



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, JUNE 21ST, 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

VANESSA STEPHENS
CLERK-TREASURER

Roll Call: Chairman McBride, Commissioner McGuffey, County Manager Pat Whitten, County Clerk & Treasurer Vanessa Stephens, District Attorney Anne Langer, Sheriff Gerald Antinoro, Public Works Director Mike Nevin, Comptroller Hugh Gallagher, Community Relations Director Cherie Nevin, Community Chest Director Shaun Griffin, Planner Jason VanHavel, Special Council Bob Morris, Community Development Director Dean Haymore and Stacey Bucchianeri with Community Development.

Absent: Vice-Chairman Gilman

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

The Chair called the meeting to order 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 June 21, 2016

Motion: Approve Agenda for June 21, 2016, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

4. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for May 3, 2016

Motion: Approve Minutes for May 3, 2016, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

5. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for May 17, 2016

Motion: Approve Minutes for May 17, 2016, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

6. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for May 24, 2016

Motion: Approve Minutes for May 24, 2016, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

CONSENT AGENDA

7. For possible action approval of Payroll Checks date 05/19/16 for \$1,394.20, check date 05/20/16 for \$364,861.10, check date 05/27/16 for \$119,758.88 and \$72,848.64, and check date 06/03/16 for \$488,280.04. Accounts Payable Checks date 05/13/16 for \$517,958.12 and \$13,162.37, check date 05/20/16 for \$9,401.00, check date 05/26/16 for \$65,256.74, check date 05/27/16 for \$266,701.28 and \$7,049.03 and check date \$447,388.33 and \$16,301.80.
8. For possible action approval of May 2016 Treasurer Report.
9. For possible action approval of Assessor's Recommended Correction to the Unsecured Roll for Overassessment.
10. For possible action approval of the Storey County Fire Protection District Report for April and May 2016
11. For possible action approval of Business Licenses First Readings:
 - A. **AS YOU LIKE IT QUALITY PAINTING.** – Contractor / 127 Denio Drive ~ Dayton (contractor)
 - B. **CROSSMAN CONSULTING dba Markman Const** – Contractor / 100 Del Mesa ~ Reno (contractor)
 - C. **ARUP NORTH AMERICA, LTD** – Professional / 560 Mission St ~ San Francisco, CA (engineer)
 - D. **NALCO CO., LLC** – Contractor / 370 N Wabasha ~ St. Paul, MN (equipment prep)
 - E. **AQUA METALS RENO, INC.** – General / **2500 Peru Drive (battery recycling facility)** **TRI**
 - F. **GREEN & GOLD CONSULTING** – Professional / 3535 Lebon Dr ~ San Diego, CA (consultant)
 - G. **SAVORY INVESTMENTS dba Famous Dave's BBQ** – General / 5422 Longley ~ Reno (food truck)
 - H. **CONTROLLED CONTAMINATION SVC, LLC** – General / 4182 Sorrento Valley ~ San Diego (cleaning)
 - I. **OKAMOTO CORP** – Contractor / 370 Corporate Woods Pkwy ~ Vernon Hills, IL (svc machinery)
 - J. **SCHNEIDER ELECTRIC USA, INC.** – Contractor / 800 Federal St. ~ Andover, MA (start-up machinery)
 - K. **SOUTH COAST ENG. GROUP** – Professional / 5000 N Pkwy Calabasas ~ Calabasas, CA (engineer)
 - L. **RIGHTTECH, INC.** – General / 517 Route 1 South ~ Belin, NJ (staffing services)
 - M. **SSOE, INC.** – Professional / 1001 Madison Avenue ~ Toledo, OH (engineer)
 - N. **HAZ-TECH DRILLING, INC.** – Contractor / 475 North Linder ~ Meridian, ID (drilling services)
 - O. **STUMBAUGH & ASSOC** – Contractor / 3303 N San Fernando ~ Burbank, CA (specialty contractor)
 - P. **INDUSTRIAL AUTOMATION GRP** – Contractor / 1349 Coldwell, Ave ~ Modesto, CA (equip install)
 - Q. **TESTWAVE, LLC** – Contractor / 1515 Greg Street ~ Sparks (testing equipment)
 - R. **MCKEON DOOR OF NV, INC** – Contractor / 3074 W Post Rd ~ Las Vegas, NV (OH door install)

