORATED – General / 1500 Milan (galvanizing facility)** TRI
- D. **OASIS ONLINE, INC** – General / 375 West Williams, Fallon (IT Consulting)
- E. **HU-BRAIN, INC.** -- Contractor / Osaka, Japan (Panasonic Contractor)
- F. **HASSHIN CO., LTD.** – Contractor / Osaka, Japan (Panasonic Contractor)
- G. **ESPEC TEST SYSTEM CORP.** -- Contractor / Hyogo, Japan (Panasonic Contractor)
- H. **NIPPON REFINE CO., LTD** – Contractor / Tokyo, Japan (Panasonic Contractor)
- I. **THE CURTIS CO., INC.** – Contractor / 7200 N Hwy 29 ~ Pelzer, SC (contractor)
- J. **CERCONE HEATING & AIR** – Contractor / 949 #3 Crestwood Drive ~ Sparks (hvac contractor)
- K. **BOOTLEG DAVE'S BBQ CATERING CO.** – General / 1555 Big Smokey Drive ~ Reno (catering)
- L. **CURRIE & BROWN, INC.** – Contractor / 821 Alexander Rd ~ Princeton, NJ (construction consulting)
- M. **VANDER-BEND MFG, LLC** – Contractor / 2701 Orchard Pkwy ~ San Jose, CA (contract mfg)
- N. **MITUTOYO AMERICA CORP.** – Contractor / 965 Corporate Blvd ~ Aurora, IL (Panasonic contractor)
- O. **TORAY ENGINEERING CO., LTD.** -- Contractor / Shigov, Japan (Panasonic Contractor)
- P. **SPARKS TRAILER REPAIR, LLC** – Contractor / 2095 Kleppe Lane ~ Sparks (repair semi-trailers)
- Q. **ASADA IRON WORKS CO., LTD.** -- Contractor / Takatsuki, Japan (Panasonic Contractor)
- R. **AKATSUKI MACHINERY CO., LTD** -- Contractor / Wakayama City, Japan (Panasonic Contractor)
- S. **TOR ENGINEERING CORP** – Professional / 3731 East Grove ~ Phoenix, AZ (engineering)
- T. **HORIBA INSTRUMENTS, INC.,** -- Contractor / 9755 Research Dr ~ Irvine, CA (Panasonic Contractor)

Inspection Required

cc: Chris Hood, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Fritz Klingler, Fire Dept.

Sheriff's Office
Assessor's Office
Commissioners' Office



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 1/05/16

Estimate of time required: 15 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Possible action on Order of Remand from District Court requiring Storey County Board of County Commissioners to state on the record the basis for their decision on October 6, 2015 to deny the applications for a business license for the Bonanza.

2. **Recommended motion:** No motion is required. Hearing is for the purpose of clarifying the Board's reasons for the denial of the business license for the Delta Saloon as requested by Judge Wilson in his order of remand.

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** See attached

5. **Supporting materials:** Order of Remand from District Court; Attachment.

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

☒ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. | |

Attachment to Agenda Request Form

On December 17, 2015, Judge Wilson of the First Judicial District Court filed an Order of Remand remanding the case of Malfitano et al v. County of Storey, Case No. 15 OC 00008 1E back to the Storey County Liquor Board and to the Board of County Commissioners. In the order, Judge Wilson stated:

This matter is remanded to the respective Boards **for the sole purpose** of having the respective boards state on the record the basis for their decisions to deny the applications.

The order is attached (emphasis added). The reference to "applications" appears to refer to the applications for liquor licenses and business license made by Dr. Malfitano, Virginia City Gaming LLC and Delta Saloon Inc. for liquor and business licenses for the Delta Saloon and the Bonanza. Judge Wilson is not ordering the Board to reconsider its decision nor is he ordering the Board to consider new evidence. Accordingly, the Liquor Board should expressly state its reasons for denying the liquor licenses. The Board of County Commissioners should expressly state why it denied the Bonanza a business license.

FILED

DEC 17 2015

Storey Co. Clerk

Deputy

**IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR STOREY COUNTY**

**DR. VINCENT M. MALFITANO, an
individual; VIRGINIA CITY GAMING,
LLC, a Nevada limited liability
company; and DELTA SALOON, INC., a
Nevada corporation,**

Petitioners,

vs.

**COUNTY OF STOREY, acting by and
through the STOREY COUNTY BOARD
OF COUNTY COMMISSIONERS and the
STOREY COUNTY LIQUOR BOARD,**

Respondents.

-o0o-

CASE NO. 15 OC 00008 1E

DEPT. 2

**ORDER REMANDING TO
STOREY COUNTY BOARD OF
COUNTY COMMISSIONERS
AND STOREY COUNTY
LIQUOR BOARD**

Dr. Vincent M. Malfitano, Virginia City Gaming, LLC, and Delta Saloon, Inc. (collectively Malfitano) raised issues they had not raised in their Ex Parte Motion for Temporary Restraining Order and Motion for Preliminary Injunction. Storey County did not object to the court considering the new issues, so the court is going to consider those issues.

The basis for the Boards' decisions to deny the applications is relevant to the new issues. The basis for the Boards' decisions is not clear.

1 IT IS ORDERED:

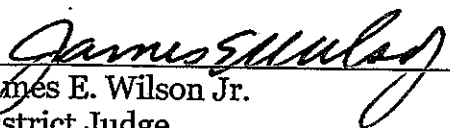
2 This matter is remanded to the respective Boards for the sole purpose of
3 having the respective Boards state on the record the basis for their decisions to
4 deny the applications.
5

6 The Boards will:

- 7 1. Set this matter on the earliest possible date consistent with notice
8 requirements;
9 2. Give Malfitano lawful notice of the meeting; and
10 3. Within five days after the hearings, file with the court and serve
11 Malfitano with a copy of the minutes of the Boards' meetings.
12

13 Within five days after the minutes have been filed the parties will confer
14 and determine whether either or both want to file supplemental briefs. If the
15 parties agree regarding supplemental briefing counsel for Malfitano will file a
16 stipulation and submit a proposed order to the court. If the parties cannot agree,
17 counsel for Malfitano will arrange for a telephone conference with the court and
18 counsel.
19

20 December 18, 2015.

21 
22 James E. Wilson Jr.
23 District Judge
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Anne Langer, District Attorney
P.O. Box 496
Virginia City, NV 89440

Matthew Hippler, Esq.
5441 Kietzke Lane, Second Floor
Reno, NV 89511

Angela Jeffries
Judicial Assistant, Dept. 1

RECEIVED
CARSON CITY OFFICE

SEP 28 2015

HOLLAND & HART LLP

STATE OF NEVADA

BEFORE THE NEVADA GAMING CONTROL BOARD

In the Matter of Nonrestricted
Agenda Item
N15-0234

DEWING GAMING MANAGEMENT, LLC, dba
DELTA SALOON
18 S C ST
VIRGINIA CITY, NV 89440

and

DEWING GAMING MANAGEMENT, LLC, dba
BONANZA SALOON
27 N C ST
VIRGINIA CITY NV 89440

BRUCE EDWARD DEWING 100%
(Transferor)
VIRGINIA CITY GAMING, LLC 100%
(Transferee)
Sole Member

VINCENT MICHAEL MALFITANTO
Manager

APPLICATION FOR TRANSFER OF INTEREST

APPLICATION FOR LICENSURE AS SOLE
MEMBER

APPLICATION FOR LICENSURE AS MANAGER
OF DEWING GAMING MANAGEMENT, LLC

VIRGINIA CITY GAMING, LLC
3950 LONE TREE WAY
ANTIOCH, CA 94509

VINCENT MICHAEL MALFITANO 100%
Member/Manager

APPLICATION FOR REGISTRATION AS A
HOLDING COMPANY

APPLICATION FOR FINDING OF SUITABILITY
AS SOLE MEMBER AND MANAGER.

ORDER

Office of the Attorney General
Gaming Division
5420 Klatzke Lane, Suite 202
Reno, Nevada 89511

1 APPLICATION OF PLEDGE EQUITY
2 SECURITIES OF DELTA SALOON, INC. TO
3 ANGELO PETRINI, IN CONJUNCTION WITH THE
4 SECOND DEED OF TRUST DATED
5 SEPTEMBER 20, 2014

6 *Or, in the alternative:*

7 VIRGINIA CITY GAMING, LLC
8 3950 LONE TREE WAY
9 ANTIOCH, CA 94509

10 VINCENT MICHAEL MALFITANO 100%
11 Member/Manager

12 APPLICATION FOR FINDING OF SUITABILITY
13 AS A LANDLORD OF BONANZA SALOON

14 APPLICATION FOR FINDING OF SUITABILITY
15 AS A SOLE MEMBER AND MANAGER

16 APPLICATION FOR FINDING OF SUITABILITY
17 AS A LENDER FOR DEWING GAMING
18 MANAGEMENT, LLC

19 APPLICATION FOR REGISTRATION AS A
20 HOLDING COMPANY OF DELTA SALOON, INC.

21 DELTA SALOON, INC.
22 (Virginia City Gaming, LLC – 100%)
23 18 S C ST
24 VIRGINIA CITY, NV 89440

25 VINCENT MICHAEL MALFITANO
26 President/Secretary/Treasurer/Director

27 APPLICATION FOR FINDING OF SUITABILITY
28 AS A LANDLORD OF DELTA SALOON

APPLICATION FOR FINDING OF SUITABILITY
AS AN OFFICER AND DIRECTOR

APPLICATION FOR FINDING OF SUITABILITY
AS A LENDER FOR DEWING GAMING
MANAGEMENT, LLC

THIS MATTER having come before the NEVADA GAMING CONTROL BOARD
(BOARD) during its hearing on August 5, 2015, in Carson City, Nevada, upon the applications
for transfer of interest in DEWING GAMING MANAGEMENT, LLC, dba DELTA SALOON and
dba BONANZA SALOON (DEWING) to VIRGINIA CITY GAMING, LLC (VIRGINIA CITY

1 GAMING); the application to license VIRGINIA CITY GAMING as the sole member of
2 DEWING; the application of VINCENT MICHAEL MALFITANO (MALFITANO) for licensure as
3 the manager of DEWING; the application of VIRGINIA CITY GAMING to be registered as a
4 holding company; the application of MALFITANO to be found suitable as the sole member and
5 manager of VIRGINIA CITY GAMING; and the application of VIRGINIA CITY GAMING to
6 pledge the equity securities of DEWING dba DELTA SALOON (collectively "licensing
7 applications"); AND, IN THE ALTERNATIVE, the application of VIRGINIA CITY GAMING to
8 be found suitable as the landlord of DEWING dba BONANZA SALOON; the application of
9 MALFITANO to be found suitable as the sole member and manager of VIRGINIA CITY
10 GAMING, the application of VIRGINIA CITY GAMING to be found suitable as a lender to
11 DEWING; the application of VIRGINIA CITY GAMING to be registered as a holding company
12 of DELTA SALOON, INC. (DELTA); the application of DELTA to be found suitable as the
13 landlord of DEWING dba DELTA SALOON; the application of MALFITANO to be found
14 suitable as an officer and director of DELTA; and the application of DELTA to be found
15 suitable as a lender to DEWING (collectively "landlord applications"); AND

16 WHEREAS THE BOARD, having received and reviewed all information relative thereto;
17 and having determined that VIRGINIA CITY GAMING, MALFITANO, and DELTA failed to
18 satisfy their burden of proving their qualifications to be licensed, registered, and/or found
19 suitable as required by NRS 463.170 and Nevada Gaming Commission Regulation 3.090;
20 AND

21 Specifically, the BOARD having found that VIRGINIA CITY GAMING, MALFITANO,
22 and DELTA failed to meet the requirements of NRS 463.170(3)(a) with regard to the licensing
23 applications by failing to prove themselves to have adequate business probity; Nevada
24 Gaming Commission Regulation 3.090(1)(c) with regard to the licensing applications and the
25 landlord applications by failing to prove themselves to have adequate business competence;
26 and, with regard to the licensing applications and the landlord applications, failing to disclose a
27 significant number of important items to the BOARD. AND SPECIFICALLY HAVING FOUND:

28

1 VIRGINIA CITY GAMING, MALFITANO, and DELTA filed applications with the BOARD
2 and failed to disclose numerous, recent, and financially significant items including, but not
3 limited to lawsuits, foreclosures, business interests, delinquent tax payments, tax liens, and
4 default notices. These are reasonable causes for denial of both the licensing applications and
5 the landlord applications.

6 VIRGINIA CITY GAMING, MALFITANO, and DELTA failed to carry their burdens to
7 demonstrate adequate business probity. This is demonstrated through nondisclosure of
8 business related issues to the BOARD, significant disclosed and nondisclosed litigation,
9 significant employment related issues from MALFITANO's assisted living business and his
10 prior dental practice, significant citations and actions by other regulatory agencies concerning
11 MALFITANO's assisted living business and his prior dental practice, the existence of
12 numerous prior tax liens, and the appearance of significant cash flow problems. These are
13 reasonable causes for denial of the licensing applications.

14 VIRGINIA CITY GAMING, MALFITANO, and DELTA failed to carry their burdens to
15 demonstrate adequate business competence. For the licensing applications, this is
16 demonstrated through nondisclosure of business related issues to the BOARD, significant
17 disclosed and nondisclosed litigation, significant employment related issues from
18 MALFITANO's assisted living business and his prior dental practice, significant citations and
19 actions by other regulatory agencies concerning MALFITANO's assisted living business and
20 his prior dental practice, the existence of numerous prior tax liens, and the appearance of
21 significant cash flow problems. For the landlord applications, this is demonstrated by
22 significant issues concerning foreclosures, delinquent tax payments, tax liens, and default
23 notices concerning the real property of MALFITANO or businesses owned by MALFITANO
24 which indicate MALFITANO is not suitable to be the landlord of a gaming establishment.
25 These are reasonable causes for denial of the licensing applications and the landlord
26 applications.

27 NRS 463.200 requires an applicant to file an application with complete details
28 concerning, at a minimum, his criminal history, antecedents, habits, character, business

1 activities, financial affairs, and business associates. Nevada Gaming Commission Regulation
2 4.040(2) sets out it is grounds for denying an application if an applicant willfully omits any
3 material fact on his application. NRS 463.170(3)(a) requires applicants to demonstrate
4 adequate business probity. Nevada Gaming Commission Regulation 3.090 requires
5 applicants to demonstrate adequate business competence for the role or position for which
6 the application is made. NRS 463.1405(3) sets out that the Board may recommend the denial
7 of any application to the Commission for any cause deemed reasonable by the BOARD.

8 Based on the significant nondisclosures and the failure to demonstrate adequate business
9 probity and/or business competence of VIRGINIA CITY GAMING, MALFITANO, and DELTA;
10 AND

11 Consequently, good cause appearing:

12 IT IS HEREBY ORDERED, upon unanimous vote, that a recommendation of the denial
13 of the licensing applications and the landlord applications of VIRGINIA CITY GAMING,
14 MALFITANO, and DELTA, be and hereby are issued to the Nevada Gaming Commission
15 pursuant to NRS 463.1405(3) and 463.210(3), said recommendations being based upon

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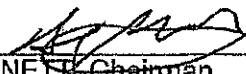
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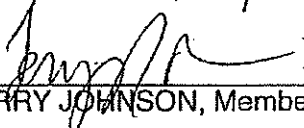
1 NRS 463.0129, NRS 463.170, NRS 463.200, Nevada Gaming Commission Regulation 4.040,
2 and Nevada Gaming Commission Regulation 3.090.

3 DATED this 26th day of August, 2015.

4 NEVADA GAMING CONTROL BOARD

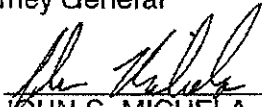
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A.G. BURNETT, Chairman

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SHAWN R. REID, Member

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TERRY JOHNSON, Member

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12 Submitted by:

13 ADAM PAUL LAXALT
14 Attorney General

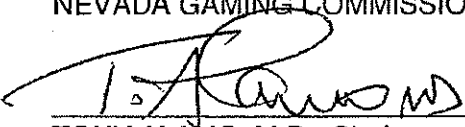
15 By: 
16 JOHN S. MICHELA
17 Senior Deputy Attorney General
18 Gaming Division
19 Attorneys for Nevada Gaming Control Board

20 ORDER

21 IT IS SO ORDERED in Agenda Item # N01-08-15, N15-0234.

22 DATED this 17 day of Sept ~~August~~ 2015.

23 NEVADA GAMING COMMISSION

24 
25 TONY ALAMO, M.D., Chairman

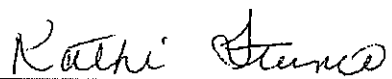
CERTIFICATE OF MAILING

I hereby certify that I am employed by the Nevada Gaming Control Board as an Administrative Assistant to Marie Bell, the Executive Secretary of the Nevada Gaming Commission and the Nevada Gaming Control Board, and that on the date shown below I deposited for mailing at Carson City, Nevada, a true copy of the attached **ORDER OF DENIAL** addressed to:

VIRGINIA CITY GAMING LLC
C/O SCOTT SCHERER
377 S NEVADA ST
CARSON CITY NV 89703

I further certify that I provided an e-mail copy to John Michela (jmichela@ag.nv.gov) and Rebecca Zatarain (rzatarain@ag.nv.gov) Reno Attorney General's Office and Record's and Research.

DATED this 23rd day of September, 2015.


Kathi Franco, Administrative Assistant

1 MR. MCBRIDE: Aye, unanimous. Okay. Moving along now
2 to, uh, Item B on this, 13B. This would be on the general
3 license, which I assume would be for selling souvenirs or
4 logoed items for the --

5 MR. MORRIS: Conducting events and that type of
6 thing.

7 MR. MCBRIDE: Conducting events. Yeah.

8 MR. MORRIS: Yeah.

9 MR. MCBRIDE: Okay. Commissioners, any discussion on
10 this? Anyone in the audience have any questions regarding
11 this license? Can we get a motion for approval?

