



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, JANUARY 19, 2016 10:00 A.M.

DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

MARSHALL MCBRIDE  
CHAIRMAN  
ATTORNEY

ANNE LANGER  
DISTRICT

LANCE GILMAN  
VICE-CHAIRMAN

JACK MCGUFFEY  
COMMISSIONER  
TREASURER

VANESSA STEPHENS  
CLERK-

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**Roll Call:** Chairman McBride, Vice-Chairman Gilman, Commissioner McGuffey, County Manager Pat Whitten, District Attorney Anne Langer, Comptroller Hugh Gallagher, Clerk & Treasurer Vanessa Stephens, Economic Development Director Dean Haymore, Recorder Jen Chapman, Emergency Communications Director Dave Ballard, Planner Jason VanHavel, Administrative Officer/Planning Director Austin Osborne, Tourism Director Deny Dotson, Sheriff Gerald Antinoro, Community Relations Coordinator Cherie Nevin, Fire Chief Gary Hames and Outside Counsel Robert Morris.

- 1. CALL TO ORDER AT 10:00 A.M.**  
The meeting was called to order by the Chair at 10:00 A.M.
- 2. PLEDGE OF ALLEGIANCE**  
The Chair led those present in the Pledge of Allegiance
- 3. DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for January 19, 2016  
**Motion:** Approve the Agenda for January 19, 2016, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)
- 4. DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for December 15, 2015  
**Motion:** Approve the Minutes for December 15, 2015, **Action:** Approve, **Moved by:** Vice Chair 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 12/31/15 for \$337,630.39 and 01/05/16 for \$181,732.55 and \$110,332.94. Accounts Payable Checks date 01/08/16 for \$184,208.93 and \$4,864.95.
6. For possible action approval of Justice Court Quarterly Report
7. For possible action approval of Treasurer Report for December 2015
8. For possible action approval and acceptance of a Trial Court Improvement (TCI) grant from the Nevada Administrative Office of the Courts in the amount of \$3,700.00 for a Metal Detector for the Virginia Township Justice Court and authorization for Eileen Herrington and/or Cherie Nevin to sign all associated grant documentation.
9. For possible action approval and acceptance of a STOP Violence Against Women Formula Grant administered by the Nevada Office of the Attorney General in the amount of \$10,000.00 to support the Storey County Victim, Services Unit and authorization for Anne Langer and/or Debra Burns and/or Cherie Nevin to sign all associated grant documentation.
10. For possible action approval of Business Licenses First Readings:
  - A. **CARMEN'S MEXICAN REST & CATERER** - General / 112 S Center ~ Yerington (Food Truck)
  - B. **BOSCH REXROTH CORP** - Contractor / 14001 South Lake Dr ~ Charlotte, NC (conveyor contr.)
  - C. **HITACHI HIGH-TECHNOLOGIES CORP** - Contractor / Osaka, JAPAN (equipment contractor)
  - D. **PRODUCT HANDLING DESIGN, INC.** - Contractor / Box 117866 ~ Carrollton, TX (crane cont.)
  - E. **SIERRA VIII, INC dba Diversified Painting** - Contractor / 881 E Glendale ~ Sparks (painting cont.)
  - F. **SHIMADZU SCIENTIFIC INSTRUMENTS** - Contractor / 7102 Riverwood Drive ~ Columbia, MD (analytical instruments)
  - G. **HITACHI POWER SOLUTIONS CO., LTD.** - Contractor / Tokyo, JAPAN (equipment contractor)
  - H. **BREAKTHRU BEVERAGE NV RENO** - General / 100 Distribution ~ Sparks (whsle distribution alcohol)
  - I. **PREMIER ELECTRICAL STAFFING, LLC** - General / 7901 Strickland Road ~ Raleigh, NC (staffing)
  - J. **AMERICAN CARPORTS, INC.** - Contractor / 157 North Broadway ~ Joshua, TX (carport contractor)
  - K. **EVOLUTION INDUSTRIES** - Contractor / 10939B Industrial Way ~ Truckee (flooring contractor)

**END OF CONSENT AGENDA**

Commissioner McGuffey commented regarding item 9 that, although this Grant is titled STOP Violence Against Women, men are also victims of domestic violence. This grant covers domestic violence against men as well.