- S. **SPRAYFOAM SW, INC., dba Roofing SW** – Contractor / 2401 E Magnolia ~ Phoenix (roofing repairs)
- T. **WALKER TELECOMM, INC.** – Contractor / 1995 Hwy 65 ~ Wheatland, CA (electrical contractor)
- U. **ASPLUNDH TREE EXPERT CO** – Contractor / 708 Blair Mill Rd ~ Willow Grove, PA (tree svc)
- V. **SECURED SERVICES, LLC** – General / 9605 Dabney Carr Dr. ~ Louisville, KY (staffing svcs.)
- W. **DELTA WIRELESS, INC.** – Contractor / 930 Striker Ave ~ Sacramento (equipment install)
- X. **TEKSYSTEMS, INC.** – General / 7301 Pkwy Dr ~ Hanover, MD (staffing svcs.)
- Y. **MALLORY SAFETY AND SUPPLY LLC** – General / 740 Freeport ~ Sparks (safety supply)
- Z. **HYDRO RESOURCES WEST, LLC** – Contractor / 4975 W Winnemucca Blvd ~ Winnemucca (drilling)
- AA. **EICHLEAY, INC.** – General / 1390 Willow Pass Rd ~ Concord, CA (staffing svcs.)
- BB. **JAMES CRANER, MD MPH, A PROFESSIONAL CORP** – Prof / 4185 Wild Eagle ~ Reno (doctor)
- CC. **TLC SWEEPING & MAINTENANCE, LLC** – Contractor / 1366 Dortmund ~ Sparks (sweeper truck)
- DD. **HAT, LTD PARTNERSHIP** – General / 1155 W 4th ~ Reno (staffing svcs.)
- EE. **DERR AND GRUENEWALD CONST CO** – Contractor / 11100 E 108th Ave ~ Brighton, CO (steel cont.)
- FF. **ELITE SAFETY COMPANIES, INC.** – Contractor / 3301 S Virginia ~ Reno (safety consultant)
- GG. **DCR TELECOMMUNICATIONS, INC.** – Contractor / 795 Robin ~ Reno (wiring contractor)
- HH. **AMERICAN FIRE EQUIP SALES & SVC CORP** – Contractor / 3107 W Virginia ~ Phoenix (fire prot.)
- II. **ONTRACK SCHEDULING, INC.** – Professional / 1135 Terminal Way ~ Reno (consultant)
- JJ. **GABRIELLI APPLIANCE REPAIR, INC.** – Home Business / 21570 Dortort ~ VC Highlands
- KK. **NORDSON CORPORATION** – Contractor / 28601 Clemens Rd ~ West Lake, OH (equipment install.)
- LL. **M&W US, INC** – Contractor / 201 Fuller Rd ~ Albany, NY (consulting)
- MM. **MCGEE & MCGEE WINE MERCHANTS** – General / 555 East Glendale ~ Sparks (distributor)
- NN. **G&K SERVICES** – General / 5995 Opus Pkwy ~ Minnetonka, MN (textile leasing)
- OO. **INTERSTATE CARPORTS CORP** – Contractor / 1280 S Buena Vista ~ San Jacinto, CA (carport install)
- PP. **TB PENICK & SONS, INC.** – Contractor / 15435 Innovation Dr ~ San Diego, CA (contractor)
- QQ. **TITAN STRUCTURAL CONCRETE, INC.** – Contractor / 15435 Innovation Dr ~ San Diego, CA (cont.)
- RR. **WUNDERLICH-MALEC SYSTEMS, INC.** – Contractor / 6101 Blue Cir. ~ Eden Prairie, MN (elect cont)
- SS. **FLUID RESEARCH CORP** – Contractor / 15775 Gateway Circle ~ Tustin, CA (equipment install)
- TT. **MAPCA SURVEYS, INC.** – Professional / 9650 Gateway Dr ~ Reno (surveyor)
- UU. **A&J DISTRIBUTORS** – General / 2326 Primio Way ~ Sparks (liquor distributor)
- VV. **RABA KISTNER, INC.** – Professional / 12821 W Golden Lane ~ San Antonio, TX (engineering inspection)
- WW. **CHIZU ELECT CO., LTD** – Contractor / I-8 Mukojima, Osaka JAPAN (lithium battery assembly mach.)
- XX. **INDUCTIVE AUTOMATION, LLC** – General / 340 Palladio Pkwy ~ Folsom, CA (software development)
- YY. **YAMADA DOBBY AMERICA, LLC** – Contractor / 12074 Univ. City Blvd ~ Harrisburg, NC (machinery)
- ZZ. **SME STEEL CONTRACTORS, INC.** – Contractor / 5801 Wells Park ~ West Jordan, UT (steel fab)
- AAA. **KEM COMMUNICATIONS, LLC** – Contractor / 3838 E Grove ~ Phoenix (fiber optic install)