12 MR. L. GILMAN: I'll move to approve the second
13 reading for the general business license of Storey County
14 School District for Piper's Opera House.

15 MR. MCGUFFEY: I'll second that motion.

16 MR. MCBRIDE: It's been moved and seconded to
17 approve the general business license for Piper's Opera
18 House. All those in favor, signify by saying aye.

19 ALL: Aye.

20 MR. MCBRIDE: Aye. And motion carries. All right.
21 Moving along now to item Number 14.

22 This is discussion of possible action, approve
23 liquor and general business licenses for the Bonanza and
24 the Delta. We'll handle this like the last item. We're
25 going to handle 14A as liquor and 14B as general.

1 Uh, at this time, I -- I'll make a -- a, uh,
2 disclosure that, uh, I am in business on C Street and
3 hold a liquor license. Uh, I do not have any pecuniary,
4 uh, interest in either the Delta or Bonanza Saloons.

5 MR. L. GILMAN: Um, I've also disclose that I, uh,
6 operate a business on C Street. Um, I have no pecuniary
7 interest in the Delta Saloon or the Bonanza.

8 MR. MCBRIDE: Okay. Madame D.A.

9 MS. LANGER: Good morning. I think initially, uh,
10 when looking for the application -- and we're starting
11 out with, uh, Delta and the Bonanza on the liquor
12 licenses.

13 Um, it came to my attention, through numerous phone
14 calls and discussions, that, uh, NRS 369.190 would apply
15 to the, uh, liquor license, uh, regarding both
16 establishments.

17 And under that statute, it talks about when you
18 apply for a liquor license, that your moral character
19 would be one of the, uh, items that the board would take
20 into consideration and that they shall take it into
21 consideration when making their opinion on whether to
22 grant a liquor license.

23 However, in, um, further reviewing the statute and
24 researching, uh, deeper into the subject, uh, it's come
25 to the DA's office attention that actually, when you're

1 looking at a -- a liquor license, the, uh, 369.190
2 applies to wineries or breweries, places along that line.

3 However, when you're looking for a -- to a general,
4 uh, liquor license, what would apply in this, uh,
5 scenario would be, uh, the county code.

6 And the county code, in this circumstance, is, uh,
7 Section 5. So at this time, uh, the person that's done
8 the major research in this area is Bob Morris.

9 And so he will be taking on the, uh, presentation as
10 to, um, just procedures that the board, uh, would
11 probably, uh, legally like to know before making this
12 decision. Thank you.

13 MR. MCBRIDE: Okay. Thank you. Mr. Morris.

14 MR. MORRIS: Uh, thank you, uh, Mr. Chairman. Um,
15 Robert Morris, for the record. Uh, I was just going to
16 point out a -- a few sort of legal, um, areas that
17 provide the groundwork for the board's decision in this
18 matter.

19 Uh -- uh, initially, NRS 244.350 is the
20 authorization, uh, allowing the board of county
21 commissioners, uh, pass -- or -- or become the liquor
22 board and to pass regulations on the sale of, uh,
23 intoxicating liquors in their, uh -- in this county.

24 And so the, uh, NRS section allows the county to go
25 ahead and adopt ordinances, uh, for that purpose.

1 Uh, the county has adopted two different sections,
2 uh, Chapter 5.04 and that's, uh, for business licenses.
3 There is an additional section, Chapter 5.12, which deals
4 with the sale of alcoholic beverages.

5 Now, there's, um, the basic requirements, uh, for
6 any license within the county is contained in Chapter
7 5.04. Uh, there is a hearing on application Section
8 5.04.050 and it talks about, um, the need to have a
9 hearing on any license.

10 Since the alcoholic beverage license has additional
11 requirements, there is an additional section in the code
12 that -- that deals with it.

13 Um, I would just point out a couple of sections, um
14 -- uh, as I said, um, 5.04.050 is -- uh, has, uh, a
15 section about the hearing on the application. Generally,
16 uh, for a business license, there's a Section 5.04.100,
17 which, uh, gives grounds for the refusal of, uh, a
18 license.

19 And that basically says that a license may be
20 refused by any licensing agency until the applicant
21 complies or agrees to comply with all the ex- -- other
22 existing ordinances, laws in force, including the county
23 master plan and a license may be revoked for failure to
24 comply therewith.

25 And then it, uh, goes on specifically to say, for a

1 business license, um, if, uh, there's any unpaid taxes,
2 that that's a ground for re- -- uh, refusing, um, the
3 license. Since this is the, um, license, uh, for the --
4 the sales of, uh, alcoholic beverages, I think it's
5 important to, um, look at the -- the requirement for that
6 one.

7 And it's basically the -- in the first section of
8 5.12.010 and it says, basically, all new applicants for
9 liquor license authorizing the sale of alcoholic
10 beverages on or off prem- -- premises shall provide the
11 county liquor license board with the following.

12 And it, uh, seems like the primary consideration is,
13 uh, A, uh, proof of financial standing to warrant an
14 expected satisfactory and profitable business operation.
15 And so that's basically the -- uh, to provide the board
16 evidence to show that, um, the applicant, uh, is -- has
17 the financial standing to -- to have a -- a profitable
18 business operation.

19 Uh, I could probably talk about, uh, some more
20 areas, but I think that provides the -- the board with a
21 basic legal framework for, um, their decision today.

22 Uh, the business license has a lower standard of --
23 of what's required for its approval. Since there is a
24 specific section about, um, the sale of alcoholic
25 beverages, uh, there is an additional, uh, requirement,

1 uh -- uh, proof of financial standing.

2 And so what I think is important for the board to --
3 to look at is, um, if there is evidence, um, to show that
4 or if there's evidence not to show that. And I would
5 encourage the board, uh, to ask questions about that.

6 Um, the thing that I think is important in -- in,
7 uh, items like this is that the board to specifically
8 call out the reasons why they are voting one way or the
9 other on an item such as this.

10 So if -- if there are particular reasons that --
11 that you feel like your voting, uh, convinces you to vote
12 in a certain way, I think that it would be a -- um, good
13 to put those on the record.

14 Um, I -- I do have a little bit more, but I think,
15 um, the sheriff can go now. It's, uh, generally under the
16 -- the code sections the sheriff is, um, to do an
17 investigation in- -- into the, uh, background.

18 Uh, some of the other sections is that, uh, complete
19 background as to the applicant's criminal record and
20 experience in saloon or liquor vending businesses. Um --
21 uh, so, um, he is the one that's to report to the board
22 on this matter on -- on that part of it. So I'll turn it
23 over to the sheriff at this point.

24 MR. ANTINORO: Okay. Uh, in this case, the applicant
25 did make application to the county for the liquor

1 license. Uh, we did conduct, uh, an investigation as
2 outlined in [inaudible], um, finding nothing of a
3 criminal nature that would preclude him from having a
4 license.

5 Uh, during the course of the investigation, there
6 was, um, showing no significant finances and financial
7 background knowledge to where, uh, there would be no
8 reason for him to expect -- or no reason to expect that,
9 uh, the business would fail.

10 Um, I -- I think the reason we're here in doing this
11 with such bravado or gusto, whatever you want to call it,
12 is because of what happened recently with this particular
13 applicant with gaming.

14 Uh, gaming has a significantly higher standard than
15 what our county ordinances have, uh, requiring a much
16 larger showing of financial background and, um, knowledge
17 of the industry, things like that.

18 Uh, for the purposes of Storey County licenses and,
19 uh, licenses we have issued in the past, uh, nothing was
20 found in the applicant's background or during the course
21 of the investigation that would preclude him from
22 obtaining a -- a Storey County liquor license.

23 MR. MORRIS: And -- and, um, what I would suggest is
24 that, um, since the -- the matter of -- of the gaming
25 control board and -- and its order has been raised as --

1 as, uh, something that, um, the board might want to
2 consider, I do have a copy of -- of that order and I
3 would provide it to the record.

4 Um, I don't know if the board has had an opportunity
5 to -- to read this. Um, the- -- there is one section
6 that, um, I think, uh, the board might want to consider
7 and it's on page 4. If I could just read a paragraph.

8 It says, "Virginia City Gaming, Malfitano and Delta
9 failed to carry their burdens to demonstrate adequate
10 business competence, uh, for the licensing applications.
11 This is demonstrated through the nondisclosure of
12 business related issues to the board, significant
13 disclosed and non-disclosed litigation, significant
14 employment related issues from Malfitano's assisted
15 living and his prior dental practice, significant
16 citations and actions by other regulatory agencies,
17 including" -- or "Concerning Malfitano's assisted bus- --
18 uh, living business and prior dental practice, uh, the
19 existence of numerous prior tax liens and appearance of
20 significant cash flow problems."

21 Um, and I think the only reason you would use that
22 is to consider, uh, the financial standing of the
23 applicant and whether that would, uh, assist you in -- in
24 deciding whether you could expect, uh, satisfactory and
25 profitable -- profitable business, uh, operation.

1 MR. ANTINORO: I would offer up at this point, in
2 response to Mr. Morris' comments, is again, gaming has an
3 extremely high standard.

4 Uh, several of the state agencies have standards
5 that far exceed what we have ever given consideration to
6 in Storey County in the past. Um, I know one regulatory
7 agency, they require you have \$20,000 cash sitting in the
8 bank at your disposal for your business.

9 I don't know specifically what gaming requires,
10 however, in the course of our investigation, I think Mr.
11 Malfitano has, uh, significant personal holdings, uh,
12 according to the financial documentation he provided to
13 us.

14 He does have, uh, liquid resources along with real
15 property holdings and, uh, the CPA that we discussed, who
16 is familiar with Malf- -- Mr. Malfitano's, um, finances,
17 said that, uh -- uh, he doesn't see any reason why, uh,
18 he would not be successful in this endeavor.

19 Um, and if -- if -- if we're going to truly consider
20 what gaming offers on his financial status, then we
21 should look at what gaming requires as the level of proof
22 of financial stability, because I'm -- I'm sure, uh,
23 Commissioner McBride, I'm sure that with your knowledge
24 of the gaming industry, they have quite a significant
25 level of proof that's needed.

1 Um, and if we're going to hold this applicant to
2 that standard that gaming requires for a gaming license,
3 because I mean, now we're going to have to go back and
4 reconsider all our other liquor applicants who may have a
5 difficult time reaching that same threshold.

6 MR. MORRIS: And -- and just to follow up on, uh,
7 the sheriff's comments, uh, I would remind the board that
8 -- that it's not the gaming, uh, requirements that, um,
9 the applicant has to meet.

10 Uh, today, what you're deciding is basically this
11 one sentence, proof of financial standing to warrant an
12 expected satisfactory and profitable business operation.
13 So I think, um -- uh, what you're, um, looking at is that
14 specific standard or -- or the requirement.

15 MR. ANTINORO: And I'll throw out, uh, I believe,
16 uh, the county manager included too all the investigative
17 reports.

18 Um, well, I did not include -- include the personal
19 financial matters, because there's some protected
20 information in there.

21 Uh, the bottom line estimated value of, uh, Mr.
22 Malfitano's holdings are in excess of \$5 million is what
23 is listed.

24 MR. MORRIS: Um, I think we could ask the applicant
25 --

1 MR. L. GILMAN: [inaudible]

2 MR. MCBRIDE: I don't see the applicant in the
3 audience.

4 MR. L. GILMAN: Well, I -- I think the applicant's
5 agent is here.

6 MR. MCBRIDE: Bruce, are you representing Mr.
7 Malfitano today?

8 MR. KIDDIS: No. I'm going to -- no. I'm not
9 representing him, but I'm a citizen and I wanted to
10 comment when appropriate.

11 MR. MCBRIDE: Okay. Very good.

12 MR. MORRIS: And then -- then [inaudible].

13 MR. MCBRIDE: Tina, are -- are you here to represent
14 Mr. Malfitano today? You are?

15 MR. MORRIS: Yeah. Well -- well, we can do that at
16 the end of the public hearing --

17 MR. L. GILMAN: Okay.

18 MR. MORRIS: -- and, um, I'm surprised that he's not
19 here.

20 MR. L. GILMAN: Okay.

21 MR. MORRIS: Um --

22 MR. L. GILMAN: His general manager, she's prepared
23 to, uh, give testimony.

24 MR. MORRIS: Okay. Yes. Uh, I -- I think the -- uh,
25 you sort of have, uh, staff's, uh, view of the matter and

1 -- and I think it's appropriate for the applicant or
2 anybody that wants to speak to go ahead and -- and, um,
3 give public testimony. My understanding is the chair
4 might have some testimony as well, um, and then, uh, af-
5 -- after that, if there's any other questions, I think we
6 could answer them and -- and allow the board to go ahead.

7 MR. MCBRIDE: Okay. If you'd like to come up to the
8 podium and, uh, if you'll, uh -- uh, for the record, go
9 ahead and identify yourself once you get to the, uh,
10 microphone so the clerk will, uh, [inaudible] the
11 recording.

12 MS. PERKINS: Uh, Tina Perkins. I am the current
13 general manager at the Bonanza and the Delta for Dr.
14 Malfitano. Um, we have been working tirelessly getting
15 these properties prepared and we had health inspections
16 yesterday, which went very well.

17 Um, we were approved for the Bonanza Restaurant and
18 the bar and four of the bars in the Delta were approved.
19 We are not doing the restaurant there yet. It has a lot
20 of work to do.

21 Um, we have retained at least 15 of the prior
22 employees, um, 5 of them which came from the Sawdust
23 Restaurant. We really are trying to keep everybody
24 employed and everybody that has asked to stay has stayed.
25 So that's --

1 MR. MCBRIDE: Okay. Does anybody have any questions
2 for Ms. Perkins? Uh, yeah. We might -- we might ask you
3 to come back up; okay? Thank you. Bruce, did you want to
4 give testimony?

5 MR. KIDDIS: Bruce -- Bruce Kiddis [ph], resident of
6 Carson City, friend of Dr. Malfitano for 20 years. If I
7 had to describe the gaming board commission process in
8 one word, I'd say tilt.

9 I doubt any of you could pass the gaming commission
10 if they decided we don't want to. I mean, I watched that
11 whole process. You can be accused and you get the
12 documents. Anyway, I've seen how they twisted all that,
13 but that's not the point.

14 This is Virginia City. This is the -- the Old West.
15 Commissioner Gilman, you represent the best of
16 entrepreneurship. I mean, this young man -- I'll be 81
17 tomorrow, so I can call him a young man -- this young man
18 has made his money the old fashioned way.

19 He paid the seller, Mr. Petrini, \$4 million. I'm
20 sorry if Mr. Petrini regrets selling it. He could have
21 very easily in the contract -- they spent a year
22 negotiating.

23 He could've easily have said, if you don't get your
24 gaming license, I get first option to buy it back. He
25 didn't. Yes, we're sorry to mach- -- to see the machines

1 leave the Delta, but they may come back.

2 So, um, you know, I -- I -- it -- it's -- uh, this
3 whole process, uh, to me, having been born in '34 and
4 gone through the Depression and the war, I mean, uh, it -
5 - it -- it -- it is -- it's discouraging. All we hear is
6 government, government, government.

7 And this young man is an entrepreneur and he
8 deserves a change to run a business. And if he doesn't
9 make it, he'll go bankrupt or he'll sell it. Thank you.

10 MR. MCBRIDE: Thank you. Anyone else like to give
11 public testimony? Mr. Gallagher.

12 MR. GALLAGHER: Uh, Mr. Chairman, for the record,
13 Hugh Gallagher, um, Storey County Comptroller. I'm a -- I
14 merely don't comment on these things, but I have a couple
15 of things to -- that I want to remind the commission
16 about or at least, uh, advise them on.

17 Uh, number one is first and best use, um, going
18 forward. Um, that was a gaming establishment, uh,
19 originally continued, uh, and the process was it was
20 going to be, uh, continued as such.

21 It is no longer going to be that case. Uh,
22 profitability at that point of time, uh, comes somewhat
23 salted down. I don't know that.

24 Uh, so, uh, understanding the fact that the gaming
25 control board decided not to license the applicant, uh,

1 is a big concern going forward as to the profitability of
2 those two locations. Um, the other side is is that, uh,
3 there has been a number thrown out as to, um, the net
4 worth of the applicant, which is somewhere around \$5
5 million.

6 I'm not sure if there's -- uh, if that's an audited
7 statement or just an application, but if that's the case,
8 then, uh, that also should be probably examined to see if
9 that is not true. Thank you.

10 MR. MCBRIDE: Thank you, Mr. Gallagher. Anyone else
11 like to make public testimony. All right. Mr. Morris, uh,
12 following up, I will, uh, disclose that I -- after --
13 after reading that the applicant was denied by the, uh,
14 Nevada Gaming Control Board, decided to attend the next
15 meeting, which is before the Nevada Gaming Commission,
16 which was two weeks later. And I sat in the room with,
17 uh, several people, some that are in this room today.

18 And it was, uh, three hours of testimony and, uh --
19 and as, uh, Mr. Morris pointed out that, uh, you have to
20 have, uh, a -- a strong financial standing in order to be
21 licensed and that's not only by the, uh, liquor
22 regulations, but by gaming.

23 Uh, gaming pointed out, uh, a whole host of
24 different things of the, uh, lawsuits, foreclosures,
25 delinquent tax payments, tax liens, default notices, uh,

1 all of these items.

2 Uh, it was -- it was very discomfoting sitting
3 there, uh, listening to this testimony. Um -- uh, the
4 vote against the applicant for the gaming control board
5 was 3-0 for denial. And with the gaming commission, uh,
6 the vote was 5-0 for denial.

7 Uh, we're talking about financial stability and, uh,
8 a net worth of approximately \$5 million, uh, that -- that
9 dwarfs in what, uh, Commissioner Townsend on the gaming
10 commission, uh, stated that the debt that Mr., uh,
11 Malfitano has is \$12 million.