**Motion:** Approve the Consent Agenda for January 19, 2016, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**Community Development Director Dean Haymore :**

- Community Development has been meeting with NDOT regarding plans for a ground-breaking ceremony on USA Parkway to be held this spring or summer.
- The Community Development Department is also working with SWITCH on USA Parkway easements necessary for installation of fiber-optics coming in to London Drive.

**Emergency Communications Director Dave Ballard :**

- Updated the board on the 911 phone system

**Community Relations C Cherie Nevin :**

- Nevada Health Center's Mammovan will be in Virginia City at the Clinic on Carson Street, January 27<sup>th</sup> from 8am to 330pm. Please call 877-581-6266 to make your appointment.
- Nevada Health Centers is open in Virginia City on Wednesdays from 8:30am to 4 pm at the Community Center and the Home visiting program has started in Lockwood on Thursday's. So far the reception to these services has been great.
- Navy Personnel are scheduled to once again come to Storey County for a Community Service project. They will join us on Jan 30 2016 and will be painting the inside of the Lockwood Community.

**VCTC Director, Deny Dotson:**

- Information, as well as tickets for 2016 events, are available on-line.
- A new event, The Way it was Rodeo, has been added this year and will be held in September.

**Administrative Officer/Planning Director Austin Osborne :**

- The next Master Plan Workshop will be held this Thursday, January 22<sup>nd</sup> at 6PM at the Mark Twain Community Center. We are working with Storey County School District making sure that all concerns of the Board and the current and new superintendent, are being integrated into the Master Plan.
- The Black & Howell project on C Street and Taylor is moving forward. A mandatory meeting will be held January 22<sup>nd</sup> at 11 AM for any bidders that would like to bid on the project.
- Mr. Osborne will be taking teachers from the Washoe County School District and Signature Academies on a tour of the Tahoe Reno Industrial Center on February 24<sup>th</sup>. The tour will enable workforce development planning. This is a great opportunity for teachers and is indicative of what's happening in Northern Nevada and the acknowledgement by different jurisdictions.
- This is the time of year for benefits enrollment period for County employees. We are working with employees and LP Insurance broker to determine who will be the next insurance carrier for the next fiscal year. Heavy emphasis will be on the HSA program. There will still be a PPO program likely.
- We are in the season for collective bargaining agreement for general employees and we will be working collaboratively for the next agreement.

**Fire Chief Gary Hames :**

- The Communication Center has now taken on all cell communications - 911 calls - in the entire north corridor. This means we no longer have to wait through the process to go through Washoe County. Calls are most likely being received 8 to 10 minutes sooner. This impacts the number of calls the dispatchers receive, however it's helping our customers dramatically due to the time saved. 911 calls from I-80 are being fielded as Storey County Fire is closer

even though this is out of our area. Thank you to Dave Ballard and the Communication Center.

- The fuels grant reduction has been completed in the Highlands. Work will now begin in Six Mile Canyon for most like the next six weeks. Traffic control will be done in that area. The Fire Department is working with Public Works, and with Community Relations through a hazard mitigation grant. One goal is to reduce trees in that area to get the shaded areas out, which will keep ice off the roads and reduce accidents.
- A new computer software program is now “live”. Thank you to the Board for allowing the Department to change vendors. Statistics are now automated and this is a big improvement.
- Working with Public Works to move the fuel tanks from the previous fire station in Mark Twain out to TRI. This will reduce time in going to get fuel.
- A new “used” 12-passenger has been purchased through Federal excess property for \$25. The van will be used at the McCarren center.