- BBB. **SEIBU GIKEN AMERICA, INC.** – Contractor / 220 N Park Rd ~ Wyomissing, PA (manufacturing)
- CCC. **THRIVE MARKET, INC. – General / 700 Milan (ECommerce Facility) TRI**
- DDD. **DAIICHI JITSUGYO AMERICA, INC.** – General / 939 AEC Dr ~ Wood Dale, IL (trading company)
- EEE. **SPRUNG INSTANT STRUCTURES, INC.** – Contractor / 5711 West Dannon Way ~ W Jordan, UT (modular space suppliers)

END OF CONSENT AGENDA

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

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

Community Chest Director Shaun Griffin:

- The Community Chest's 25th year celebration will be held Thursday at the Red Dog, 6PM to 8PM.

Community Outreach Director Cherie Nevin:

- Progress has been made on the Lockwood Community Garden. Several Lockwood community members have stepped up to get the garden cleaned up. Most of the beds have been spoken for for this growing season. Thanks to John and Merilee Miller for all the help and thank you to the Public Works for helping to clear weeds
- The annual Health Fair will be held in Mark Twain this year on Saturday, October 8th.
- This weekend is the Virginia City Motorcycle Marathon. This year's beneficiary is Virginia City resident, Tim Lucich.

Planner Jason VanHavel :

- NDOT has announced transportation alternatives funding and supplementing some of this funding with surface transportation program funds. An application is being prepared to be submitted for funding to address items on C Street such as curbs, drainage, and other upgrades.
- Review and proof reading of the Master Plan has started and being done by UNR students and faculty. The Master Plan is on schedule to be heard by the Board for potential adoption on the August 2nd Commission agenda.

Community Development , Stacey Bucchaneiri:

- There are two new inspectors in the Community Development Department - Tracy Curtis and Pete Renaud. A boardwalk review was completed and businesses were advised that boardwalk inspections would be done in two weeks.

Public Works Director Mike Nevin:

- Public works provided assistance to the Lockwood Community garden and addressed drainage issues in the area.
- Water line extensions are being put in around town with new residential construction requiring new lines.
- The pool opened as scheduled. There were a couple of weather related events that required closing the pool temporarily. A circulator pump failed which also closed the pool for a short time.