12 So, uh, there, uh -- it gives pause to that also.
13 Uh, Bruce, uh, suggested that Mr. Malfitano, uh, paid \$4
14 million for the properties.

15 It's probably true, but it's no secret that there
16 are, uh, large sums of debt that are attached to this
17 purchase in the -- in the amount of \$2.5 million.

18 So, uh, if you look at his financials and he's
19 upside down by \$7 million and he has outstanding debt of
20 \$2.5 million, uh, by removing gaming from the properties
21 and reducing the -- the, uh -- the -- probably the cash
22 flow by 60/70 percent, uh, doesn't make it a sustainable
23 business.

24 And as the sheriff pointed out earlier, I do have a
25 little bit of knowledge when it comes to gaming. Uh --

1 uh, my family's been in the gaming business since, uh,
2 the prohibition on gaming was lifted in 1931.

3 Uh, so, uh, with that said, I -- this is a pretty
4 up- -- uphill climb, uh, to, uh, ask to be licensed when
5 it doesn't look like there's any financial stability in
6 order to -- to operate these two businesses.

7 MR. ANTINORO: I would like to just throw out
8 something for consideration. I'm not, uh -- not a legal
9 beagle or anything, but what kind of precedent are we
10 setting with this?

11 Uh, we just licensed an entity without going through
12 this discussion on finances. Now, we assume that the
13 school board has sufficient money to keep that license
14 going and run a sustainable business, different type of
15 business, but when we're going to start looking --

16 Uh, I know Mr. Morris says we're not holding him to
17 a gaming standard, but in essence, we are, because
18 everything that we're talking about is what gaming says,
19 what gaming says, what gaming says.

20 And if gaming is going to say he has lawsuits, and
21 tax liens, and judgments, again, do we go back and look
22 at our existing license holders? Because we have existing
23 license holders that have suffered some of those same
24 issues, maybe not for the same reasons, maybe for the
25 same reasons.

1 Um, I'm not judging the applicant's business model.
2 Uh, from a personal perspective, I think -- uh, like Mr.
3 Gallagher pointed out, I think trying to run it just as a
4 bar, that the business is probably going to fail, because
5 I just don't see enough business supporting it.

6 However, that's not my bus- -- business to run or my
7 decision to make. Um, but are we going to hold this
8 applicant to a different standard and what we have, at
9 least for the last five years that I'm aware of, and a
10 different standard to what we just held the last approval
11 to?

12 MR. MCBRIDE: Well, I don't know if we're holding to
13 a different standard. It's just under -- here under, you
14 know, liquor license provisions are in Chapter 5.12.

15 "An applicant is required to provide to county
16 liquor license board the proof of financial standing to
17 one expected satisfactory profitable business operation."

18 With everything that's been laid out, can you -- can
19 you operate a profitable operation when you've just --
20 when you've just taken out the major source of revenue?

21 MR. ANTINORO: Um, I don't know what the breakdown
22 of revenues were. I don't know what his entire business
23 plan is for the operation of the buildings.

24 All I'm looking at is the consistent application of
25 the ordinances and the issuance of the liquor licenses

1 and I'm just wondering if we're treading on dangerous
2 waters, because it is -- it seems to me like a different
3 standard, but --

4 MR. MCBRIDE: I'd like the other commissioners to
5 weigh in on this.

6 MR. L. GILMAN: I'm -- I'm very, very troubled, uh,
7 in trying to weigh this evidence between two -- I -- uh,
8 the elephant in the room is the -- is the gaming board,
9 uh, review and analysis and I have reviewed that.

10 And -- and I'm going to assume that they had
11 investigative staff that was very qualified and they
12 looked carefully at this individual beyond perhaps what
13 we would do for a license, but, um, I can't ignore the
14 fact that were, uh -- that were explained in that
15 particular program.

16 And -- and if you follow what they found and the
17 reason they denied that gaming license, I don't see how,
18 as a body, that we can support, uh, a license for a
19 liquor license based upon our statutes. It -- it -- it
20 doesn't add up to me.

21 I understand the sheriff has done his investigation,
22 but I have another investigation over here that was done
23 by the gaming board in depth and I don't understand why
24 we're apart candidly, because the gaming board's license,
25 uh, investigation was clear and the violations are clear.

1 And the standard wasn't reached either for the
2 gaming license or in my opinion, for -- for a liquor
3 license. So I'm very troubled by that.

4 MR. MCBRIDE: Mr. McGuffey.

5 MR. MCGUFFEY: Yeah. Well, I -- I kind of find it,
6 uh -- uh, a tough pill to compare it with, uh, the school
7 board getting a -- a liquor license. They're not relying
8 on that liquor license to make lots of money. It's a perk
9 to get more business in receptions and in meetings of
10 that sort up there.

11 Uh, yeah. They do make some money. That's great.
12 That's -- that's -- they're trying to help support that
13 old building. It, uh, costs a lot of money to re- -- to
14 restore old buildings.

15 Uh, the -- as far as try- -- uh, are we going to
16 rely on the -- what the gaming board says? No. But it
17 sure gives you, uh -- the information in here sure gives
18 you an idea of what kind of person he is.

19 Uh, I mean, when they're -- they're saying that, you
20 know, on Page 4 here, "Other regulatory agencies
21 concerning this applicant's assisted living business and
22 prior dental practice, the existence of numerous prior
23 tax liens, appearance of sig- -- significant cash flow
24 prob- -- problems."

25 Uh, and -- and for the -- the landlord, he wasn't

1 even qualified to be a landlord. So there's -- there's no
2 -- he can't use somebody else's license.

3 He's -- you know, they're -- they put the hammer
4 down on him, but it kind of show you what kind of person
5 he's been. Has he changed? I don't know, I don't know the
6 man. So I -- I have a hard time.

7 I mean, the -- as you're looking at somebody who
8 lacks probity, uh, doesn't -- is not showing integrity
9 here, uh, to run a business and that's -- that's the way
10 the gaming board sees it. And with knowing that
11 information that they put out there as a public record is
12 like a question -- I would have to question that.

13 MR. ANTINORO: And again, the gaming board is
14 holding that position on the basis of their requirements
15 to hold a gaming license.

16 We have license holders in Storey County who have
17 had lawsuits, we have ha- -- we have license holders in
18 Storey County who have had judgments, we have license
19 holders in Storey County who have had tax liens.

20 Again, do we go back and review all of their license
21 now because we're going to hold them to a different
22 standard?

23 I could care less about Mr. Malfitano's business. I
24 could care less about gaming, because we're not talking
25 about a gaming license, we're talking about a Storey

1 County liquor license.

2 What I care about is that we are applying things
3 equally and fairly across the board to all our license
4 holders and all past, present and future applicants.

5 MR. WHITTEN: Can I [inaudible] -- can I
6 [inaudible]?

7 MR. KIDDIS: [inaudible]

8 MR. WHITTEN: Okay. I'd like to, uh -- I'd like to -

9 MR. MCBRIDE: We'll come back to you in a minute,
10 Bruce.

11 MR. WHITTEN: -- I'd like to extend, uh, the quote
12 into the record that Bob Morris started from Page 4 of
13 the gaming order, uh, and, uh, I believe Commissioner
14 McGuffey just touched on it. Uh, it continues on beyond
15 where it says, "And the appearance of significant cash
16 flow problems," which is where Council Morris stopped.

17 It says, "For the landlord applications, this is
18 demonstrated by significant issues concerning
19 foreclosures, delinquent tax payments, tax liens and
20 default notices concerning the real property of Malfitano
21 or business owned by Malfitano, which indicates Malfitano
22 was not suitable to be the landlord of the gaming
23 establishment."

24 Um, those were the basis for the gaming. I would --
25 I would tell you that those last ones that I've just

1 read, the foreclosures, the delinquent tax payments, the
2 tax liens, those are serious contraindicators of
3 financial standing.

4 Um, I issued these licenses for six years as
5 sheriff. I have sat in this seat for the subsequent 10
6 years of so, um, and I applied similar standards under
7 what are known in the industry -- in the banking industry
8 as the five Cs of credit where you're looking at
9 character, uh, and capacity as two of those major Cs in
10 order to extend things, like lines of credit, which I
11 did, um, secured and unsecured.

12 And I would tell you that once you become
13 knowledgeable -- once I became knowledgeable of this
14 level of concern from gaming, seeing the gaming's order,
15 in my opinion, you can't deny it.

16 Are we holding every other liquor license to the
17 same standard? I would argue that if we knew this type of
18 information about them, yes, we should, but we don't. In
19 this case, we know because of the gaming order.

20 We know because of the testimony you reflected that
21 you heard at the, uh -- at the gaming commission hearing.

22 Um, and I think once you're knowledgeable of this,
23 it really are serious indicators of lack of financial
24 strength and ability to -- to conduct a -- a business. So
25 staff recommendation would be to deny both liquor

1 licenses based on those findings.

2 MR. MCBRIDE: Okay. I'm prepared to take more public
3 testimony. Bruce, you wanted to, uh, come back up.

4 MR. KIDDIS: Earlier you approved your September 1st
5 minutes. In the minutes, on Item 13, it says, "If Dr.
6 Malfitano were to sever relations with doing gaming to
7 operate the businesses himself, there would be no delay
8 in obtaining the licenses. There is no reason not to
9 license Dr. Malfitano, except for the fact that it would
10 be a duplicate license." So that was a month ago. You
11 heard all about gaming.

12 You were also there, Commissioner, that, um, his
13 attorney, who had served on the gaming board, argued that
14 the standard for the gaming was different than the stan-
15 -- standard for being a landlord. So you heard that, but
16 it didn't matter, because, um, it was already -- the --
17 it -- it was already set.

18 Anyway, that's it. So what you say here, on
19 September 1st, is meaningless. So that's what your word
20 is. That's the story in Storey County, your word doesn't
21 count. It's -- you're a pathetic [inaudible] and do
22 whatever you want.

23 MR. MCBRIDE: Well, I'll re- -- I'll respond to your
24 comment. And you are correct, that is what was said in
25 the meeting here and I -- and I misspoke that day.

1 What I should've said, and -- and I'll say it right
2 now, to correct the record, I -- I should've said that
3 you can come back for consideration to have your license
4 approved. I did- -- I -- I admit, I did misspeak. You're
5 abs- -- you're absolutely correct.

6 But as -- as, uh, your friend's lawyer, uh, as he
7 testified before the gaming commission, lost his argument
8 all [inaudible] --

9 MR. KIDDIS: Yes.

10 MR. MCBRIDE: And here he was -- he is an expert,
11 because he kne- -- he's an expert in gaming law since he
12 was on the ga- -- since he was on the gaming board. So he
13 went -- he went amongst his peers and lost, which rarely
14 happens and it -- and it rarely happens that a person
15 goes through the application process all the way to
16 denial.

17 And I know this as a matter of fact, because myself
18 and my brother had to go through the same scrutiny that
19 your friend did in order for us to receive our gaming
20 licenses.

21 It's -- it's -- it's arduous. Uh, they undress you
22 all the way and when stuff like that comes out, that's --
23 that's just the way it is. So, uh, most of the items that
24 were there were items that were undisclosed, numerous
25 lawsuits.

1 I think there was in excess of 40 lawsuits. Numerous
2 lawsuits were undisclosed, sexual harassment, uh,
3 settlements that, uh -- all of these things that were
4 undisclosed. So I'm not talking out of school here.

5 The facts -- the facts are the facts. He had an
6 option to go ahead and withdraw his application, never
7 did it, took it to the mat and he got beat. So that's --
8 that's the way it is with gaming.

9 We're sitting here reading this five-page letter of
10 denial -- or six pages. You've read it too. So this is
11 public record. I'm not hiding anything from anybody. This
12 is public record.

13 So, uh, Bruce, I know he's your -- I know he's your
14 friend -- I know he's your friend, but I have to -- I
15 have to look out for what's good for Storey County, this
16 community of Virginia City, the taxpayers and the
17 wellbeing of the people who work and live in this
18 community.

19 This has been the most controversial issue that's
20 come up in my almost three years sitting on this
21 commission. I've gotten more phone calls and more walk-
22 ups to me at the post office, people that are so upset
23 and displeased at the decision that now we're going to
24 turn the Delta into a sports bar.

25 We have a -- we have a history of gaming in there

1 from back in the days, uh -- uh, of Angela's father
2 Dominic [ph]. Dominic and -- and my -- and my grandmother
3 Murray [ph] both immigrated from Italy before World War
4 II and were -- and had friendly, uh -- uh, rivalry and
5 competition on C Street all of those years.

6 And I -- and this isn't the way it's supposed to
7 turn out, not at all. He -- he had time -- he had time --
8 the gaming commission awarded Mr. Duing [ph], the
9 operator, a 90-day extension to operate with a denied
10 applicant giving -- giving Mr. Malfitano time where he
11 could find other avenues to -- to either sell his
12 property, sell it to the operator or do something else.
13 He opted -- he opted to take this path.

14 And -- and from my chair, it's -- it's not a good
15 path. And -- and -- and that's why we have so many people
16 in this room today, because, uh, pretty much everybody is
17 displeased, except maybe you and Tina. So --

18 MR. KIDDIS: My apology. Thank you.

19 MR. MCBRIDE: Anyway, I'll take any more public
20 testimony. Uh, Nicole [ph], I think you had your hand up.

21 MR. WHITTEN: And I do, while Nicole comes up, have
22 one item to clarify. Further in the -- in the minutes,
23 uh, that Bruce was, uh, citing, uh, it does indicate
24 County Manager Whitten stated that Sheriff Antinoro had
25 asked me to explain the licenses will be considered for

1 approval. So we did correct your misstatement at the time
2 to indicate they'd be considered, they would not be
3 approved.

4 MR. MCBRIDE: Now --

5 MR. WHITTEN: And this just reflect what was said
6 and what was corrected.

7 MR. MCBRIDE: -- you can just read the highlighted
8 parts of the, uh, minutes, which is most, uh,
9 entertaining.

10 MR. L. GILMAN: Well, the decision was made on what
11 we knew at the time and, uh -- and of course, we now have
12 more information on the table and it's important that we
13 make the proper decision.

14 I'm still so perplexed on why the two reports and
15 investigations are so different. I don't understand that.

16 MR. MCBRIDE: Ms. Bart [ph].

17 MS. BART: Nicole Bart, Storey County resident. I
18 understand, uh, you know, the concerns here, but before
19 you go up the slippery slope of trying to apply a higher
20 standard as demanded by gaming to our own local standard,
21 let's go back to our own local standard.

22 Did he disclose -- do we ask, on our liquor lic- --
23 our liquor application on business license, for
24 disclosure of the issues that came up at the gaming
25 commission? Do we ask people -- do -- do we ask them to

1 tell us if they --

2 You know, most employment applications ask if you've
3 ever been convicted of a felony, you know, so on and so
4 forth. Do our applicants ask for disclosure of this
5 information?

6 MR. ANTINORO: Some, yes. Some of the financial
7 stuff, yes, some of it, no. Uh, all the criminal stuff is
8 asked for disclosure, things like that. There was no --

9 MS. BART: Okay. Did he --

10 MR. ANTINORO: -- there were no omissions by Mr.
11 Malfitano on what we inquired of.

12 MS. BART: So -- because if there's something wrong
13 with our process that allows this -- the level of
14 magnitude of issue to pass by our investigation, if -- if
15 that's what's happening, we need to plug that hole at
16 home.

17 If, on the other hand, on our application, it asks
18 for this information and he failed to disclose that, then
19 it sounds to me that we can deny it based on our own
20 local requirement that it get disclosed.

21 Because I'm concerned, and certainly, we've got two
22 other people here, that if we take a step outside our own
23 local realm and -- and regulations and now start to use
24 that higher standard of the gaming commission, it may
25 have implications and set precedence for us locally we

1 may not like.

2 I'm -- I'm just -- I'm just saying if the violation
3 is on our regulations, our applications, our ordinances,
4 that's clean for us to say a denial. If we're stepping
5 outside of that, that may cause some problems. Just
6 asking that question.

7 MR. MCBRIDE: Okay.

8 MS. BART: I'm not advocating for or against it. I'm
9 just saying it leaves you open.

10 MR. MCBRIDE: Thank you, Ms. Bart. Anyone else like
11 to give public testimony? Uh, yes. Ms. Coen [ph].

12 MS. COEN: Judy Coen, C Street business owner and
13 Storey County resident. Although I don't have a liquor
14 license, my business is just a general business license,
15 I think that number one, nobody on C Street likes to see
16 what's happening, because I'm there every day.

17 But I think if there is a discrepancy, I think that
18 perhaps, as you -- as there have been overhauls and other
19 -- the statutes and whatnot, perhaps Storey County needs
20 to be really looked at if there are people, like Sheriff
21 Antinoro said, that have some of the same problems.

22 Maybe the whole statute needs to be -- or the law,
23 whatever it's called, needs to be looked at. But I -- as
24 a business owner, I don't like to see all this happening.
25 I don't have a vote, I don't have a voice. I just have an

1 opinion. But that's all I'm going to say. Thank you.

2 MR. MCBRIDE: Okay. Thank you. Anyone else.

3 MS. LANGER: Chairmen, before the vote, I'd just
4 like to go over a few, uh, rules. As I talked about
5 earlier, one of the, uh, first issues that have, uh, kind
6 of been wafting around was under NRS 369.190, moral
7 character.

8 And I think a lot of the issues that have, uh, come
9 up, uh, before the vote is to look at the licensing
10 procedure having to do with the ordinances of Storey
11 County to get a liquor license, a local liquor license.

12 That comes down to proof of financial standing to
13 warrant an expected satisfactory and profitable business
14 operation, that's it. None of this moral character,
15 doesn't apply.