**County Manager Pat Whitten :**

- USA Parkway project is moving along. NDOT selected Ames Construction as the contractor. The County is contemplating offering Ames surplus space at the McCarren complex in exchange for tenant improvements that fit into future plans.
- One of the newest tenants at TRI is dentist Dr. Eberle, who is establishing a practice there. The County has offered to help Dr. Eberle. A periodic newsletter will be created through the Community Development office that will discuss businesses at TRI.
- A press conference is scheduled on Thursday with Jet.com at 1 PM at the Atlantis. The Governor and Chairman McBride are scheduled to speak. The CEO and COO of Jet.com will also attend. Jet.com provides great services.
- Last week the school board made a great choice in making Todd Hess the successor for the Superintendent of Schools. And the NIAA has honored Bum Hess in to the Hall of Fame.

**Hugh Gallagher :**

- Thomas Wayne Andreason passed away in December. Tommy grew up in Virginia City and was on the first State Championship basketball team.

**12. DISCUSSION ONLY (No Action - No Public Comment):** Quarterly financial updates for fiscal year 2015/2016

Hugh Gallagher presented this item. The numbers for this quarter are below as far as budget to actual. Department heads and elected officials are to be commended for work well done. Mr. Gallagher reviewed the departments that have items over budget including 474 Fire District, Roads, Emergency Management, and Virginia City Tourism Commission. There were no significant deviations from the budget that cannot be explained.

Mr. Gallagher commented that at the Chief Financial Officers Association for Nevada meeting held each year attendees are amazed at the process and cooperation in Storey County. The process works and is efficient.

The 2016-17 Budget process has started. The first meeting is January 25<sup>th</sup>. A reduction in property taxes will be addressed.

Financial statements will be approved February 2<sup>nd</sup>. An error was found in the audit and the financial statements are being adjusted.

Commissioner McGuffey: Would the tax reduction be residential or commercial - across the board?

Didn't we come out ahead after withdrawing from the fair share tax?

Mr. Gallagher: It would be across the board. We're holding our own on the fair share tax. The information will come from the Department of Taxation and they are behind.

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

Commissioner McGuffey: Reported that he was elected Vice Chair for the Fourth Ward School Board.

**14. DISCUSSION/POSSIBLE ACTION:** Award bid to Houston Smith Construction in the amount of \$99,400.00 for the Gold Hill Depot renovation project.

Dean Haymore, Community Development Director, said three bids were submitted for the Gold Hill Depot renovation project. Houston Smith Construction was the low bid and Mr. Haymore recommends acceptance. Negotiations to reduce this amount a little more are in the process. Mr. Haymore will be the project manager on this project.

This will complete the phases - construct the handicap ramp that is required, the exit door requirements, ladies restrooms, warming kitchen, and level the floor. The Depot will then be ready for the VCTC to rent the facility.

**Motion:** Award bid to Houston Smith Construction in the amount of \$99,400.00, not to exceed, for the Gold Hill Depot renovation project, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**15. DISCUSSION ONLY (No Action):** Workshop on business and liquor licenses, chapters 5.04 and 5.12, to amend the code to improve the procedures with the application, investigation and approval of licenses.

Outside Counsel Robert Morris said this presentation is to provide information regarding business licenses, the liquor licenses, status of the current code, and suggestions to be considered. Anyone having suggestions are invited to submit in writing and send them to Mr. Morris for incorporation into a final ordinance. Based on the complexity of this issue, another workshop will be held in 6 to 8 weeks.

Mr. Morris stated this is the most confusing section of law under the Nevada Revised Statutes. Mr. Morris reviewed inconsistencies in the statutes.

Mr. Morris: In 2002, the County Code was revised to allow Business Licenses to be done by an Administrator. NRS states that the Sheriff must collect all the fees unless the County chooses to make a licensing department. In the existing code, all procedures are set up but there is no licensing department. This does not meet the NRS requirement.

In Section 5.04.015, the Board would establish a Business License Division to administer the duties set out in the title. This would allow Community Development and the Administrator to process applications. This would relieve the Sheriff from collecting the fees and allow the Administrator to set up the process for collecting business license fees.

The process is not set out well in the existing code. The code should state how a license is applied for, the requirements, the information to be given, and the process for having a hearing on the application. There should be a section on grounds for denial.

There are sections in the Business License Code that do not belong. One is the Liquor License fees and regulations - this should be in its own section.

Section 5.04 is Business Licenses; 5.12 Liquor Licenses.