- Pool Pact’s aqua-risk management team recently did an assessment of the swimming pool. For the most part the team was impressed with the condition of the facility.
- Public Works pool employees attended a seminar held by Pool Pact regarding swimming pools. Suggestions brought back will be implemented within the next couple of months.
- Parts of Virginia City experienced a power failure last week. There was an issue with a transfer switching mechanism that was addressed in house.
- Working with Farr West Engineering and BLM on easements that are necessary for the Six Mile drainage project. Another easement was acquired for work on the Ophir Grade road for realignment of the Five Mile pipeline. The archeological preliminary assessment has been completed.
- Grant funds have been received for Miners Park. New playground equipment has been ordered and should be received in approximately six weeks.
- Paint striping of Six Mile Canyon will be done tomorrow with temporary shutdown of the road for about an hour.
- Public Works has a job opening for an Automotive Technician.

Commissioner McGuffey: Thought the playground equipment would have been in by the time the pool opened. Is there an update on the Highlands gazebo?

Mr. Nevin: It would have been done however grant funding was not released for a year. Once the equipment is received, it will be installed right away.

- The roof on the gazebo will be done in-house at a cost savings. The basketball courts in the Highlands and Lockwood will be striped.
- Bid documents will be put together for the cape-slurry seal on the 2 mile section of Cartwright Road. The homeowners might want to look and see if additional back-filling needs to be done.

County Manager Pat Whitten :

- Mr. Osborne and Mr. VanHavel are meeting with USGS to assess funding and availability of a study on groundwater conditions in the Highlands and Mark Twain.
- Farr West is in the process of conducting a land survey on the properties surrounding the Courthouse and the Gold Hill depot. After receipt, the County can move forward with the Courthouse annex and the purchase of the parking lot next door.
- Good forward progress has been made on the Courthouse annex. The project is now in the hands of the architect. Based on low rates from USDA, Miles Construction was asked to give a quick, high-ball price on the property. This will be bring into question whether or not this is a righteous use of taxpayer funds.
- Mr. Gallagher and Mr. Whitten will be meeting this week with the Department of Taxation - Sales Tax Division regarding the MOE allowing the County to audit the Department’s books, as to whether sales and use taxes from TRI are being reported properly. There needs to be clarification of reporting requirements and ground rules.
- Work is moving along to make the “old jail” a mini-version of the conference center. Display cases were left by the Police Officer’s Museum and artifacts are being sought to fill these cases. A self-guided, mini-museum tour is being considered. Lights will be turned on during the day so the jail can be seen through the door.

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

Commissioner McGuffey :

- There was a big turnout for the USA Parkway groundbreaking ceremony. The number of Storey County department heads was impressive.
- St. Mary's Art Center is having the summer art reception - artisan's gallery this Saturday.
- Attended a NACO workshop regarding social media. Commissioner McGuffey recommended that NACO make this a mandatory workshop - it was an eye-opener on what can happen on social media.
- The V & T budget was approved. It appears, with the last few runs, the V & T is actually breaking even and may make some money.

Chairman McBride:

- The next Commission meeting will be July 5th.
- The annual 4th of July celebration will start off with the parade at noon, followed at 6PM with David John and the Comstock Cowboys Annual Second Amendment Concert - free of charge. At dark the fireworks will go off from the new location at the fairgrounds.

14. DISCUSSION/POSSIBLE ACTION: Acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval of payment from fiscal year 2016-2017 funds.

Comptroller Hugh Gallagher presented this item and introduced Doug Smith a principle with POOL/PACT. POOL/PACT works very hard on all aspects of the County's insurance as well as the Public Agency Compensation Trust. There are many items on which POOL/PACT advises the County.

Doug Smith stated the numbers have been reviewed with Mr. Gallagher. The primary goal of POOL/PACT is to have "no surprises" for the members. Premiums have stayed fairly flat, with maybe a little growth with inflation but with trying to expand coverage and services.

Mr. Smith indicated the main coverage change this year is increase in flood coverage. Secondly, to provide a student accident coverage. Storey County has been one of a handful of entities that have purchased specific pollution coverage - separate from POOL. POOL/PACT is now strong enough to offer this coverage, saving Storey County approximately \$16,000. Coverage this year reflects, overall, about a \$7,000 increase. Coverage for drones is being explored.