16 Financial wellbeing under the -- the local
17 ordinance, that is what you're looking at and that is
18 what I would direct you to as counsel, uh, or, uh, Storey
19 County District Attorney.

20 MR. MCBRIDE: Thank you, DA Langer. Anyone else?
21 Okay. Staff's recommendation.

22 MR. WHITTEN: Staff's recommendation is to deny both
23 liquor licenses for the grounds that have been explained
24 to you and that you have explained on the record, your
25 concerns.

1 Uh, deny both licenses for the Bonanza and the
2 Delta, liquor.

3 MR. MCBRIDE: Okay. That being said, uh, looking for
4 a motion.

5 MR. MCGUFFEY: In what exactly grounds? You want to
6 specify those grounds again?

7 MR. WHITTEN: Uh, I believe each of you stated, you
8 know, fairly clearly in the record that you believe that
9 there are reasons to be concerned over the financial
10 standing and ability to conduct a business.

11 MR. MCGUFFEY: Well, might we want to, uh, make a
12 decision later and kind of verify those standings or do
13 we need to?

14 MS. LANGER: Depending on what your motion is, if
15 you, uh, choose to approve or deny the license, please
16 make it specific as to your reasoning behind approving it
17 or denying it in your motion.

18 That gives everybody an opportunity to agree with
19 the specific reasons for denying or approving the
20 license.

21 MR. MCBRIDE: Okay. Calling for motion, uh, for
22 denial on this license. Uh, I think financial standing
23 probably is a -- is a -- is a good measure to go by.

24 MR. L. GILMAN: I would move to deny the licenses
25 for, uh, the liquor for both the Bonanza and the Delta,

1 uh, based upon, uh, the probability of financial
2 instability to operate successfully here in Virginia
3 City.

4 MR. MCBRIDE: Do I have a motion?

5 MR. WHITTEN: I'll second that motion.

6 MR. MCBRIDE: I have a motion and a second. Call out
7 individually, uh, for, uh, members of the, uh, liquor
8 board to vote. Sheriff Antinoro.

9 MR. ANTINORO: Nay.

10 MR. MCBRIDE: Sheriff votes nay.

11 MR. L. GILMAN: Aye.

12 MR. WHITTEN: Aye.

13 MR. MCBRIDE: And aye. The record show three
14 commissioners aye, the sheriff a nay. So liquor license
15 is denied. Can we get through the general license?

16 MR. L. GILMAN: Yes. You can. You bet.

17 MR. MCBRIDE: Okay. And now we're going to move
18 onto, uh, 14B. This will be licensing for the general
19 license for the Delta and the Bonanza.

20 MR. L. GILMAN: [inaudible] from this one. Is that
21 me, the general?

22 MR. MORRIS: Uh, if I could just address the board
23 again, uh, briefly.

24 Um, if there's consideration of refusal of a
25 license, um, Section 5.04.100, um, has the specific

1 grounds that you can use for refusal and that, um, is
2 basically, uh, a license may be refused by any licensing
3 agen- -- agency until the applicant complies or agrees to
4 comply with all other existing ordinances, law
5 enforcement -- or law in force, including the county
6 master plan and license, uh, may be revoked for failure
7 to comply therewith.

8 And so the requirement is a general, uh, requirement
9 that, um, the applicant abide by existing ordinances and
10 laws. And so the refusal would be based on them -- uh,
11 the applicant not, um, complying with existing ordinances
12 and laws.

13 There's also a section about -- the following
14 section is about, uh, any unpaid real property taxes. And
15 my understanding is that has not, um, been brought up.

16 Um, so the business license has a different, uh,
17 requirement for approval and -- and denial than the --
18 the -- the liquor one.

19 MR. WHITTEN: So as that pertains right now, um, it
20 would be staff's position, subject to, uh, further input
21 from legal counsel, um, that as far as the Delta is
22 concerned, to the best of my knowledge, uh, they are
23 current on inspection requirements for both building and
24 fire, um, and would be eligible to meet that burden of
25 standard.

1 Uh, however, the Bonanza is not. There are still
2 some fire code, uh, issues being worked on as we speak.

3 So staff's recommendation, uh, is to go ahead, I
4 guess and -- and, uh, recommend approval for the Delta
5 and continuation of the Bonanza, uh, therefore, revoking
6 any temporary licenses granted earlier, um, and, uh --
7 and allow them to operate, uh, without liquor or gaming.

8 So the Bonanza would -- would not be allowed to
9 operate.

10 MR. MCGUFFEY: In the past, have we granted them to
11 operate their business in -- while they're making their,
12 let's say, fire, sprinkler improvements or anything like
13 that?

14 MR. WHITTEN: That is correct.

15 MR. MCGUFFEY: We have?

16 MR. WHITTEN: Yes.

17 MR. MCGUFFEY: Yeah. So, uh, we might -- may
18 entertain that possibility.

19 MR. WHITTEN: Uh, I'd like to speak chief to
20 compliance with that or status of that, I'm not sure.

21 MR. HAMES: Uh, thank you, Mr. Commissioner. Um,
22 Gary Hames for the record, Storey County Fire Protection
23 District Fire Chief. Uh, we've been working with them for
24 the last probably nine months.

25 And I apologize not having exact dates. Um,

1 generally accepted practices for our distinct is six
2 months. Um, we've gone over by three months. I think it's
3 a point and time where that building's not safe.

4 That building was disclosed, from my understanding,
5 at escrow that had to be fire sprinkled. Um, it's going
6 into almost a year now. Um, I don't think it's a safe
7 building. I would recommend that you do not issue a
8 general business license for that facility.

9 MR.. WHITTEN: Thank you.

10 MR. MCBRIDE: Do you have any questions on this?

11 MR. MCGUFFEY: I don't.

12 MR. MCBRIDE: Okay. Bruce, come on up.

13 MR. KIDDIS: Bruce Kiddis, Carson City. Would you
14 ask the chief if there is an agreement -- a written
15 agreement that says the sprinklers will be in by December
16 31st and that was negotiated in the county manager's
17 office. Is there agreement that says December 31st or
18 isn't there? There is.

19 MR. MCBRIDE: Chief.

20 MR. HAMES: Uh, thank you, Mr. Chairman. No. There
21 is not. There is an agreement in place that states that
22 it ties back to the gaming license approval. Uh, the
23 gaming license approval was not successful.

24 Um, in my opinion, that agreement is null and void,
25 because it -- it was tied to the gaming license. That

1 process was not fulfilled.

2 MR. MCBRIDE: Okay. Thank you, Chief. Any other
3 public comment on this? Any other questions from the
4 board?

5 MR. MCGUFFEY: Staff's recommendation to approve the
6 Delta business license and to deny the, uh, Bonanza
7 business license; is that correct?

8 MR. WHITTEN: That is correct. That is correct.

9 MR. MCBRIDE: So staff's recommendation is to, uh,
10 deny the Bonanza's general business license and to
11 approve the Delta's general business license.

12 MR. L. GILMAN: So moved. I would move to deny the,
13 uh, Bonanza business license and approve the Delta
14 general business license.

15 MR. WHITTEN: I'll -- I'll second that motion.

16 MR. MCBRIDE: And, uh, the denial would -- would be
17 lifted upon the time that the sprinkler systems were
18 completed with the Bonanza.

19 MR. WHITTEN: Uh, if you're going to -- if --

20 MR. MCGUFFEY: Reapply.

21 MR. WHITTEN: -- if you're going to do that, they'd
22 have to reapply.

23 MR. MCBRIDE: Reapply. Okay.

24 MR. MCGUFFEY: Reapply.

25 MR. MCBRIDE: All right. Motion on the floor is den-

1 -- deny the Bonanza business license and to approve the
2 Delta's general business license. All those in favor,
3 signify by saying aye.

4 ALL: Aye.

5 MR. MCBRIDE: Aye. That makes it unanimous. All
6 right. Um, we're going to go ahead and take about 10
7 minutes. We're going to go into recess right now. Come on
8 up, Bruce.

9 [audio break]

10 MR. MCBRIDE: First of all, is everybody ready?
11 Ready to go?

12 MR. MCGUFFEY: Yes. I'm sorry. Yes.

13 MR. MCBRIDE: Okay. Okay. We're going to reconvene.
14 The Storey County Board of County Commissioners meeting
15 and immediately recess to convene as a straight county
16 fire protection district board.

17 Item number 15, discussion of possible action
18 approval of resolution 15-431 approving portal to portal
19 payment for CFAA mutual aid request.

20 Chief Hames?

21 MR. HAMES: Thank you, Mr. Chairman.

22 Uh, the CFAA is, uh, a five party agreement between,
23 uh, federal parties, uh, U.S. forest service BLM,
24 California emergency service, Cal Fire, and then local
25 government.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 1/05/16

Estimate of time required: 15 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Possible action on Order of Remand from District Court requiring Storey County Liquor Board to state on the record the basis for their decisions to deny the applications for liquor licenses for the Delta Saloon and the Bonanza.

2. **Recommended motion:** No motion is required. Hearing is for the purpose of clarifying the Board's reasons for the denial of the liquor licenses for the Delta Saloon and the Bonanza as requested by Judge Wilson in his order of remand.

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** See attached

5. **Supporting materials:** Order of Remand from District Court; Attachment.

* Please previous item for copy of supporting materials.

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

☒ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 12

Attachment to Agenda Request Form

On December 17, 2015, Judge Wilson of the First Judicial District Court filed an Order of Remand remanding the case of Malfitano et al v. County of Storey, Case No. 15 OC 00008 1E back to the Storey County Liquor Board and to the Board of County Commissioners. In the order, Judge Wilson stated:

This matter is remanded to the respective Boards **for the sole purpose** of having the respective boards state on the record the basis for their decisions to deny the applications.

The order is attached (emphasis added). The reference to “applications” appears to refer to the applications for liquor licenses and business license made by Dr. Malfitano, Virginia City Gaming LLC and Delta Saloon Inc. for liquor and business licenses for the Delta Saloon and the Bonanza. Judge Wilson is not ordering the Board to reconsider its decision nor is he ordering the Board to consider new evidence. Accordingly, the Liquor Board should expressly state its reasons for denying the liquor licenses. The Board of County Commissioners should expressly state why it denied the Bonanza a business license.

FILED

DEC 17 2015

Storey Co. Clerk

Deputy

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR STOREY COUNTY

-o0o-

**DR. VINCENT M. MALFITANO, an
individual; VIRGINIA CITY GAMING,
LLC, a Nevada limited liability
company; and DELTA SALOON, INC., a
Nevada corporation,**

Petitioners,

vs.

**COUNTY OF STOREY, acting by and
through the STOREY COUNTY BOARD
OF COUNTY COMMISSIONERS and the
STOREY COUNTY LIQUOR BOARD,**

Respondents.

CASE NO. 15 OC 00008 1E

DEPT. 2

**ORDER REMANDING TO
STOREY COUNTY BOARD OF
COUNTY COMMISSIONERS
AND STOREY COUNTY
LIQUOR BOARD**

Dr. Vincent M. Malfitano, Virginia City Gaming, LLC, and Delta Saloon, Inc. (collectively Malfitano) raised issues they had not raised in their Ex Parte Motion for Temporary Restraining Order and Motion for Preliminary Injunction. Storey County did not object to the court considering the new issues, so the court is going to consider those issues.

The basis for the Boards' decisions to deny the applications is relevant to the new issues. The basis for the Boards' decisions is not clear.

1 IT IS ORDERED:

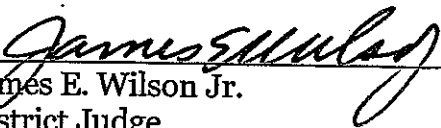
2 This matter is remanded to the respective Boards for the sole purpose of
3 having the respective Boards state on the record the basis for their decisions to
4 deny the applications.
5

6 The Boards will:

- 7 1. Set this matter on the earliest possible date consistent with notice
8 requirements;
9 2. Give Malfitano lawful notice of the meeting; and
10 3. Within five days after the hearings, file with the court and serve
11 Malfitano with a copy of the minutes of the Boards' meetings.
12

13 Within five days after the minutes have been filed the parties will confer
14 and determine whether either or both want to file supplemental briefs. If the
15 parties agree regarding supplemental briefing counsel for Malfitano will file a
16 stipulation and submit a proposed order to the court. If the parties cannot agree,
17 counsel for Malfitano will arrange for a telephone conference with the court and
18 counsel.
19

20 December 18, 2015.

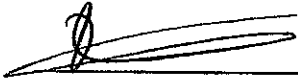
21 
22 James E. Wilson Jr.
23 District Judge
24
25
26
27
28

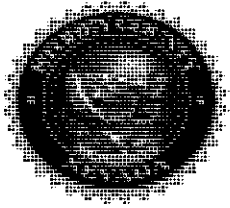
1 **CERTIFICATE OF MAILING**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the First Judicial District
3 Court, and that on this 17th day of December, 2015, I deposited for mailing at Carson City,
4 Nevada, a true and correct copy of the foregoing Order addressed as follows:

5
6 Anne Langer, District Attorney
7 P.O. Box 496
8 Virginia City, NV 89440

9 Matthew Hippler, Esq.
10 5441 Kietzke Lane, Second Floor
11 Reno, NV 89511

12 
13 Angela Jeffries
14 Judicial Assistant, Dept. 1
15
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Storey County Board of County Commissioners Agenda Action Report

Meeting date: January 5, 2016

Estimate of time required: 5 Minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Appointments to serve on State, County and Regional Boards

2. **Recommended motion:** Move to approve committee appointments as recommended by staff
(or as alternatively determined)

3. **Prepared by:** Pat Whitten

Department: Commissioners

Telephone: 847-0968

4. **Staff summary:** Annually at the first Commission meeting in January, the Commission appoints certain individuals to serve on various Committees. Please see the attached list of recommended appointments for each Committee/Board.

5. **Supporting materials:** None

6. **Fiscal impact:** None other than mileage to attend various meetings

Funds Available: Yes

Fund: As budgeted

____ Comptroller

7. **Legal review required:** No

____ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name:

 County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

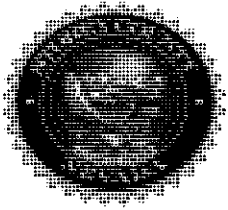
☐ Continued

Agenda Item No. 13

2016 Appointments to Serve on State, County and Regional Boards

1. Safety Committee – Chris Hood – Chair; Vanessa Stephens – Vice Chair
2. Legislative Representative – Marshall McBride with all others, including staff as needed (No Change)
3. Historic Fourth Ward School and Museum Board – Jack McGuffey (No Change)
4. NACO – Jack McGuffey with Austin Osborne as alternate (No Change)
5. Nevada Works – Lance Gilman with Austin Osborne as alternate (No Change)
6. Virginia City Senior Center – Cherie Nevin (No Change)
7. Lockwood Senior Center – Lance Gilman, Cherie Nevin and Maggie Lowther (No Change)
8. St. Mary's Art Center – Jack McGuffey with Cherie Nevin as alternate (Adding Cherie as alternate)
9. Western Nevada Development District – Dean Haymore (No Change)
10. Carson Water Subconservancy District – Austin Osborne (No Change)
11. State Land Use Planning Advisory Council – Austin Osborne with Jason VanHavel as alternate (Substitutes Jason for Dessie Redmond)
12. Natural Resources Conservation District (USDA) – Dean Haymore (No Change)
13. Truckee River Flood Management Authority (Technical Advisory Committee) – Lance Gilman with Austin Osborne and Jason VanHavel as alternates (Substitutes Jason for Dessie)
14. Comstock Historic District – Marshall McBride (No Change)
15. Nevada Commission for the Reconstruction of the V& T Railway – Jack McGuffey (No Change)
16. Virginia City Tourism Commission – Lance Gilman as Commissioner designate with Marshall McBride** as alternate (Adding Marshall as alternate) and confirming continued appointments of Scott Jolcover, Angelo Petrini and Ron Gallagher (Remains the same)
17. Oversight of Fire and Public Works – Marshall McBride (No Change)
18. Economic Development
 - a. EDAWN – Pat Whitten (Changed from Lance Gilman)
 - b. NNDA – Lance Gilman (Remains the same)
19. Storey County Wildlife Advisory Board – Rob DuFresne (Replacing Deny Dotson) and confirming continued appointments of Greg "Bum" Hess, Jim Clark and Rich Bacus (Remains the same)
20. Washoe-Storey Conservation District – Austin Osborne with Jason VanHavel as alternate (Reestablishing Board Appointment)

** Appointment of alternate on the VCTC Board is pending legal review which has been requested.



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: 01/05/16

Estimate of time required: 15 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title:** Discussion/Possible Action: Appointment and/or reappointment of planning commissioners to fill planning commission vacancies in three jurisdictions including: (a) Precincts 3 and 6 (Lockwood/River District); (b) Precinct 4 (Mark Twain District); and (c) Storey County At-Large.
2. **Recommended motion:** "I [Commissioner] motion to: (a) reappoint Ron Engelbrecht to represent Precinct 4 (Mark Twain); (b) reappoint John Herrington to represent Storey County At-Large; and (c) appoint Kris Thompson to represent Precincts 3 and 6 (Lockwood/River District) on the Storey County Planning Commission."
3. **Prepared by:** Pat Whitten, County Manager
4. **Department:** County Manager **Telephone:** 847-0698
5. **Staff summary:** Planning commissioners serve four-year terms and the three subject incumbents' terms expire December 31, 2015. One planning commissioner, Ron Engelbrecht, was appointed on 07/21/15 to fill the remainder of the vacated Precinct 4 Mark Twain seat, which expires December 31, 2015. The coming vacancies were posted countywide from 11/03/15 through 11/30/15. The positions were posted in the *Comstock Chronicle*, on the Storey County website, and elsewhere in accordance with county policy. Letters of interest to serve were received from incumbent Ron Engelbrecht to represent Precinct 4 (Mark Twain District) and from incumbent John Herrington to represent Storey County At-Large. Two letters of interest were received for Precincts 3 and 6 (Lockwood/River District), one from incumbent Bret Tyler and the other from non-incumbent Kris Thompson. **(Continued next page)**
6. **Supporting materials:** Enclosures: (a) position posting; (b) letters of interest.
7. **Fiscal impact:** None on local government.