All Liquor License requirements in the Business License section have been put in to the Liquor License section.

Sections 5.04.250, 260, 262 and 265 have been added. These are sections required by NRS since the County Code was amended. These sections concern workers comp/industrial insurance and child support obligations. A section will also be added relating to sale of liquor to minors.

Under sale of alcoholic beverages, several sections have been added. The first section is that a license is required and clearly states this is a privileged licensed. The County has broad discretion in determining who should have this license.

An issue to be dealt with is confidentiality of information submitted in the application. This is found in section 5.12.020. There needs to be a clear idea of what is required and what will be confidential, along with the process of handling confidential information.

One of the sections, 5.12.040 - Temporary License, has been simplified. A temporary license can be issued while the full license goes through the regular process. This would allow businesses to stay open while a determination is made on whether the license is going to be issued or not.

Mr. Morris continued that the basic requirements for a business license have not been changed. This can be looked in the future.

Mr. Morris reviewed additional sections that need to be updated including conflicting sections regarding types of licenses the County can issue.

Currently the section is enforced quite well by the Sheriff because where there is a liquor license the business license is done at the same time. If the County is going to have an Administrator process the business license, a decision needs to be made whether the Sheriff processes the liquor license or if the Administrator is going to do both. Or leave it the way it is and have the Sheriff do both.

County Manager Pat Whitten: The current process has been reviewed. This includes times when licenses were issued and an adequate job was not done - when State health, fire district, or building department for code compliance, were not contacted.

The Community Development Department handles an average of 8 to 12 licenses per day through a system that is working - where the State, fire district, and all, are contacted. This model would be used for the liquor licensing.

As Mr. Morris indicated, licensing can either be done with the Sheriff's Office as a "one stop shop" as it is done now, or with the Community Development Department, or "burst them apart". In 2002, the licensing was intentionally lumped together to be more user-friendly for applicants.

Community Development has an established process for Business Licenses that works.

Mr. Whitten advocates the process not be put into an ordinance as any small change or addition would require publication and two readings. If this goes to an Administrator, Community Development should work out the processes and present to the Board for approval.

The process would be as follows:

- 1) A criminal background check completed by the Sheriff's Office;
- 2) Financial probity/fiscal standing element completed by the County's Chief Financial Officer applying logical conclusions with recommendations to Community Development;
- 3) Non-criminal background investigation. Note: \$1,000 investigation fee is charged to applicants. An outside investigation firm would perform this type of investigation and report back to the Administrator/Community Development.

Dean Haymore: Community Development has reviewed the Business License procedure. The process has developed into a "one stop shop". Most applicants apply and pay fees electronically. It is likely there will be 1200-1500 business licenses processed this year. Approximately 80 handled by the Sheriff's Office. The Sheriff does the general business license with the liquor license to make it easier for the applicant/customer.

There would not be a big impact on Community Development. This would be efficient, stream-lined, and fair for everyone. Most likely, licenses would not have a first and second reading, but would be brought to the Board for final approval with a full report. Confidential procedures are already in place.

Community Development is willing to work with and learn from the Sheriff, and with the rest of the Storey County team.

Mr. Whitten: If we go to "one" reading, this would only apply to business licenses, not liquor licenses. Mr. Morris has researched this issue and readings are not required. The thought is that some public process of who is receiving a business licenses is prudent. The first reading is part of the consent agenda and could be streamlined. Liquor licenses require two readings.

Sheriff Antinoro: Mr. Morris cleaned up a lot of issues with business and liquor licenses. The only substantive thing done was removing the Sheriff from the liquor license investigative process. In talking about a "one stop shop" - the applicant will now be going to different departments. How does this simplify the process? I do not care if the Sheriff is involved in the process or not. Let's fix the ordinance so that an applicant knows what they are up against. What benchmarks have to be met to get a license? Everything being asked for is what is done right now. Personal/confidential information is not given out. If the liquor licenses are moved to an administrator, move all of the licenses over if there is a problem with the Sheriff's Office. I don't think there is. Let's fix the ordinance and make it user friendly - whether the Sheriff's Office is involved or not.