Mr. Smith said POOL/PACT appreciates the County's support.

County Manager Whitten: Can't say enough good about Nevada Public Agency Insurance Pool who is always there for the County with assistance from opinions of legal counsel and great service that isn't there with traditional insurance.

- The County's total program costs are \$291,466 for the year, including agent compensation of \$19,067.
- The County's premium this year is \$272,398. This is the premium with \$1,000 deductible. If the County stays at the current \$5,000 deductible, the program costs would be \$255,765 and \$17,903 for agent compensation, for a total of \$273,669.

Mr. Whitten recommends staying with the \$5,000 deductible, which the County has been able to do comfortably in the past. This will save \$20,000 year. An amount is reserved in each major budget - Sheriff and Fire - to cover at least one event. With the \$5,000 deductible there is a savings of almost \$18,000.

Chairman McBride: Would there be more than four claims a year that would offset the cost of the premium difference?

Mr. Whitten: Maybe yes, maybe no. However, it will impact our claims experience - more will go in, more will have to be paid for. Mr. Smith also supports staying with the higher deductible.

Public Comment:
None

Chairman McBride: Not only is there a savings between the \$1,000 and \$5,000 deductibles, there is a savings from last year's policy of about \$8,000.

Motion: Approve renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval of payment from fiscal year 2016-2017 funds for the \$5,000 deductible option, which brings the total of the policy to \$273,669.53, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

15. **DISCUSSION/POSSIBLE ACTION:** Work card appeal for John Warner.

Joel Baldwin, Security Director of the Mustang Ranch, on behalf of Donnie Gilman, presented this item. This is a consideration of a work card appeal for John Warner. Mr. Warner's background was presented at a prior hearing during public comment.

Mr. Baldwin described the steps taken after denial of the work card by the Sheriff's Office. An explanation of the circumstances leading to the denial was given by the denied applicant, John Warner, followed by a heated discussion during which time Mr. Warner withdrew his request for reconsideration of the denial of the work card.

Chairman McBride stated the Commission heard all it needed to hear on this subject.

No action taken.

Chairman McBride called for recess at 11:05 AM

Meeting reconvened at 11:45 AM

16. **DISCUSSION ONLY (No Action):** Update from Community Chest, Inc.

Shaun Griffin, Community Chest Director, presented an update on the plans for phase 2 of the Community Center. Also present for the presentation, Darren Berger - principle of Berger, Hannifan Architects, and Cherie Nevin, Chairman of Community Chest board. Architectural plans are almost done and will be submitted to the engineers and then to permitting. This should be done by end of summer, early fall.

Mr. Berger gave a slide show presentation and review of the proposed plans including:

- A two-story addition housing a multi-purpose room and the library;
- A new health center, kitchen, with access to a grassy area outside;
- The multi-purpose room can be utilized for events;
- If funds allow, a day-care center.

Mr. Whitten: What is the timing for beginning construction? This would affect when the parking

lot would be paved as some of the area will be taken out. Second, is it the intention to turn ownership of the building over to the County? If so, legal counsel needs to be contacted as there are some bid requirements that may or may not come into play. There also needs to be discussion about insurance coverage under the County's insurance.

Mr. Berger: The plans will be wrapped up by next month. Construction could start as early as mid-September.

Mr. Griffin: Thrilled the plans have reached this stage. Mr. Berger and his mentor, Art Hannifan began this long ago. This has been many years coming.

On May 24th, Mr. Griffin received a call from the Pennington Foundation awarding Community Chest a half million dollars to finish phase 2, conditional on raising bonds for \$120,000 - one third of which has already been raised with commitments for the balance. Mr. Griffin did not believe he would ever receive this phone call. The Pennington Foundation is the largest foundation in Nevada and can change lives regionally, State wide, and nationally.

Mr. Griffin said it is more than honor to say this is now going to happen, and would not have happened without the support of many who never doubted that it would happen. This facility will remain in this community in perpetuity. This news will be shared and celebrated at the 25th anniversary this Thursday. Thank you.