Funds Available:

Fund:

____ Comptroller

8. **Legal review required:**

____ District Attorney

9. **Reviewed by:**

 Department Head

Department Name:

 County Manager

Other agency review: _____

10. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 14

5. **Staff summary (continued)**: As demonstrated in the memorandum provided by Kris Thompson, he offers vast experience and knowledge in many critical areas. Staff's recommendation accordingly is to reappoint Ron Englebrecht to represent the Mark Twain area; reappoint John Herrington as an "At-Large" representative; and appoint Kris Thompson to represent the River District.

STOREY COUNTY PUBLIC NOTICE
PLANNING COMMISSIONER VACANCIES

Precincts 3 & 6 (Lockwood/River District)

Precinct 4 (Mark Twain District)

At Large

Positions: Storey County Planning Commissioner to represent Precincts 3 & 6 (Lockwood/River District); Storey County Planning Commissioner to represent Precinct 4 (Mark Twain District); and Storey County Planning Commissioner to represent the county At Large.

All interested parties must live within this voting district. The Planning Commission is an advisory body to the Board of County Commissioners. It is responsible for directing the short- and long-range growth and development of the county through maintenance and implementation of the county master plan, zoning ordinances, and other applicable land-use policies. It is composed of seven commissioners who serve two or more times per month on the body and who are compensated pursuant to NRS 278.040. Each commissioner is appointed by the Board of County Commissioners to serve at its pleasure for a four year term with possible re-appointment following expiration of the term.

Preferred Qualifications: A Planning Commissioner's primary duty is to make land-use decisions that are consistent with the policies and plans formally adopted by the Board of County Commissioners. Therefore, the first priority of a Planning Commissioner is to have strong decision-making skills and develop knowledge of county policies and applicable Nevada Revised Statutes. It is not critical to have training in the fields of planning, architecture, law, civil engineering, geology, economics, or demography; these are skills that are available to the commissioner from staff, consultants, and applicants. The Planning Commissioner's job is to weigh input given in staff reports and other professional reports, meeting testimonies, and other correspondence. A Planning Commissioner is like a judge who renders decisions based on the testimony of experts and others who appear as witnesses in a trial. Minimum qualifications of a Planning Commissioner include: a willingness and ability to research and report on issues, programs, and policies related to local land-use matters; ability to attend afternoon and night meetings on a regular basis; ability to sustain harmonious working relationships with commission members, the Board of County Commissioners, staff, residents, applicants, and the public; ability to act within the ethical standards set forth by NRS and NAC; and willingness to expand knowledge related to land-use planning. The new-appointee must successfully pass a criminal background investigation.

Letter of Interest: All interested parties must submit a letter of interest showing qualifications and reason for applying for the appointment. An official job application is not necessary.

Closing Date: Letters of interest (originals) must be received by the Storey County Human Resources Office, Storey County Courthouse, 26 South "B" Street (P.O. Box 176), Virginia City, NV 89440 by **5:00 p.m., Monday, November 30, 2015.** Please contact 775.847.0968 for further questions.

Tentative Appointment Date: The Board of County Commissioners will consider letters of interest at its January 5, 2016 regularly scheduled meeting. Applicants may be asked to speak and should attend.

Storey County is an Equal Opportunity Employer. Posting dates: 11/03/15 – 11/30/15

Enclosure B: Letters of interest from John Herrington, Ron Engelbrecht, Kris Thompson, and Bret Tyler

John M. Herrington
P.O. Box 715
Virginia City, Nevada 89440
775-772-6699

November 30, 2015

Storey County Board of Commissioners
26 South B Street
Virginia City, Nevada 89440

Re: Reappointment to Storey County Planning Commission

Commissioners:

I am submitting this letter to express my desire to serve on the Storey County Planning Commission for another term. I am honored to have served Storey County in this capacity, and thank you for considering me for another term.

As always, I promise to serve the people of Storey County to the best of my ability.

Sincerely,


John M. Herrington

**TO: Austin Osbourne, Storey County
Planning Department**

November 24, 2015

FROM: Ron Engelbrecht, Mark Twain Resident

Austin,

Please consider me for reappointment on the **Storey County Planning Commission**. My time this year on the Planning Commission has been very interesting, worthwhile and very challenging. I will continue my commitment to achieve solid positive results through a concerted team effort, and maintain a desire and determination to attain departmental and organizational excellence that you and this organization have proven over the years.

Storey County and Mark Twain, Nevada has been my home for ten [10] years and my commitment to help improve our community and to have a positive influence in the neighborhood is a genuine desire and promise for me. The **Storey County Master Plan** is a very comprehensive plan for the future direction of our county and offers me a chance to have some positive influence on that direction. I have been involved in several neighborhood programs and organizations over the last few years to pursue this goal for community improvement. I am motivated to do what is in the best interest of the community and our county. My goal is to help improve the neighborhood in a manner that is appreciated and beneficial to all those who desire to live in **Storey County and the Mark Twain Estates** community.

Please let me know if you have any questions or concerns.

I look forward to further discussions regarding any concerns you may have regarding this reappointment.

Regards,

Ron Engelbrecht

[H/O] 775-241-4138

[C] 408-691-3738

MEMORANDUM

TO: Austin Osborne
FROM: Kris Thompson
DATE: November 29, 2015
SUBJECT: Follow up - Statement of Qualifications
Open Position, Storey County Planning Commission

Austin,

Please accept this memorandum as a follow up to my earlier expression of interest. Here is some selected background information which may be applicable to providing good service on the planning commission:

Experience in Real Estate and Zoning

- Worked for TRI in a variety of capacities for 15 years, the last five years working on site at TRI.
- Served for the last year and a half as the Project Manager, TRI
- Coordinated outside counsel services and in that role routinely have dealt with numerous zoning matters and reviews, as well as detailed reviews of the development agreement (including the zoning matters) and related documents.
- Represented TRI in a 10 year California litigation matter involving detailed review and analysis zoning and planning, water rights, and utility agreements, where hundreds of millions of dollars were at issue.
- I have experience in working with developers and contractors on infrastructure extensions and expansions.

Experience in public utilities

- As project manager I have experience in working with the TRI General Improvement District and Water & Sewer Company
- In this capacity, I also have experience in working with contractors putting in utilities, such as water, natural gas, fiber, and reclaim water.
- I have been heavily involved in water planning, such as water rights, potable water production and distribution, sewer infrastructure improvements, and power line extensions and distribution.

Military Experience

- Served as a Cavalry and Armor officer, with 22 years' service –
 - 8 years' active duty with U.S. Army, 14 years California Army National Guard
- Served 4 ½ years on the Iron Curtain with the 11th Armored Cavalry in the Fulda Gap
- Served in Desert Storm with VII (U.S.) Corps
- Served in the LA (Rodney King) Riots on Compton and Watts
- Commanded Cavalry and Armor units at all levels from platoon through regiment including C Troop, 11th Armored Cav, 2/185th Armor, and 223rd Inf Regt (cbt arms).
- 2001 graduate of the US Army War College, Carlisle Barracks
- Earned a Masters in Strategic Studies

Experience in Finance

- I have a degree in Accounting from Kansas State University
- In my earlier career in California I worked frequently on matters involving commercial and real property loans and financing, lender and borrower liability.
- Experience in review and analysis of financial statements such as balance sheets and income and expense statements, and other common business financial reports.

Experience in Administrative Proceedings

- Also in my earlier career in California I worked frequently in a variety of administrative proceedings before various administrative officers and courts.

Thank you.

Kris Thompson

Nov. 11th 2015

To the Storey County Commissioners,

I have served on the Storey County Planning Commission for approx. 15 years. Currently I chair the Planning Commission. I would like to continue to serve and commit myself for another four year term.

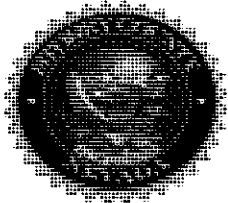
Thank you,

Bret Tyler

A handwritten signature in black ink, consisting of several loops and a trailing flourish.

Chairman Storey County Planning Commission

Chairman Washoe-Storey Conservation District



Storey County Board of County Commissioners Agenda Action Report

Meeting date: January 5, 2016

Estimate of time required: 5 mins

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Appointment of Pamela Abercrombie, with St. Mary's Art Center, to the vacant "Motel" seat on the Virginia City Tourism Commission effective January 5, 2016.

2. **Recommended motion** Approve appointment of Pamela Abercrombie

3. **Prepared by:** Deny Dotson

Department: Virginia City Tourism Commission

Telephone:

4. **Staff summary:**

5. **Supporting materials:** Letter of interest, letter of recommendation

6. **Fiscal impact:** yes

Funds Available:

Fund:

___ Comptroller

7. **Legal review required:**

___ District Attorney

8. **Reviewed by:**

___ Department Head

Department Name: Commissioner's Office

 County Manager

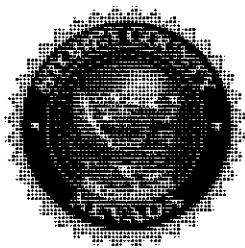
Other agency review:

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No 15



COMMISSIONERS OFFICE

PO BOX 176
VIRGINIA CITY, NEVADA 89440
Phone 775-847-0968
Fax 775-847-0949

December 15, 2015

Meeting Date: January, 5th 2016

Agenda Item:

Appointment of Pamela Abercrombie, with St. Mary's Art Center, to the vacant "Motel" seat on the Virginia City Tourism Commission effective January 5, 2016.

Summary Notes:

Commissioners,

Resolution 12-343 was passed in June, 2012 to establish membership of the Storey County fair and recreation board. (VCTC)

"The fair and recreation board (board) will consist of five members and will be appointed by the board of county commissioners. Members, who are not elected, are appointed to serve a term of 2 years and may be reappointed. The board during January of each odd-numbered year must select a chair, a vice-chair, a secretary and treasurer. The secretary treasurer may be one person. Any vacancy among the officers between biennial elections must be filled by the board to serve the unexpired term. If a vacancy occurs during a term of one of the members, the board of county commissioners will appoint a new member meeting the requirements to complete the term.

- a) One member must be a current county commissioner to serve the remainder of his or her term.
- b) One member to represent the motel operators in the county.
- c) One member to represent the hotel operators in the county.
- d) One member to represent other commercial interests in the county (including tourism or gaming and excluding lodging); and
- e) One member at large.

On October 6th, 2015 Molly Burnett officially resigned her seat, representing the motel operators within the County.

Staff Recommendation:

Motion to approve the current open "motel" seat, for the Virginia City Tourism Commission, be filled by Pam Abercrombie who represents St. Mary's Art Center

Note:

Formal oath(s) for the new and current board members will be taken prior to the VCTC meeting on January 14th, 2016

Jessie Fain

Subject: FW: Resignation

-----Original Message-----

From: Molly Burnet [<mailto:vcdesigns1@gmail.com>]

Sent: Tuesday, October 06, 2015 10:42 AM

To: Cory Wood

Subject: Resignation

Hello Cory,

Would you kindly pass this on for me?

Thanks So Much,
Molly

Dear Deny and VCTC Board Members,

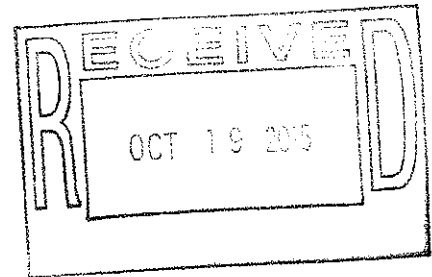
My taking a recent employment opportunity has changed my availability to attend our monthly meetings, rendering me an ineffectual Board Member. Though I am quite happy with this new job, I am disappointed to have to ask you to consider this my resignation.

It was an honor to have been asked to sit on this Board.

Best wishes for the greatest success.

Sincerely,
Molly Burnet

Pamela Abercrombie
PO Box 61
Virginia City, Nevada, 89440
775-720-7445
pam@comstockfoundation.org



October 16, 2015

Storey County Board of Commissioners
PO Box 176
Virginia City, Nevada, 89440

Re: Letter of Interest, Virginia City Tourism Commissioner Seat – Motel Operator

Dear Storey County Commissioners

Please consider this Letter of Interest with qualifications for serving as a Virginia City Tourism Commissioner, representing motel operators in Storey County. Since late 2013, I have consistently attended the Virginia City Tourism Commission's public meetings. I have paid close attention to the priorities, challenges, strengths, and successes of the Commission. I have noticed the progress the Commission has made with tourism in Virginia City. The team Deny Dotson has working with him, the leadership of the Commissioners, and Mr. Dotson himself have made a significant difference in Virginia City's tourism and business community. I have observed the concerns of the business community and the dedicated attention the tourism commission has responded with to these concerns. I truly believe my support and service to the Commission will only augment the great things happening with tourism in Virginia City.

I am a Board Trustee for St. Mary's Art Center in the historic St. Mary Louise Hospital. As a Board Trustee, I not only serve on the board, but also volunteer 30+ hours a month as a nonprofit business consultant. I managed daily operations as the interim director between June and September 2015. Prior to the previous director's departure, I was greatly involved with daily operations because of the overwhelming responsibilities associated with managing this diverse organization.

Since involvement as a Board Trustee, I formalized the administrative procedures for overnight accommodations, developed and implemented financial management policies, expanded the docent program, enhanced documentation on the history of St. Mary Louise Hospital, implemented a business infrastructure that supports a diverse organization, and enriched collaborations with local organizations. St. Mary's Art Center is a Comstock gem that contributes immensely to the special character of Virginia City.

My professional experience includes 14 years in nonprofit, eight of which are administrative and working with a tribal council, the equivalent to a board of commissioners. My graduate studies in public administration deepened my knowledge of government processes, policy analysis, evaluation, public finance and budgeting, human resource management, and the common thread of social, economic, and political contexts embedded in government processes. My combined experience and education only reinforced my belief that collaboration and acknowledging the benefits of shared goals are keys to success! In addition, public input and public involvement are critical to that success.

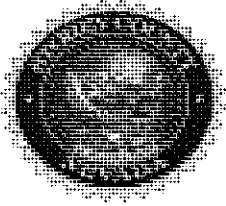
Lastly, as a native Nevadan, I absolutely love tourism and tourism comes naturally to me. Born and raised in Carson City allowed me to grow up visiting Virginia City frequently. My previous two years working on the Comstock has afforded me many opportunities to become familiar with our communities and Storey County government. I see the potential of Virginia City to continually increase the quality of tourism and overnight stays in our unique historic town saturated with a rich history. Because of my undergraduate degree in history and unending love for history, I put much emphasis on preserving and promoting history. In reference to overnight accommodations, St. Mary's Art Center is working on ways to support the tourism commission's efforts to increase transient lodging in Virginia City. St. Mary's is indeed an art center, but in addition to the art, the history of the building draws many to stay with us and building/room rentals largely supports our daily operations. Finally, as the Comstock Foundation for History and Culture's Executive Director, I firmly believe in leveraging our Comstock History to support economic development and sustainability through tourism.

Please let me know if you need any additional information from me.

Respectfully yours,

A handwritten signature in dark ink, appearing to read 'P. Abercrombie', with a stylized, flowing script.

Pamela J. Abercrombie, MPA
St. Mary's Art Center, Inc.
Board Trustee and Volunteer Nonprofit Consultant
Comstock Foundation for History and Culture
Executive Director



Storey County Board of County Commissioners Agenda Action Report

Meeting date: January 5, 2016
minutes

Estimate of time required: 15

Agenda: Consent [] Regular agenda [x] Public hearing required []

1. **Title:** Action on proposed resolution to appoint the Administrative Assistant of the Public Works Department as authorized to serve and record liens for unpaid water and sewer rates, tolls and charges on behalf of the Storey County Board of County Commissioners and/or the Board of Trustees of the Virginia Divide Sewer Improvement District

2. **Recommended motion:** I move to approve the Resolution appointing the Administrative Assistant of the Department of Public Works to serve and record liens for unpaid water and sewer rates, tolls and charges on behalf of the Board of County Commissioners of Storey County and/or the Board of Trustees of the Virginia Divide Sewer Improvement District and authorize the Chairman to sign.

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** See attached

5. **Supporting materials:** Proposed Resolution

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: Storey County Water and Sewer System

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 16

Staff Report

The Storey County Department of Public Works provides water and/or sewer services to three legally distinct areas. These include areas within the boundaries of the Virginia Divide Sewer Improvement District (District), areas outside the boundaries of this District but within Storey County and areas within Silver City which are both outside the boundaries of the District and outside of Storey County. The proposed resolution proposes to provide the authority to file liens against properties located within Storey County both within and without of the District but not within areas of Lyon County.

Storey County has created the Virginia Divide Sewer Improvement District (District) pursuant to Storey County Code §13.116.010 et seq. The District was created pursuant to NRS §318.010, et seq. Pursuant to this ordinance, the District is empowered to operate a sewer treatment facility and sewer system. SCC § 13.116.040(A). The District is also:

[I]nvested with the power to combine administrative functions of the Virginia City Water Company with the administrative functions of the Virginia City Water Company with the administrative functions of the district, so long as the added expense of said combination is satisfied by the water company, objectives of this chapter.

SCC §13.116.040(C). The boundaries of the District are described as: "the town limits of Virginia City, and that portion of the town of Gold Hill which drains by gravity to the wastewater treatment facility commonly known as 'the Divide'." SCC §13.116.030.