Chairman McBride: That's what we're trying to do - fix the ordinance. One of Mr. Morris' primary jobs is to go through the County Codes and correct mistakes, verbage, and terminology. We are finding out that under NRS, a lot of items are missing from the County Code. Mr. Morris is working to remedy issues with licensing.

Sheriff Antinoro, in response to questions from Chairman McBride: Agrees these things need to be done. I read the reports, the same as what is presented to the Board. I trust my investigators. The

financial background is done by the investigators who make a reasonable conclusion based on information provided.

County Manager Whitten: To clarify, the (new) process will send the applicant to only two locations - the administrator, who will take information called for in the ordinance, and to the Sheriff for fingerprinting. The administrator will forward applicant's information to the Comptroller and the investigator. This process is sound.

Sheriff Antinoro: Believes the process is being made more complicated. The existing issue with liquor licenses is not being addressed. The problem is the applicant does not know what they need to have.

Mr. Whitten: The applicant's clearly know what to provide to the administrator. And then it goes through a process. Financial statements will be reviewed by a professional. Mr. Morris has done a great job.

Commissioner McGuffey: Agrees the process may be a bit convoluted as far as where to go to get a business license. According to what is being suggested, first an OK is required from the Fire Department, then from the Health Department. Where does someone start? The process is great for the businesses in TRI, will that be done for the small shop owner in town?

Mr. Whitten suggested having Stacey Bucchianeri from Community Development Department review the current process in applying for a general business license in order to see that it can easily be adapted into applying for liquor licensing.

Mr. Morris: NRS states if a business licensing department is set up, the idea is an applicant would know where to go. The administrator and the licensing department sends out the requirements for inspections - ie., Fire Department.

Stacey Bucchianeri: Reviewed the process for out-of-County applicants. The in-County is more involved:

- A packet is sent, including a check list of what needs to be done before a license can be issued.
- At this time, the application needs to go through two readings with the Commission.
- An inspection must be completed by Building and Fire. Applicant needs to call and make appointments. If there is food involved, a Health Department inspection is also required.
- Once the above is complete and information is verified with the State and the Contractor's Board - if applicable - payment is requested. Payment is not taken until all is in place.
- If inspections are satisfied, a temporary license can be granted. If not, the Department waits until the first and second readings.
- Some businesses submit application before construction is finished, creating the continued licenses on the agenda. Waiting to include those business licenses on the agenda when they are ready to go would clean up paperwork.
- Community Development has not been involved with liquor licensing. Applications accepted from the Sheriff's Department are similar but not the same as Community Development.
- Applications are on-line.

Mr. Whitten: Community Development can make changes "on the fly". When this happens, the process is adapted.



Dean Haymore: The inspection sheet given to applicants has the phone numbers for the departments they need to get a hold of. The Fire and Health Departments are alerted who, in turn, can contact applicants to let them know what will be looked at. The Community Development Department conducts pre-inspections when there is a new business or change of ownership.

Fire Chief Gary Hames: The general business license is a very smooth process and is the best it's ever been. Community Development is the hub and contacts the Fire Department to do the inspection and sign off on the form, which is returned to Community Development. When there are two types of business licenses being processed it makes sense to have one department handle the process.

Vice Chair McBride: Applauds the process and believes this will improve professionalism and operation. There needs to be a clear path. Thank you Mr. Morris.

Sheriff Antinoro: Not criticizing Mr. Morris and has no problem with licensing going to Mr. Haymore's office. The issue is that an applicant should have the ability to know what is expected. There needs to be a benchmark.

Mr. Whitten: Mr. Morris has done a great job with the liquor license in spelling out that it's a privileged license. The whole picture of the applicant needs to be reviewed. The following items should be addressed:

- On non-liquor license applications, is it necessary to have two hearings by the Board?
- Should the Administrator conduct investigations or should this be an independent investigation? Having a member of the liquor board be responsible for the investigation gives an appearance of a conflict.
- How much information does the Board want to see in determining whether or not to approve or deny a license?
- Are the limitations on off-sale premise sales appropriate?
- Should additional bars in the same establishment require an additional license fee? Maybe a service bar fee?