Chairman McBride: Shaun, you are the one who deserves the thank you for 20 years of heavy lifting - well done.

No action taken.

17. DISCUSSION ONLY (No Action): Val Label presenting an update on the Virginia Range (VR) Horses.

Valerie Label-Flatly representative from the Virginia Range Wildlife Protection Association, gave an update on wild horse issues:

- In March 2015, an unprecedented agreement was signed between the Nevada Department of Agriculture and Return to Freedom. So far the agreement has been working very well.
- The Virginia Range Wildlife Protection Association, along with other groups, are part of that agreement. This has given them the ability to help manage the wild horses.
- A main component of the agreement is a humane birth control program that manages the horses in hopes of keeping them on the range with numbers meeting the Department of Ag approval.
- Range condition and numbers are determined by the Department of Ag.
- The Department set a goal of 150 horses (mares) to be darted with a pregnancy vaccine.
- As of now, over 230 horses have been darted and over 1,000 have been documented.
- Nothing will be seen in Virginia City, or close to town, as these are not advisable places to dart.
- Door hangars regarding horses have been passed out to Virginia City and Gold Hill residents.
- Diversionary feeding is taking place to get horses out of neighborhoods and off the roads.
- Horses are getting in to neighborhoods because a lot of fencing is broken or non-existent.

- Public safety - working with transportation to put up signage.
- There has been a lot of emotional and financial support from Storey County.
- Waste Management in Lockwood has taken over some work that needed to be done at no cost to the Association.
- A reduction in the number of horses should be seen starting next year resulting in none of these horses being picked up - which is another situation.

Chairman McBride: Why do you feel there will be fewer horses next year? The horses live a long time and the range is already over capacity. 230 is a drop in the bucket - but it's a good start. What kind of diversionary water and feeding is there? There are large groups in town - how do we handle this situation?

Ms. Label-Flatley: The mares who were darted, and continue to receive boosters, will not be able to conceive. There are a lot of foals seen right now as the mares were already in foal when darted. This does not hurt the foal. The BLM's PZP program has been suspended in the Pine Mountain area due to legal reasons - not because of the PZP. This was an experimental program in that area. It is understood that once settled, the program will resume. There is no place to move horses out of this range. All other areas are full.

Ms. Label-Flatley continued with review of what happens when horses are picked up by the Department of Ag. All horse groups, rescue and sanctuary, are full. Relocation is not an option. The best option is to reduce the population. It will take time.

Diversionary feeding was started near Toll Road, also near Damonte Ranch, and Rhodes Road near 395.

There is no 100% solution - just one step at a time. Attempts have been made to get diversionary feeding started in Virginia City, and we are waiting on the Department of Ag to approve a place to do it. Part of the problem is the feeding and watering of horses in town which is illegal. Residents feel they are doing the right thing. It is against the horse's nature to be fed and it keeps them in town. When people are educated this will stop.

The problem with relocating bands - to the Industrial Center - is when one is relocated another band comes in.

Ms. Label-Flatley said the Association is trying. There are a lot of horses and more volunteers are needed.

Mr. Whitten: The County is on your side. You have brought in some potential solutions and it is appreciated. Can the County put pressure on the Department of Ag to get this (the diversionary feeding) done.

Ms. Label-Flatley: Yes. However, once this is done there needs to be volunteers to bring food and water to the sites. It is a commitment and the volunteers need to be on the same page regarding birth control and feeding.

Commissioner McGuffey: Ms. Label-Flatley and the Association have created a camaraderie with other horse groups teaming together to do the same work.

18. DISCUSSION/POSSIBLE ACTION: Approval of award for fuel and propane contract bids.

County Manager Pat Whitten said these bids are for three years with the understanding at the end of the three-year period, subject to satisfactory service, that the agreements can be renewed for a similar period. There is a lot of work in changing these companies.