Pursuant to NRS 318.197 the district is authorized to fix rates tolls or charges for the provision of water and sewer services. Pursuant to subsection 9 of this section the District is authorized to impose a lien on the property served with water and sewer by the District if the District prepares a notice of lien, serves the notice on the last known owner and delivers the lien to the County recorder for recordation. The proposed resolution delegates the authority to prepare, serve and deliver for recordation the notice of the lien upon the administrative assistant of the Public Works Department.

Not all of the areas served by water and sewer utilities administered by the Storey County Public Works Department are located within the boundaries of the Virginia Divide Sewer Improvement District. Areas outside of the District but within Storey County are subject to the authority of the Board of County Commissioners of Storey County. Pursuant to NRS §244.157 a board of county commissioners has all of the authority of a general improvement district created by Chapter 318 of the NRS so long as the county exercises its authority in compliance with the same procedures with which a board of trustees of a general improvement district is required to comply. A board of trustees of a general improvement district is authorized to impose a lien for the provision of water and sewer services pursuant to NRS 318.197. Consequently, the Board of County Commissioners is also authorized to impose a lien for such services upon compliance with the requirements of NRS § 318.197. The proposed resolution authorizes the administrative assistant to file liens on behalf of the Board of County Commissioners for properties receiving water and/or sewer service which are within Storey County but outside the boundaries of the Virginia Divide Sewer Improvement District.

The Department of Public Works also provides water service to Silver City located in Lyon County. This area is not within the boundaries of the Virginia Divide Sewer Improvement District. The authority to file liens upon properties within the Silver City area will probably have to come from the Board of County Commissioners of Lyon County.

RESOLUTION NO. 16- 434

A RESOLUTION AUTHORIZING THE ADMINISTRATIVE ASSISTANT OF THE STOREY COUNTY PUBLIC WORKS DEPARTMENT TO SIGN, SERVE AND RECORD LIENS FOR UNPAID WATER AND/OR SEWER CHARGES

WHEREAS pursuant to NRS 244.157 and NRS 318.197 the Board of County Commissioners of Storey County (Board) is authorized to serve and record liens for unpaid water and/or sewer rates, tolls and charges; and,

WHEREAS, the Board of County Commissioners of Storey County acts ex officio as the Board of Trustees of the Virginia Divide Sewer Improvement District pursuant to Storey County Code Section 13.116.060; and,

WHEREAS, The Board of Trustees is authorized pursuant to NRS 318.197 to serve and record liens for unpaid water and/or sewer rates, tolls and charges; and,

WHEREAS the Storey County Public Works Department is responsible for billing customers for the water/and/or sewer services provided by Storey County and/or the Virginia Divide Sewer Improvement District;

NOW THEREFORE THE BOARD DOES HEREBY RESOLVE

That the Storey County Public Works Department Administrative Assistant is hereby designated as the agent of the Board to sign, serve and record liens for unpaid water and/or sewer charges, tolls and/or fees.

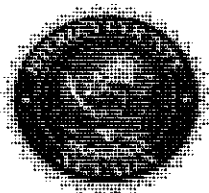
ADOPTED this ____ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY/
BOARD OF TRUSTEES OF VIRGINIA DIVIDE SEWER
IMPROVEMENT DISTRICT

By: _____
Marshall McBride, Chairman

Attest:

Vanessa Stephens, Clerk



Storey County Board of County Commissioners Agenda Action Report

Meeting date: ~~12/01/15~~ 01/05/2016 Estimate of time required: 15 min.

Agenda: Consent [] Regular agenda [x] Public hearing required [x]

1. **Title:** Discussion/Possible Action: Approval of award to Aspen Developers a total amount of \$238,200.00 for the completion of the Storey County Courthouse Parking Lot Project in Virginia City, Nevada, and \$11,799.00 as contingency monies toward the project.
2. **Recommended motion:** In conformance with the applicable federal, state, and county regulations, and the recommendation for approval by staff, I (Commissioner) motion to approve the award to Aspen Developers a total amount of \$238,200.00 for the completion of the Storey County Courthouse Parking Lot Project in Virginia City, Nevada, and \$11,799.00 as contingency monies toward the project.
3. **Prepared by:** Austin Osborne

Department: Planning

Telephone: 847-1144

4. **Staff summary:** Bids by six separate independent contractors for the Storey County Courthouse Parking Lot Project in Virginia City, Nevada, were opened on November 2, 2015, and Aspen Developers was determined to be the lowest responsible and responsive bidder. Aspen's base bid total was \$234,000.00. The parking lot project will include new concrete flatwork, site grading, retention wall and erosion control installation, fence installation, irrigation work, and electrical work. The contractor is given 90 days to complete the work in compliance with all laws and regulations, and subject to contractual terms and other factors.
5. **Supporting materials:** Enclosures: (A) letter of recommendation for contractor; (B) bid form for construction contracts; (C) bid comparison; and (D) general project plan drawing.
6. **Fiscal impact:** Yes.

Funds Available: Yes

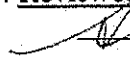
Fund: Capital Projects

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 17

Enclosure A: Letter of Recommendation for Contractor
(Courthouse Parking Lot Project 2015)



November 19, 2015

Austin Osborne, PHR, SHRM-CP
Administrative Officer/Planning Director
Storey County Courthouse
Box 176 Virginia City, NV 89440

RE: VIRGINIA CITY COURTHOUSE PARKING LOT (PROJECT No. ST-2015-197) - RECOMMENDATION OF AWARD OF CONSTRUCTION CONTRACT

Dear Austin,

As you are aware, bids for the Virginia City Courthouse Parking Lot Project were opened on November 2, 2015 and Aspen Developers (Aspen) was determined to be the lowest responsible and responsive bidder. Aspen's bid submittal was reviewed and was found to meet all project requirements. References were checked; they come recommended. Furthermore, Aspen meets the qualifications presented in Instructions to Bidders, Article 3, of the contract documents. Aspen, together with their subcontractors, have been engaged in this general class of work and have a history of completing projects successfully. They and their subcontractors are licensed and bonded in Nevada.

Based on the above information, we recommend the Storey County Commissioners award Aspen Developers a total amount of **\$238,200.00** (Base Bid amount of \$234,000.00 plus a portion of Bid Alternate Item-22 in the amount of \$4,200.00 [140cy@\$30/cy] to address additional calculated earthwork quantities).

Since the maximum budget for a public works project may not exceed \$250,000.00 without requiring prevailing wages we recommend **\$11,799.00** be approved as contingencies monies towards the project (5% contingency fund). As of now, we do not expect any construction change orders and believe Aspen will work with Storey County to adequately address any concerns without increasing the contracted amount. Therefore, we request the Storey County Commissioners approve **\$249,999.00** for construction funds towards this project.

Should you need any further information, please let me know.

Sincerely,

Farr West Engineering

A handwritten signature in black ink, appearing to read "Chuck Reno", written over a horizontal line.

Chuck Reno, P.E.
Project Manager

SECTION 00410

BID FORM FOR CONSTRUCTION CONTRACTS
COURTHOUSE PARKING LOT

PWP No. ST-2015-197

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Article 6 – Time of Completion	5
Article 7 – Attachments to this Bid	5
Article 8 – Defined Terms	5
Article 9 – Bid Submittal	6

ARTICLE 1 – BID RECIPIENT

- 1.1 This Bid is submitted to Owner address as identified in Section 00100 – Advertisement.
- 1.2 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

- 2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.1 In submitting this Bid, Bidder represents that:

- A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
<u>1</u>	<u>10/28/2015</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.
- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.

ADDENDUM NO. 1

October 28, 2015

Engineer:
Farr West Engineering
5442 Longley Lane, Suite A
Reno, NV 89511

Owner:
Storey County
P.O. Box 176
Virginia City, NV 89440

VIRGINIA CITY PARKING LOT PROJECT

To: All Holders of the Bidding Documents, Specifications, and Drawings.

The Contract Documents for the above-referenced Project are modified as set forth in this Addendum. The original Contract Documents and any previously issued addenda remain in full force and effect, except as modified by this Addendum, which is hereby made part of the Contract Documents. Bidder shall take this Addendum into consideration when preparing and submitting a bid, and shall acknowledge receipt of this Addendum in Article 3 of the Bid Form. Failure to do so may subject the Bidder to disqualification.

Bid Submittal Deadline: The Bid submittal deadline remains the same and is not changed by this Addendum.

This addendum consists of:

4 Pages of text (including this cover sheet) plus attachments noted.



Prepared by:

Gregory Lyman, P.E.

- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.1 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

- 5.1 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

VIRGINIA CITY COURTHOUSE PARKING LOT

Item	Description	Quantity	Unit	Unit Price	Total
1	Mob / Demob	1	LS	1500	1500
2	Earthwork	1200	CY	30	36,000
3	Traffic Control	1	LS	1500	1500
4	Curb (Type 1)	340	LF	25	8500
5	Curb and Gutter	420	LF	30	12,600
6	Apron	1	LS	2000	2000
7	HC Ramp	2	EA	2250	4500
8	Paver Sidewalk	724	SF	11	7964
9	Concrete Flatwork	210	SF	20	4200
10	Aggregate Base	642	CY	35	22470
11	Light Pole Standard- Non-Traffic Area and Light Post	5	EA	5,000	25,000
12	Catch Basin	2	EA	1,500	3,000
13	Storm Drain Line	235	LF	75	17,625
14	HC Sign	2	EA	50	100
15	Bumper	4	EA	50	200
16	Irrigation System	1	LS	1000	1000
17	42" Wrought Iron Fence	155	LF	50	7750
18	Electrical	1	LS	15,000	15,000
19	Remove and Replace Non-Colored Concrete	220	SF	25	5,500
20	Rip-Rap Placement	445	CY	30	13,350
21	Landscape Wall	1	LS	44,241	44,241
22	BID ALT 1 - Additional Earthwork	1,000	CY	30	30,000
23	BID ALT 2 - Additional Wrought Iron Fence	400	LF	55	22,000
24	BID ALT 3 - Additional Colored Flat Work	500	SF	30	15,000

TOTAL BASE BID PRICE - \$ 234,000.00 (without alternates)

\$ Two Three Four, zero, ZERO ZERO \$ 00/100

Total ALT 1, 2, 3 = \$67,000.00 (In Words SIX SEVEN ZERO ZERO ZERO \$00/100)

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

Unit Prices have been computed in accordance with Paragraph 13.03.B of the General Conditions.

The requirements of Nevada Revised Statutes (NRS) shall apply to this project. The BIDDER is responsible for compliance with all applicable statutes. These statutes include, but are not limited to:

- A. NRS 338.080: Exemptions
- B. NRS 338.141: Bids to include certain information concerning subcontractors; requirements for substitution of named subcontracts.
- C. NRS 338.147: Award of Contract to Contractor who submits best bid.

ARTICLE 6 – TIME OF COMPLETION

- 6.1 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.2 Bidder accepts the provisions of the Agreement as to Liquidated Damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.1 The following documents are submitted with and made a condition of this Bid:
 - A. Required Bid security in the form of a Bid Bond (EJCDC C-430);
 - B. List of proposed Subcontractors (Section 00440);
 - C. List of proposed Suppliers (Section 00440);
 - D. Required Bidder Qualifications Statement with supporting data (EJCDC C-450);
 - E. Evidence of authority to do business in Storey County and the State of Nevada;
 - F. Evidence of qualifications for in-state bidder preference, if requesting consideration; and
 - G. Contractor's License number. May be combined with another attachment.
 - H. Project schedule. (Section 00460)

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 -- BID SUBMITTAL

BIDDER: [Indicate correct name of bidding entity]

Aspen Developers Corp

By:

[Signature]

[Printed name]

Ryan Horning
(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]

[Printed name]

Title:

Submittal Date:

Address for giving notices:

P.O. Box 34145

West, NY 89533

Telephone Number:

Fax Number:

Contact Name and e-mail address:

Bidder's License No.:

(775) 786-3310

(775) 786-0790

Ryan Horning
r.horning@aspendevs.com

DD55758
(where applicable)

5% SUBCONTRACTOR LIST

Each Bidder shall list below the name of each subcontractor who will provide labor or a portion of the Work to the Contractor for which he will be paid an amount exceeding five (5) percent of the Bidder's total Bid and the number of the license issued to the subcontractor pursuant to Chapter 624 of the NRS. The Bidder shall also list themselves as performing itmes not otherwise subcontracted. A general description of this Work shall be listed.

Project Name: Court House Parking Lot PWP # 2015-197
 Bidder Name: Aspen Developers LLC
 Bidder Address: P.O. Box 34210, Reno, NV 89533
 Telephone No.: (775) 486-3310

Work to be Performed	Percent of Total Contract	Subcontractor's Name, Address, and License Number
1. (Describe all remaining Work not otherwise subcontracted, see above.) - Dirt Work - BASE Work - Pavers -	(Remaining percentage of work not subcontracted.) 13%	(Prime Contractor) 2340 E 5th ST RENO NV 89512 665758 ASPEN DEVELOPERS
2. Concrete Work	12%	(Subcontractor) Reno Concrete - P.O. Box 34210 NV # 40810 Reno, NV 89533
3. Electrical -	12%	(Subcontractor) Titan Electric P.O. Box 18202 NV # 69814 Reno, NV 89511
4.		(Subcontractor)
5.		(Subcontractor)
6.		(Subcontractor)

NOTE: Additional numbered pages may be attached if needed.
 5% Suppliers may be included on this or another page.

1% SUBCONTRACTORS LIST

Within 2 hours after the completion of the opening of the Bids, the Bidders who submitted the three lowest bids must submit a list of the name of each subcontractor who will provide labor or a portion of the Work to the Contractor for which he will be paid an amount exceeding one (1) percent of the Bidder's total bid or \$50,000, whichever is greater, and the number of the license issued to the subcontractor pursuant to Chapter 624 of the NRS. This list may be emailed or faxed to the Owner or Owner's Representative, or may be submitted with the Bid Proposal Form. The Bidder shall also list themselves as performing items not otherwise subcontracted. A general description of this Work shall be listed.

Project Name: Court House Parking Lot PWP 2015-197
 Bidder Name: Aspen Developers Corp
 Bidder Address: 3000 Rte 34145 Reno NV 89503
 Telephone No: 775-786-3310

Work to be Performed	Percent of Total Contract	Subcontractor's Name, Address, and License Number
1. (Describe all remaining work not otherwise subcontracted, see above.) <u>Dirt-Hauling-Divers</u>	(Remaining percentage of work not subcontracted:)	(Prime Contractor) <u>2340 E. 5TH ST</u> <u>RENO NV 89512</u> <u>55758</u> <u>ASPEN DEVELOPERS</u>
2. <u>Fencing -</u>	<u>2%</u>	(Subcontractor) <u>Artistic Fence</u> <u>480 Morrill Ave</u> <u>#7798A</u> <u>Reno, NV 89512</u>
3. <u>TESTING</u>	<u>1%</u>	(Subcontractor) <u>Black Eagle</u> <u>1345 Capital Blvd</u> <u>#A</u> <u>Reno, NV 89502</u>
4.		(Subcontractor)
5.		(Subcontractor)
6.		(Subcontractor)
7.		(Subcontractor)

NOTE: Additional numbered pages may be attached if needed.

5% SUPPLIERS LIST

Each Bidder shall list below the name of each supplier who will provide materials or equipment to the Contractor for which they will be paid an amount exceeding five (5) percent of the Bidder's total Bid and the number of the license issued to the supplier pursuant to Chapter 624 of the NRS. The Bidder shall also list themselves as supplying items not otherwise supplied. A general description of this Work shall be listed.

Project Name: Court House Parking Lot PWP 54-2015-197
 Bidder Name: Aspen Developers Corp
 Bidder Address: P.O. Box 34145 Reno NV 89533
 Telephone No.: 775-786-3310

Supplies to be Provided	Percent of Total Contract	Supplier's Name, Address, and License Number
1. (Describe all remaining work not otherwise supplied, see above.)	(Remaining percentage of work other than supplies:)	(Prime Contractor) 2340 E. 5TH ST RENO NV 89512 55755 ASPEN DEVELOPERS
2. Blocks & Drop Inlets	20%	(Supplier) Jensen Precast
3.		(Supplier)
4.		(Supplier)
5.		(Supplier)
6.		(Supplier)
7.		(Supplier)
8.		(Supplier)

NOTE: Additional numbered pages may be attached if needed.

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):

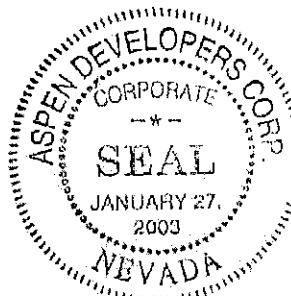
Aspen Developers Corp
2340 E 5th St.
Reno, NV 89512

SURETY (Name, and Address of Principal Place of Business):

Developers Surety and Indemnity Company
Five Centerpointe Dr., Suite 530
Lake Oswego, OR 97035

OWNER (Name and Address):

Storey County Public Works
PO Box 435/100 Toll Rd.
Virginia City, NV 89440



BID

Bid Due Date: November 3, 2015

Description (Project Name— Include Location): Courthouse Parking Lot, PWP ST-2015-197

BOND

Bond Number: N/A

Date: November 3, 2015

Penal sum Five Percent of Total Amount Bid ***

\$ 5% ***

(Words)

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

SURETY

Aspen Developers Corp

(Seal) Developers Surety and Indemnity Company (Seal)

Bidder's Name and Corporate Seal

Surety's Name and Corporate Seal

By:

Signature

RYAN HORNUNG

Print Name

MANAGER

Title

Attest:

Signature

Title

Office Manager

By:

Signature (Attach Power of Attorney)

Vicki Mather

Print Name

Attorney-in-Fact

Title

Attest:

Signature

Title Witness for Surety

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
 - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2 All Bids are rejected by Owner, or
 - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19726, IRVINE, CA 92623 (949) 263 3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Brent Olson, Richard W. Kowalski, John D. Klump, Vicki Mather, Philip O. Forker, Gloria Bruning, Gene M. Dietzman, James P. Dooney, J. Patrick Dooney, Joel Dietzman, Christopher A. Reburn, Karen A. Pierce, Ray M. Paiement, Tami Jones, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this November 21, 2013.