Public Comment:

**Nicole Barde , Storey County resident:** The Sheriff is a member of the liquor board and if the Sheriff is responsible for the investigation, it creates the appearance of a conflict. Centralizing it with Mr. Haymore's office makes sense. How is the appearance of conflict addressed (in the ordinance) when two of the four liquor board members are owners and competitors on C Street, for C Street businesses who apply for liquor or gaming license. How is that not potentially an appearance of a conflict?

Robert Morris: The Board members who do have businesses are required under the Open Meeting Law to disclose that. Since they are members of a class - owners of commercial property on C Street - they're allowed to vote. They do not have any pecuniary interest in the business applying for the license.

Ms. Barde: Does not understand how doing just the investigation creates a conflict. A competitor approving, or not approving, a license appears to be more of a conflict than the Sheriff doing an investigation.

Mr. Morris: This is not an action item. Concerns and ideas are being taken at this time and will be noted. No decisions are being made, there will be another workshop.

**Kris Thompson, Project Manager at TRI:** Has personally dealt with Mr. Haymore and Ms. Bucchianeri processing business licenses. They are a good candidate for the “one stop shop” because of their customer relations - being helpful, friendly and professional and providing the kind of reception necessary for economic development in the County.

**Bruce Ketise, Carson City resident:** Has attended liquor board hearings in Carson City for years and has never heard anyone accuse the Sheriff (in Carson City) of a conflict of interest.

**Nick Guera, Virginia City business owner:** Does not want to see pieces of the Sheriff’s duties taken away.

Comptroller Hugh Gallagher: Welcomes the review of the financial statements for the reason that when it is a privilege, not a right, it gives the Comptroller the ability to ask questions regarding financial status of the applicant. This is with the understanding that sustainability is important to anything required as far as a business is concerned.

Mr. Whitten: The process needs to be with the professionals best equipped. In this case with financial analysis, there is no one better to handle this than the Comptroller. This is not to take things away from the Sheriff, but to put in a process that makes it better and more effective than what is in place currently.

Commissioner McGuffey: The following items need to be addressed:

- There should be definition of the Administrator, including duties and authority, in the proposed ordinance. Proof of financial standing needs to be more specific.
- What does the applicant need to know to be financially stable and/or have business probity.
- When licensee abandons liquor license, the time period before it can be re-issued needs to be clarified.
- Clarify whether an 18 year old can sell alcohol.

Chair McBride suggested holding the second workshop on March 1, 2016.

**16. DISCUSSION/POSSIBLE ACTION:** Proclaiming January 2016 as National Radon Action Month in Storey County

Cherie Nevin introduced Jamie Roice-Gomes, radon specialist, from UNR Cooperative Extension office. Ms. Roice-Gomes passed out test kits along with information about radon. Radon is the leading cause of lung cancer after cigarette smoking. To reduce the risk of lung cancer, homes can be tested for radon and can be fixed if radon is detected. Free radon test kits are offered to all Nevada residents and are available in Storey County, at the library in Virginia City. Lockwood residents can go to the UNR office in Reno at 4955 Energy Way. Residents should test for radon, not only to see if there is radon in their home, but this will help increase the statistics available for the area. Residents can also call 1-888-radon10 and a kit can be mailed. Ms. Roice-Gomes read the proclamation.

Chair McBride commented that it has been customary to declare January as National Radon Action Month in Storey County.

Commissioner McGuffey: Has researched this issue. If radon is found in a home, it’s up to the resident to spend the money to take care of it. There is no help or assistance in getting rid of radon. If a home is sold, the information from the test would have to be disclosed.

Ms. Roice-Gomes: The USDA does offer loans and grants for low income individuals. The information would have to be disclosed if the home is sold. This would be a plus if you have low-levels and the amount of money to fix a home is miniscule compared to treatment for lung cancer.