By: Daniel Young
Daniel Young, Senior Vice-President

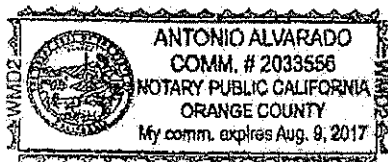
By: Mark J. Lansdon
Mark J. Lansdon, Vice-President

State of California
County of Orange



On November 21, 2013 before me, Antonio Alvarado, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Mark J. Lansdon
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Antonio Alvarado

Antonio Alvarado, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 3rd day of November, 2015.

By: Cassie J. Berrisford
Cassie J. Berrisford, Assistant Secretary

BIDDER QUALIFICATIONS STATEMENT

THE INFORMATION SUPPLIED IN THIS DOCUMENT IS CONFIDENTIAL TO THE EXTENT PERMITTED BY LAWS AND REGULATIONS

1. SUBMITTED BY:

Official Name of Firm:

Aspen Developers Corp

Address:

P.O. Box 34145
Reno, NV 89533

2. SUBMITTED TO:

Storey County Public Works

3. SUBMITTED FOR:

Owner:

Project Name:

Cost Home Parking lot PWP ST 2015-197

TYPE OF WORK:

Construct per plans and
referenced project

4. CONTRACTOR'S CONTACT INFORMATION

Contact Person:

Ryan Horning

Title:

Project Manager

Phone:

775-786-3310

Email:

r.horning@aspendev.com

5. AFFILIATED COMPANIES:

Name:

EJCDC® C-450, Qualifications Statement.

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and American Society of Civil Engineers. All rights reserved.

Page 1 of 8

Address:

6. TYPE OF ORGANIZATION:

☐ SOLE PROPRIETORSHIP

Name of Owner:

Doing Business As:

Date of Organization:

☐ PARTNERSHIP

Date of Organization:

Type of Partnership:

Name of General Partner(s):

☒ CORPORATION

State of Organization:

Nevada

Date of Organization:

1-27-2003

Executive Officers:

- President:

Joe Surpa

- Vice President(s):

- Treasurer:

Eric Guster

- Secretary:

Eric Guster

☐ LIMITED LIABILITY COMPANY

State of Organization:

Date of Organization:

EJCDC® C-450, Qualifications Statement.

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and American Society of Civil Engineers. All rights reserved.

Members:

☐ JOINT VENTURE

State of Organization:

Date of Organization:

Form of Organization:

Joint Venture Managing Partner

- Name:

- Address:

Joint Venture Managing Partner

- Name:

- Address:

Joint Venture Managing Partner

- Name:

- Address:

7. LICENSING

Jurisdiction:

State of Nevada

Type of License:

A. General Engineering

License Number:

2055758

EJCDC® C-450, Qualifications Statement.

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and American Society of Civil Engineers. All rights reserved.

Page 3 of 8

Jurisdiction: _____

Type of License: _____

License Number: _____

8. CERTIFICATIONS

CERTIFIED BY: _____

Disadvantage Business Enterprise: _____

Minority Business Enterprise: _____

Woman Owned Enterprise: _____

Small Business Enterprise: _____

Other (_____): _____

9. BONDING INFORMATION

Bonding Company: ANCHOR INSURANCE & SURETY

Address: 1201 SW 12TH AVE., SUITE 500

PORTLAND OR 97205

Bonding Agent: RICK KOWALSKI

Address: _____

Contact Name: VICKI MATHER

Phone: 503-224-2500

Aggregate Bonding Capacity: 5 million

Available Bonding Capacity as of date of this submittal: 4 million

10. FINANCIAL INFORMATION

Financial Institution: Bank of the West

Address: 10181 Truckee Airport Road

Truckee, CA 96161

Account Manager: _____

Phone:

1-800-488-2265

INCLUDE AS AN ATTACHMENT AN AUDITED BALANCE SHEET FOR EACH OF THE LAST 3 YEARS

11. CONSTRUCTION EXPERIENCE:

Current Experience:

List on **Schedule A** all uncompleted projects currently under contract (If Joint Venture list each participant's projects separately):

Previous Experience:

List on **Schedule B** all projects completed within the last 5 Years (If Joint Venture list each participant's projects separately).

Has firm listed in Section 1 ever failed to complete a construction contract awarded to it?

☐ YES ☐ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Has any Corporate Officer, Partner, Joint Venture participant or Proprietor ever failed to complete a construction contract awarded to them in their name or when acting as a principal of another entity?

☐ YES ☐ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Are there any judgments, claims, disputes or litigation pending or outstanding involving the firm listed in Section 1 or any of its officers (or any of its partners if a partnership or any of the individual entities if a joint venture)?

☐ YES ☐ NO

If YES, attach as an Attachment details including Project Owner's contact information.

12. SAFETY PROGRAM:

Name of Contractor's Safety Officer: _____

Include the following as attachments:

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) OSHA No. 500- Log & Summary of Occupational Injuries & Illnesses for the past 5 years.

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all OSHA Citations & Notifications of Penalty (monetary or other) received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all safety citations or violations under any state all received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

Provide the following for the firm listed in Section V (and for each proposed Subcontractor furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) the following (attach additional sheets as necessary):

Workers' compensation Experience Modification Rate (EMR) for the last 5 years:

YEAR	<u>2010</u>	EMR	<u>.89</u>
YEAR	<u>2011</u>	EMR	<u>.92</u>
YEAR	<u>2012</u>	EMR	<u>.93</u>
YEAR	<u>2013</u>	EMR	<u>.89</u>
YEAR	<u>2014</u>	EMR	<u>1.33</u>

Total Recordable Frequency Rate (TRFR) for the last 5 years:

YEAR	<u>2010</u>	TRFR	<u>.06</u>
YEAR	<u>2011</u>	TRFR	<u>.08</u>
YEAR	<u>2012</u>	TRFR	<u>.07</u>
YEAR	<u>2013</u>	TRFR	<u>.07</u>
YEAR	<u>2014</u>	TRFR	<u>.1</u>

Total number of man-hours worked for the last 5 Years:

YEAR	<u>2010</u>	TOTAL NUMBER OF MAN-HOURS	<u>22,854</u>
YEAR	<u>2011</u>	TOTAL NUMBER OF MAN-HOURS	<u>42,514</u>
YEAR	<u>2012</u>	TOTAL NUMBER OF MAN-HOURS	<u>25,881</u>
YEAR	<u>2013</u>	TOTAL NUMBER OF MAN-HOURS	<u>37,179</u>
YEAR	<u>2014</u>	TOTAL NUMBER OF MAN-HOURS	<u>77,857</u>

Provide Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) Days Away From Work, Days of Restricted Work Activity or Job Transfer (DART) incidence rate for the particular industry or type of Work to be performed by Contractor and each of Contractor's proposed Subcontractors and Suppliers) for the last 5 years:

YEAR	<u>2010</u>	DART	<u>2.1</u>
YEAR	<u>2011</u>	DART	<u>2.0</u>
YEAR	<u>2012</u>	DART	<u>1.8</u>
YEAR	<u>2013</u>	DART	<u>1.8</u>
YEAR	<u>2014</u>	DART	<u>1.7</u>

13. EQUIPMENT:

MAJOR EQUIPMENT:

List on Schedule C all pieces of major equipment available for use on Owner's Project.

ATTACHED ATTACHMENT C

I HEREBY CERTIFY THAT THE INFORMATION SUBMITTED HERewith, INCLUDING ANY ATTACHMENTS, IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME OF ORGANIZATION:

Apex Developers Corp

BY:

[Signature]

TITLE:

Project Manager

DATED:

10-29-15

NOTARY ATTEST:

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 29th DAY OF Oct 2015

NOTARY PUBLIC - STATE OF

Nevada

MY COMMISSION EXPIRES:

May 15, 2017



REQUIRED ATTACHMENTS

1. Schedule A (Current Experience).
2. Schedule B (Previous Experience).
3. Schedule C (Major Equipment).
4. ~~Audited balance sheet for each of the last 3 years for firm named in Section 1.~~
5. Evidence of authority for individuals listed in Section 7 to bind organization to an agreement.
6. Resumes of officers and key individuals (including Safety Officer) of firm named in Section 1.
7. Required safety program submittals listed in Section 13.
8. Additional items as pertinent.

SCHEDULE A

SEE ATTACHED

CURRENT EXPERIENCE	Owner's Contact Person			Design Engineer			Contract Date	Type of Work	Status	Cost of Work
	Project Name	Name:	Address:	Telephone:	Name:	Company:	Telephone:			
		Name:	Address:	Telephone:	Name:	Company:	Telephone:			
		Name:	Address:	Telephone:	Name:	Company:	Telephone:			
		Name:	Address:	Telephone:	Name:	Company:	Telephone:			
		Name:	Address:	Telephone:	Name:	Company:	Telephone:			
		Name:	Address:	Telephone:	Name:	Company:	Telephone:			
		Name:	Address:	Telephone:	Name:	Company:	Telephone:			
		Name:	Address:	Telephone:	Name:	Company:	Telephone:			

**Aspen Developers Corp. Experience Statement
Schedule A**

Job Name	Description	Owner	Contact Information	Date Complete	Value
Chamberland Dr. Water Main Replacement	1075 lf of 8" water main replacement	TCPUD	Jon LeRoy 221 Fairway Dr. Tahoe City, CA 96145 530.583.3796	10/12	\$350k
Martis Valley Well TH-1	1500 GPM pump, Well House, Chlorine Facility and 1300 lf of 350 psi DI Waterline	NCSD	Eric Martin 908 Northstar Dr. Truckee CA 96161 (530) 550-6133	12/12	\$880k
Truckee Depot Streetscape	Streetscape improvements in the Historical District of Truckee	Town of Truckee	Mike Vaughan 10183 Truckee Airport Rd Truckee, CA 96161 530.582.7706	5/12	\$655k
Truckee Bridge St. Streetscape	Streetscape improvements in the Historical District of Truckee	Town of Truckee	Mike Vaughan 10183 Truckee Airport Rd Truckee, CA 96161 530.582.7706	5/11	\$550k
S-POD Northstar Lift	Site Grading and Improvements for new ski run	Vail Properties	Ron Inkel 5001 Northstar Dr. Truckee, Ca 96161 775.747.5854	10/11	\$623k
IVGID Pump Station	Demolition and Reconstruction of a 3000 gpm Pump Station	IVGID	Brad Johnson 1220 Sweetwater Rd Incline Village, NV 89451 775.832.1268	11/10	\$1.3 Million
Northstar Water Meter Install	Install water meters for residences in Northstar	NCSD	Eric Martin 908 Northstar Dr. Truckee CA 96161 (530) 550-6133	9/10	\$350k
Balsam Lane Waterline	Install new water main and services in residential area	Ward-Well Water	Vince Bruno PO Box 7553 Tahoe City Ca 96145	6/10	\$245k

Northstar Waterline and pump station	Install 2,600lf of DIP waterline and construct new pump station	NCSD	Eric Martin 908 Northstar Dr. Truckee CA 96161 (530) 550-6133	1/09	1.9 Million
Pump Station Replacement Project	Construct two new pump station buildings and pump systems for residential community	Talmon HOA	Libby Gregg PO Box 161 Tahoe City CA 96145 (530) 583-1889	12/08	\$300k
Reno Ballroom, Reno, NV	Building demo, all earthwork and underground utilities for new 55,000 sf convention center.	City of Reno	Pelin 905 Industrial Way Sparks, NV 89431 775 355-8500	2/08	1.1 Million
Grays Village Truckee, CA	All earthwork and underground utilities for new cul-de-sac and future retail center	East West Partners	Jeff Butterworth PO Box 2537 Truckee, CA 96160 530 550-7052	10/08	2.6 Million
Pla-Vada Pumphouse and Waterline	Construct new water pump house building and installation of 2,400lf new waterline	Pla-Vada Community Assoc.	Terry McGuigan PO box 94 Norden CA 95724 (530) 426-3980	2/10	\$580k
Trailside Loop	Construct new road and all utilities for subdivision	East West Partners	Jeff Butterworth PO Box 2537 Truckee, CA 96160 530 550-7052	8/08	2.7 Million
Lakeside Trail Phase IV	Install new trail and boardwalk along shores of Lake Tahoe	TCPUD	Jack Beckman PO Box 5249 Tahoe City, CA 9614 530 583-3796	9/07	\$1.1 Million
Daniel Webster Pump Station	Install new pumping station	TMWA	Chris Struffert P.O. Box 30013 Reno, NV 89520 (775) 834-8056	12/13	\$500,000

SCHEDULE B

PREVIOUS EXPERIENCE (Include ALL Projects Completed within last 5 years)

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				

SCHEDULE B

PREVIOUS EXPERIENCE (Include ALL Projects Completed within last 5 years)

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
TRUCKEE DUNKER PATHWAY	Name: MIKE VAUGHN Address: Telephone: 530-582-2423	Name: GREG PHILLIPS Company: LUNDOS Telephone: 775-883-7077	July - 15	CONST OF PATH & BRIDGE	ON- GOING	1.2 mill
NORTHEAST ARROW BUDEN	Name: GREG MARTIN Address: Telephone: 530-550-6133	Name: Company: Telephone:	May 15	CONST NEW BUILDING	ON- GOING	500K
Blackney Spadium	Name: TOM LARUE Address: Telephone: 775-826-6500	Name: UNIVERSITY Company: Telephone:	May 15	CONST NEW RESTROOM	COMP.	250K
ILLUINE VILLAGE WATER QUALITY	Name: JOAQUIN TABERADA Address: Telephone: 775-328-2055	Name: WASHOE COUNTY Company: Telephone:	JUNE 14	INSTALL NEW STORM SEWER	COMP	1.3 mill
TROUT CREEK RESERVATION	Name: TODD LANDREY Address: Telephone: 530-414-3343	Name: TOWN OF TRUCKEE Company: Telephone:	MAY 14	STANDARD RESERVATION	ALONG	1.6 mill
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				

GET ATTACHED

[illegible]

ASPEN DEVELOPERS CORP **EQUIPMENT LIST**

ARTICULATED TRUCKS			TRUCKS			Reg
BACKHOES			6	'75 Peterbilt 10 Wheeler	69516P	
10	Cat 420D	FDP09252	8	'91 GMC 2000gal Water	1GDJ7HIJ5MJ507560	
38	Case 580SM	N5C9335	31	Ford F7000 Fuel	R71QVCC9415	
COMPACTORS			32	International Transport	2HSFMAXR1XC043975	
15	Hyster C832B	B208C1719L	63	Fruehauf End Dump Trailer	1GD02725LJ029401	
17	Hypac C747B		54	'93 International Lube	1HSSDPCN0PH513488	
47	Wacker RT82	5655569	72	'82 Pete Dump	1XP9D29X8CP151475	
51	Wacker RT82	5628317	73	'00 2000gal Ford Water	3FDPF7567YMA37599	
55	Wacker RT82	5522469	78	'82 Pete End Dump	1XP9DB9X2CP149964	
56	Wacker RT82	5557156	79	'73 OshKosh Plow truck	14587	
57	Vibromax smooth drum	JKC9601701	98	Int'l Plow Truck		
66	05 Hypac C812A	109A21902145	202	'98 Knwrth T800 Transfer	1NKDLB9X4WR7680202	
DOZERS			203	'99 Reliance Pup Trnsfr Trailer	1REFA5209XXC991741	
EXCAVATORS			204	2000 Ford F650 Dump Truck	3FDNX65A1YMA29601	Ca
18	Case CX36 Mini	N4TN61109	205	94 Pete Dump Truck (10 Wheeler)	1XP5DB8XXRN353125	
83	Case CX36B Mini	N5TN61203	209	85 Int'l 4x4 Plow Truck	1HTLPUYN9FHA58849	
214	'04 Cat 303CR Mini Exc	DMA01715	223	BMV 6X6 Tractor	31/03333	
218	Cat 303.5CR Mini Exc		LOADERS			
14	Case CX47 Mini	DFE0002710	62	Takeuchi TL130	213070653	
70	Case CX50B Mini	NGTN81673	99	Cat 216 Skidsteer	4NZ05058	
210	Takeuchi TB175	TB17510092	39	Takeuchi TL150	21503135	
216	Takeuchi TB175	TB17510141	77	Case 450 Skid Steer	N7M458193	
44	Case CX80	DAC881140	85	Case 450 Skid Steer	N8M484411	
26	Case CX130	DAC0713155	87	Cat 248 Skid Steer	CAT00248C6LZ01780	
224	Hitachi ZX135 Excavator	HCMDAE50K00091361	60	Case 570XT Skippy	JJG0300692	
207	Kobelco ED150-1E	YL0501040	76	'05 928G Loader	0DJ01782	
11	Case 9030B	DAC0302427	93	'94 Volvo L70 Loader	L70BV10969	
221	Linkbelt 235X3 Excavator	ECBK4-775	12	Cat 950F	5SK03303	
71	Kobelco SK400LC IV	YSU0500	58	Case 821B (QC)	JEE0056137	
MISC			13	Cat 950G	AXX00350	
21	Asphalt Zipper AZ360	100960	29	Cat 950G	AXX00191	
22	Power Broom		36	Cat 950G	AXX00851	
23	Air compressor- NO CA		45	Cat 962G	7BW00429	
48	Trackless Snow Blower	MT5T103				
69	Mobile Screen Plant	D107C-SC-JJ1202				
81	Leica's GPS system					
84	Rolba 1000 Snowblower	95261001006				
86	Trackless Snow Blower	MT5T858				
88	Rolba 400 Snowblower					
89	Trackless Blower MT4	MT4T147				
94	'74 AW Grader	361266				
95	'04 Trackless blower	MT5T3101				
96	Trackless blower	MT5T847				
97	Trackless blower	MT5T817				
200	Trackless blower	MT5T1882				
201	Trackless MT6	MT61150				
113	Small Equip Trailer (ramps)	1TKU01625VM076497				
211	Carry-on dump trailer	4YMDU1023EN006895				
212	Sullair 185cfm compressor	200709110085				
217	Equip Trailer - Fleming	1F9FS2429K1025717				
219	97 White Eq Trailer (tilt)	4KNNT162XVL160256				
220	Yanmar mini dump truck					
222	Conveyor 80'					
226	1995 CONTRAIL C-24					

PROJECT SCHEDULE

Contractor shall indicate a project schedule of major project components. Items listed are not necessarily in construction order; contractor to determine order of operations. Once construction begins (start date) all other items must be completed within construction period of 90 days. A range of dates (weather pending) are provided for the start date; construction must begin within the dates noted.

Project Component	Start Date	End Date
Construction Begins (Nov. 18, 2015 to Jan. 5, 2016)	01 1/04/2016	-----
Mass Grading	1/04/2016	1/8/2016
Rip-Rap Placement	1/13/2016	1/15/2016
Landscape Wall	1/11/2016	1/15/2016
Electrical Improvements	1/18/2016	1/22/2016
Irrigation Improvements	1/18/2016	1/22/2016
Concrete Curb and Gutter and Type 1 Curb	1/25/2016	2/5/2016
Concrete Flatwork	1/25/2016	2/5/2016
Fence and Light Post Installation	2/1/2016	2/5/2016
Substantial Completion (80 Days from start date)	-----	
Construction Ends (90 days from start date)	-----	

Note: Project Schedule shall be modified due to accepted delays outlined in Section 4.05 *Delays in Contractor's Progress* of the General Contract.

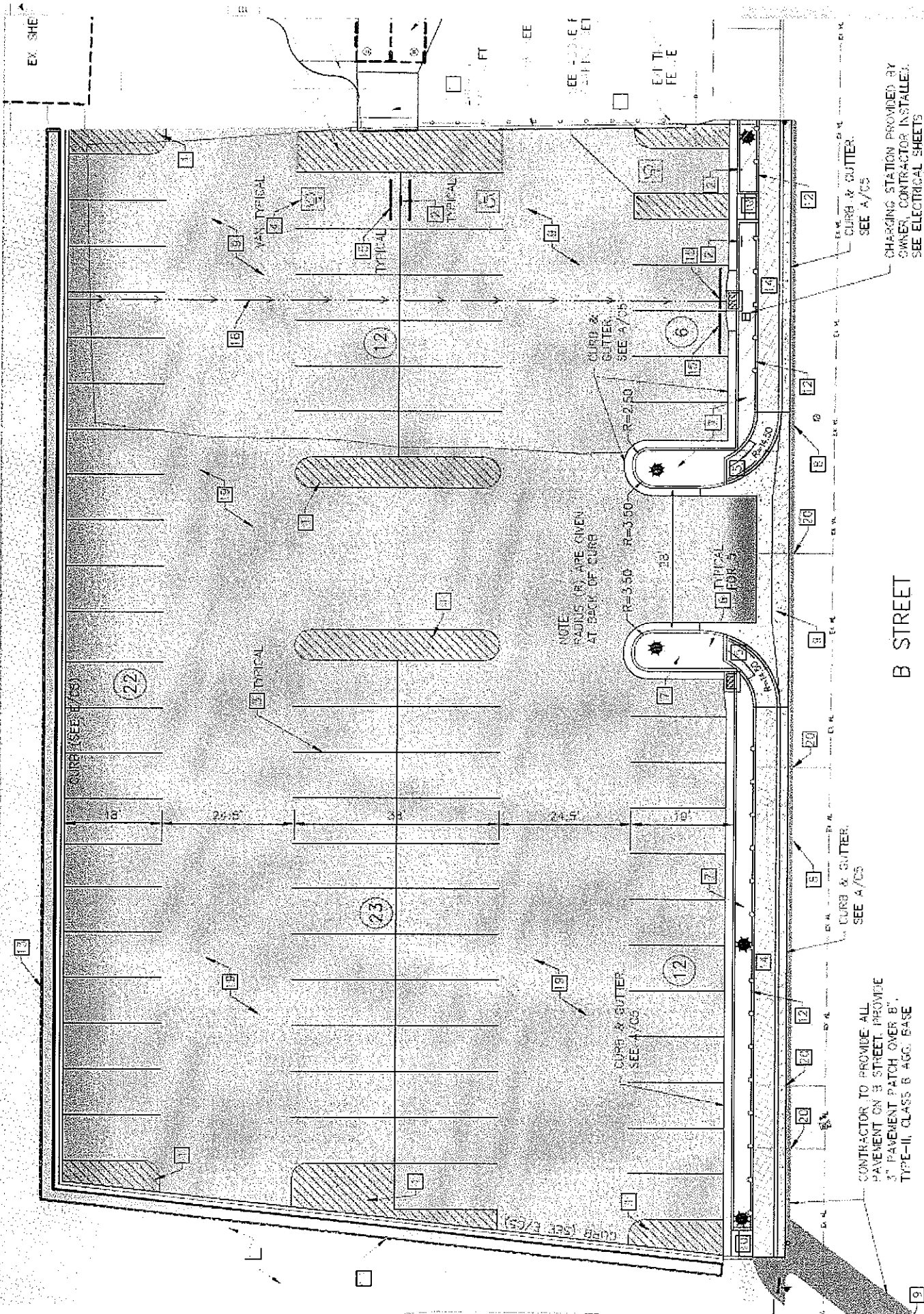
Bid Tabulation, VC COURTHOUSE PARKING LOT (PWP No. ST-2015-197)

11/2/2015

By: CLA, Farr West Engineering

VIRGINIA CITY COURTHOUSE PARKING LOT (ST-2015-197)									
Contractor - Bidder									
Item	Description	Quantity	Unit	Aspen Developers	Desert Engineering	Coons Construction	Spanish Springs Const.	MKD Construction	AK&K Earthmovers
				Unit Price	Unit Price	Unit Price	Unit Price	Unit Price	Unit Price
1	Male / Demob	1	LS	1,500	\$ 1,500.00	19,500	\$ 11,115.00	17,000	\$ 16,900.00
2	Earthwork	1,200	CY	30	\$ 36,000.00	33,18	\$ 48,000.00	29	\$ 48,000.00
3	Traffic Control	1	LS	1,500	\$ 1,500.00	3,000	\$ 4,500.00	5,000	\$ 4,500.00
4	Curb (Type 1)	340	LF	25	\$ 8,500.00	3,675	\$ 10,550.00	31	\$ 8,500.00
5	Curb and Gutter	420	LF	30	\$ 12,600.00	28,75	\$ 12,495.00	46	\$ 18,900.00
6	Apron	1	LS	2,000	\$ 2,000.00	3,200	\$ 6,900.00	10,975	\$ 20,775.00
7	HC Ramp	2	EA	2,250	\$ 4,500.00	1,900	\$ 3,800.00	7,600.00	\$ 7,600.00
8	Power Sidewalk	774	SF	20	\$ 4,200.00	14,75	\$ 10,679.00	14,50	\$ 20,980.00
9	Concrete Flapwork	642	CY	35	\$ 22,470.00	27,75	\$ 47,775.00	21	\$ 6,720.00
10	Aggregate Base	5	EA	5,000	\$ 25,000.00	5,590	\$ 27,950.00	75,50	\$ 48,471.00
11	Light Pole Standard Non-Traffic Area	2	EA	1,500	\$ 3,000.00	2,600	\$ 5,200.00	4,935	\$ 24,675.00
12	Catch Basin	235	LF	75	\$ 17,625.00	100	\$ 23,500.00	2,100	\$ 4,200.00
13	Storm Drain Line	2	EA	50	\$ 1,000.00	200	\$ 4,000.00	88	\$ 20,880.00
14	HC Sign	4	EA	50	\$ 2,000.00	55	\$ 1,100.00	450	\$ 900.00
15	Drainage System	1	LS	1,000	\$ 1,000.00	170	\$ 680.00	35	\$ 140.00
16	42" Decorative Fence	155	LF	50	\$ 7,750.00	45	\$ 6,975.00	6,875	\$ 11,000.00
17	Electrical	1	LS	15,000	\$ 15,000.00	14,000	\$ 14,000.00	49	\$ 7,885.00
18	Remove and Replace Non-Colored Concrete	230	SF	25	\$ 5,750.00	18,75	\$ 4,125.00	19,750	\$ 19,750.00
19	Rebar Placement	445	CY	30	\$ 13,350.00	40	\$ 17,800.00	30	\$ 6,000.00
20	Landscaping Wall	1	LS	44,241	\$ 44,241.00	72,000	\$ 72,000.00	26	\$ 11,570.00
BASE BID Total:				\$ 234,000.00	\$ 255,000.00	\$ 330,000.50	\$ 344,444.00	\$ 346,649.00	\$ 399,000.00
Ranking				1	2	3	4	5	6
Average									

BID/ALTERNATES (22, 23 & 24)									
Contractor - Bidder									
Item	Description	Quantity	Unit	Aspen Developers	Desert Engineering	Coons Construction	Spanish Springs Const.	MKD Construction	AK&K Earthmovers
				Unit Price	Unit Price	Unit Price	Unit Price	Unit Price	Unit Price
22	Bid Alternate - Additional Earthwork	1000	CY	30	\$ 30,000.00	33	\$ 33,180.00	24	\$ 24,000.00
23	Bid Alternate - Additional 42" Wrought Iron Fence	400	LF	55	\$ 22,000.00	45	\$ 18,000.00	49	\$ 19,000.00
24	Bid Alternate - Additional Colored Concrete Flapwork	500	SF	30	\$ 15,000.00	24	\$ 12,000.00	30	\$ 15,000.00
Bid Alternate Total:				\$ 67,000.00	\$ 60,500.00	\$ 63,180.00	\$ 44,000.00	\$ 58,600.00	\$ 55,300.00
Grand Total (Base Bid + Alternates)				\$ 301,000.00	\$ 315,500.00	\$ 393,180.50	\$ 388,444.00	\$ 405,249.00	\$ 454,300.00
Average									



B STREET



Storey County Board of County Commissioners Agenda Action Report

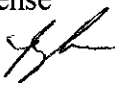
Meeting date: 1/5/16

Estimate of time required:

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Delta Saloon, Tina Perkins, General & Liquor License

2. **Recommended motion:** Approve the application of Delta Saloon, Tina Perkins, 18 S C St., Virginia City, for a General & Liquor License

3. **Prepared by:** Brandy Gavenda, Admin. Asst. 

Department: SCSO

Telephone: 775-847-0959

4. **Staff summary:**

5. **Supporting materials:**

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

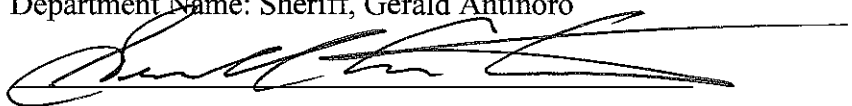
7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Sheriff, Gerald Antinoro



____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 18



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: 1/5/16

Estimate of time required:

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Wells Fargo ATM & Alarm, General Business License

2. **Recommended motion:** Approve the application of Wells Fargo ATM & Alarm for General Business License

3. **Prepared by:** Brandy Gavenda, Admin. Asst. 

Department: SCSO

Telephone: 775-847-0959

4. **Staff summary:**

5. **Supporting materials:**

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Sheriff, Gerald Antinoro



____ County Manager

Other agency review: _____

9. **Board action:**

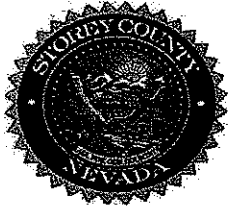
☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No. 19



Storey County Board of County Commissioners Agenda Action Report

Meeting date:

Estimate of time required: 15 minutes

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☐

1. **Title:** Action for possible confirmation of Shawn Mahan Settlement Agreement for \$99,000.00 and other consideration arising out of the termination of his employment with the Storey County Sheriff's Office. Discussion of the matter may include Board involvement in settlement of cases in general.

2. **Recommended motion:** I move to confirm the settlement agreement with Shawn Mahan

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 857-0964

4. **Staff summary:** A settlement agreement has been entered into with Shawn Mahan over the circumstances of the termination of his employment with the Storey County Sheriff's Office. A copy of the settlement agreement is attached.

5. **Supporting materials:** Settlement Agreement

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

☒ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: _____

____ County Manager

Other agency review: _____

9. **Board action:**

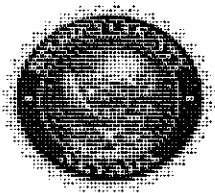
☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 20

ATTACHMENT TO AGENDA REQUEST FORM

Shawn Mahan's employment with the Storey County Sheriff's Office was terminated by Sheriff Antinoro. He filed suit contesting his termination. The matter was set for a hearing before an arbitrator on or about September 1, 2015. Storey County was represented by Brent Kolvet through the Nevada Public Agency Insurance Pool. At the time of the arbitration hearing, the arbitrator expressed his views on the matter and strongly suggested that the parties may want to consider a settlement of the case. The parties did confer on the settlement of the case and reached an agreement to settle. The terms of that agreement are included in the attached settlement agreement.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 01/05/16

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title:** (Continued from 11/03/15 meeting) (Agenda Language included in Enclosure A)
2. **Recommended motion:** (Continue item until 01/19/16 board meeting). Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the recommendation for approval by staff and the planning commission, I (Commissioner) motion to approve Storey County Zone Map Amendment Application No. 2014-021 modifying the official zoning map of Storey County to include the Forestry, Natural Resources, Public, and Industrial-Commercial zones as presented by staff in this report.

3. **Prepared by:** Austin Osborne

Department: Planning

Telephone: 847-1144

4. **Staff summary:** Amendment of the Official Storey County Zoning Map as explained and recommended in Staff Report No. 2014-021.
5. **Supporting materials:** Staff Report No. 2014-021 and exhibits provided at the 12/02/14 board meeting and packet are available at the Planning Department at 775.847.1144.
6. **Fiscal impact:** None on local government.

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

__@__ Department Head

Department Name:

____ County Manager

Other agency review: _____

9. **Board action:**

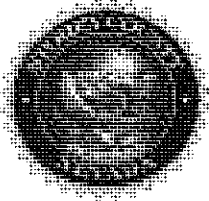
☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 21

Enclosure A: Agenda Language for Application No. 2014-021

(Continued from 11/03/15 board meeting) **Discussion/Possible Action:** Application No. 2014-021 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 means 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 at 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.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 1-5-16

Estimate of time required: 0 - 5

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Business License Second Readings -- Approval

2. **Recommended motion:** Approval

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to Commission Meeting. The business licenses are then printed and mailed to the new business license holder.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** None

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Community Development

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No. 22

Storey County Community Development

Business Licensing

P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

December 21, 2015
Via email

Please add the following item(s) to the **January 5, 2016**, COMMISSIONERS Agenda:

Storey County Building Department has inspected and found that the following businesses meet code requirements necessary to operate in the county:

LICENSING BOARD SECOND READINGS

- A. **SMEE'S ALASKAN FISH BAR** – General / 4650 Aberfeldy Rd ~ Reno (food truck)
- B. **VECOPLAN, LLC** – Contractor / 5708 Uwhurrie Rd ~ Archdale, NC (equipment contractor)
- C. **CIC PITTSBURGH, LLC** – Contractor / 2857 Banksville Rd ~ Pittsburgh, PA (contractor)
- D. **HIRANO TECSEED CO., LTD** – Contractor / Nara, Japan (Panasonic Contractor)
- E. **HEWLETT-PACKARD JAPAN, LTD.,** -- Contractor / Osaka, Japan (Panasonic Contractor)
- F. **TECHNO SMART CORP.** -- Contractor / Osaka, Japan (Panasonic Contractor)
- G. **SOFTWARE CONTROL CORP.** -- Contractor / Osaka, Japan (Panasonic Contractor)
- H. **KACOMS CO., LTD** – Contractor / Osaka, Japan (Panasonic Contractor)
- I. **SIERRA SHADING SOLUTIONS, INC.** – Contractor / 715 Gregory Way ~ Sparks (contractor)
- J. **RED WING BRANDS OF AMERICA, INC.** – General / 314 Main ~ Red Wing, MN (supplier)
- K. **WATER TREATMENT, INC.** – Contractor / 405 S 18th St ~ Sparks (water filtration)
- L. **K2 ENGINEERING & STRUCT DESIGN, LLC** – Professional / 3100 Mill ~ Reno (engineering)
- M. **AMCB, LLC dba Rubbish Runners** – General / 1085 Telegraph ~ Reno (trash hauling)
- N. **PAPE' MATERIAL HANDLING dba Pape' Rents** – Contractor / 25 Vista Blvd. ~ Sparks (equipment)
- O. **YOKOGAWA CORP OF AMERICA** – Contractor / 2 Dart Road ~ Newnan, GA (process control)
- P. **COMSTOCK FOUNDATION FOR HISTORY & CULTURE** -- Nonprofit (HB) / 1669 Main St ~ GH
- Q. **OLD RED GARTER, LLC** -- General / 80 South C Street (Change of Ownership Only) VC
- R. **MODERN MINING SOLUTIONS, LLC** – General / 1280 Alexandria Court TRI
- S. **BI NUTRACEUTICALS, INC.** – General / 625 Waltham Way #101 (milling botanicals) TRI
- T. **RICH DOSS, INC.** – General / 201 Wild Horse Canyon Drive (transportation) MCC

Inspection Required

cc: Chris Hood, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Fritz Klingler, Fire Dept.

Sheriff's Office
Commissioners' Office
Assessor's Office