**Motion:** Proclaim January 2016 as National Radon Action Month in Storey County **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

17. **DISCUSSION/POSSIBLE ACTION:** Approval of Sheriff's General Business License Second Readings for Paul Rusch; PBR Concealed Carry Weapons Instruction, 443 Trellis Dr., Fernley, NV 89408.

Sheriff Antinoro recommended approval for Mr. Rusch for a general business license - out of County. The course of instruction meets with that set forth by State statute.

**Motion:** Approve Sheriff's General Business License Second Readings for Paul Rusch; PBR Concealed Carry Weapons Instruction, 443 Trellis Dr., Fernley, NV 89408, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

18. **DISCUSSION/ POSSIBLE ACTION:** Approval of Sheriff's General Business License Second Reading for Delta Saloon, Tina Perkins, located at 18 S C St., Virginia City.

Sheriff Antinoro suggested items 18 and 19 be continued as the Board members were not given copies of the reports.

District Attorney Langer: Agrees with the Sheriff. However, instead of continuing these items - based on everything that has led up to today, agenda items and the way they were written - these are actually first readings. There will be a second reading on both items the next time.

Sheriff Antinoro: For the record, once he was advised that the Board did not receive the reports, the report was sent by email to each member.

Ms. Langer: The temporary licenses will stay in place until the next meeting.

Public Comment:

**Attorney Brandon Sendall:** Asked for clarification as to why this is a first reading and not a second reading.

Chair McBride: This item was pulled from the last agenda because everything had not been completed. This wasn't heard.

Ms. Langer: For the record, on December 15th the Sheriff's packet stated this was a request for a general business license and a liquor license. The actual Consent Agenda item read: "approval of liquor licensing". It did not have what it was referring to - just licensing, not license. It was brought out that the agenda item under staff reports was different than the actual agenda item. So it wasn't actually agendized for the business license.

On the 5<sup>th</sup> (January), the Sheriff asked that the liquor license be continued as they were not done with the investigation. Ms. Langer does not believe anything was brought up again on the general license.

The proper verbage in today's agenda would make it a first reading on a general license for the Delta and a first reading on the liquor license for the Delta. The meeting will need to adjourn for Item 19 to be heard under the Liquor License Board.

The Sheriff was going to ask the items be continued anyway. These are procedures that need to be clear in the record. Second readings will go forward at the next agenda meeting.

**Vince Malfitano, owner of the Delta and the Bonanza:** The D.A. is incorrect. Not sure of the date, but when she (Ms. Perkins) was on the agenda for the first reading, it was approved as part of the Consent Agenda. After, D.A. Langer came forward and tried to bring up some issue and the Sheriff rightly reminded her that it's already been approved - there was nothing else to talk about. Whether or not it was agendized correctly, that's not for me to comment on. That's the work of the Board and the people who agendize stuff. For the record, she has already been approved on the first reading. This is the second reading, and there is no reason why an action shouldn't take place.

Ms. Langer: The Sheriff has asked that it be continued today either way. The way that it was written on the agenda on the 15<sup>th</sup>, it probably should not have been passed as it was not agendized correctly. The reality is the second reading will be taking place, based on the Sheriff and District Attorney's recommendations, at the next meeting.

Mr. Malfitano: Asked to make another comment.

Chair McBride: Mr. Malfitano has already made comment. We do not go back and forth.

Chair McBride asked Mr. Malfitano to return to his seat.

### **Corrected to read First Reading upon recommendation of the District Attorney**

**Motion:** Approval of Sheriff's General Business License First Reading for Delta Saloon, Tina Perkins, located at 18 S C St., Virginia City, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**19. DISCUSSION/ POSSIBLE ACTION:** Approval of Liquor License Second Reading for Delta Saloon, Tina Perkins, located at 18 S C St., Virginia City.

Chair McBride called this item and stated that it is corrected to read First Reading as previously stated and recommended by the District Attorney.

Public Comment:  
None

**Motion:** Approve Liquor License First Reading for Delta Saloon, Tina Perkins, located at 18 S C St., Virginia City, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=4)

### **ADJOURN STOREY COUNTY LIQUOR BOARD TO RECONVENE BOARD OF COUNTY COMMISSIONERS**

20. **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.

Planning Director Austin Osborne requested this item be pulled of the agenda permanently. This item will be re-posted when necessary.

**Motion:** To withdraw item 20 from the agenda, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## **COMMUNITY DEVELOPMENT AND PLANNING**

21. **DISCUSSION/POSSIBLE ACTION:** Application No. 2014-021 (Continued from 01/05/16 meeting) by the Tahoe-Reno Industrial Center, LLC., and Storey County on behalf of The Nature Conservancy, LLC and the Union Pacific Railroad Company to amend the Official Storey County Zoning Map. The amendments will apply regulatory zones to approximately 600 acres of land located in McCarran, Nevada (River District near the Tahoe-Reno Industrial Center) which was in July of 2014 transferred from Washoe County to Storey County by mean of boundary line adjustment. Additional information including, but not limited to, reports and maps may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).

Vice Chairman Gilman recused himself from this item.

Austin Osborne presented this item. The subject property is located in McCarren, Nevada, and is not exclusive to TRI. The property is approximately 580 acres and is land transferred in 2014 from Washoe County to Storey County. The former Washoe County zoning was agriculture/industrial, medium rural and public. The proposed zoning is natural resources, industrial-commercial, forestry, and public.

The applicants are Tahoe-Reno Industrial Center, the Nature Conservancy, and the Union Pacific Railroad Company.

This application conforms to the Master Plan and the Zoning Ordinance.

Public Comment:

**Mark Joseph Phillips , Virginia City Resident:** This is a zoning map amendment and the map being amended is not present. The Board needs to sign the map and this cannot be done without the map being present.

Mr. Osborne: All materials are posted per NRS. The staff report does contain the necessary materials and the GIS will be creating those maps if the item is approved.

Mr. Osborne read the Findings:

### **4.1 Motion for approval**

The following are found regarding the zone map amendment under the recommended conditions of approval shown in Section 5. A motion for approval should include at a minimum these findings and may include other findings deemed appropriate and factual by the body.

4.1.1 The proposed zone map amendment complies with federal, Nevada State, and Storey County regulations.

4.1.2 The proposed zone map amendment will impose no substantial adverse impacts or safety hazards on the abutting properties.

4.1.3 The conditions of approval for the zone map amendment do not conflict with the minimum requirements of SCC Chapters 17.03 Administrative Provisions for zone map amendments and zone text amendments; or the purpose and intent of SCC 17.15 Public zone, 17.32 Forestry zone, 17.39 Industrial-Commercial zone, 17.76 Natural Resources zone, and 17.84 Signs and Billboards regulations, as applicable.

4.1.4 The uses allowed by the new zones do not appear to cause substantial adverse impacts to the uses allowed in the abutting zones.

4.1.5 The proposed zone map amendment is in substantial compliance with and supports the goals, objectives, and recommendations of the Storey County Master Plan.

4.1.6 The proposed zone map amendments will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.

4.1.7 The proposed zone map amendment will not cause uses that will negatively impact existing or planned public facilities and will not adversely impact the public health, safety, and welfare.

4.1.8 The proposed zone map amendment will not create any non-conforming conditions, such as non-conforming setback distances or minimum parcel area and width requirements.

**Motion:** 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, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

## 22. FOR POSSIBLE ACTION, LICENSING BOARD SECOND 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)
  - U. **OLD RED GARTER, LLC** -- General / 80 South C Street (Change of Ownership Only) VC
  - V. **MODERN MINING SOLUTIONS, LLC** - General / 1280 Alexandria Court TRI
  - W. **BI NUTRACEUTICALS, INC.** - General / 625 Waltham Way #101 (milling botanicals) TRI
  - X. **RICH DOSS, INC.** - General / 201 Wild Horse Canyon Drive (transportation) MCC
- (Items U through X will be removed from the agenda until ready for final reading.)

Dean Haymore, Community Development Director, recommended approval of items A. through T. and continuance of items U. through X.

**Motion:** To approve items A. through T., **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**Motion:** To continue items U. through X., **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

None

24. **ADJOURNMENT**

Respectfully submitted,

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