The first is propane. There were two bidders:

Amerigas - Came in at 22 cents over rack for the County plus \$1 per tank rental, with a 10 cent per gallon hazmat fee. They were requested to give an employee rate which was 50 cents over rack. The resident rate was also 50 cents over.

Ferrellgas - Came in at 15 cents over rack for the County and 50 cents over rack for employees.

Resident rate was higher at 65 cents. There are no tank rental or hazmat surcharges.

Second is regular and diesel gas. The bids were all over the board. Bids were requested to include average - rate over opus, a universal standard - and include federal taxes, but they did not.

Golden Gate Petroleum - The low bid for the River District fuel dumps, propane, and diesel at 8 cents a gallon spread.

Interstate Oil - 12 cents a gallon

Flyer - 30 cents a gallon

Carson Valley Oil - refused to bid the River District

Thomas Fuels, also known as Pilot - 10 cents a gallon

The recommendation is to split the contracts as in the past awarding to Golden Gate as the "hands down" winner. Virginia City and the Virginia City Highlands, keeping in mind that the bulk of the fleet is here and fuels here, Pilot bid 6 cents on Virginia City business and 10 cents on VC Highlands business. The only other competitive bid was Carson Valley Oil which was 8 cents and 10 cents. Pilot to be awarded the contract for Virginia City and the Highlands.

A key element regarding propane, Amerigas controls its prices.

Public Comment:

None

Motion: Approve the award of contract for propane to Ferrellgas, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

Motion: Approve the award of contract for fuel for the River District (Lockwood and TRI) to Golden Gate Petroleum, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

Motion: Approve the award of contract for fuel for Virginia City and Virginia City Highlands to Pilot/Thomas Fuels, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

19. **DISCUSSION/POSSIBLE ACTION:** Approval of Permanent Grant of Easements and Temporary Grant for Easements to Storey County from private property owners in the Six Mile Canyon area for activities related to the Six Mile Canyon Storm Drainage Improvement Project and authorization for the commission chairman or his designee to sign Grant of Easements.

Cherie Nevin, Community Outreach Director, explained this item is for permanent and temporary grant of easements to pass the environmental Six Mile Canyon Storm Drainage Improvement Project which will be funded through a FEMA pre-disaster mitigation grant. There are several parcels of land in Six Mile Canyon owned by private property owners. Both permanent and temporary grants of easement are required for this project. Once approved, these easements will be recorded and forwarded to FEMA for inclusion in the grant paperwork related to the environmental assessment for this project. Four property owners were contacted and all were very easy to work with.

Public Comment:
None

Motion: Approve Permanent Grant of Easements and Temporary Grant for Easements to Storey County from private property owners, Cote, DeMay, Reica and United Mines, in the Six Mile Canyon Storm Drainage Improvement Project and authorization for the Commission Chairman, or his designee, to sign Grant of Easements, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

20. **DISCUSSION/POSSIBLE ACTION:** Canvass of the election results for the Primary Election held in and for Storey County, State of Nevada on June 14, 2016.

County Manager Whitten read the Storey County election results for June 14, 2016:

Democratic U.S. Senator: Catherine Cortez Masto - 193 votes; Bobby Mahendra - 9 votes; Liddo Susan O'Briant - 6 votes; Alalen Rheinhard - 12 votes; None of these candidates - 9 votes

Democratic Representative in Congress, District 2: Vance Alm - 34 votes; H.D. "Chip" Evans - 98 votes; Rick Shepherd - 79 votes

Republican U. S. Senator: Sharron Angle - 183 votes; D'nese Davis - 13 votes; Eddie Hamilton - 2 votes; Joe Heck - 262 votes; Thomas "Sad Tom" Heck - 17 votes; Robert X. Leeds - 1 vote; Carlo "Mazunga" Poliak - 0 votes; Juston J. Preble - 1 vote; Bill Tarbell -1 vote

Public Comment:
None

Motion: Approve results for the Primary Election held in and for Storey County, State of Nevada on June 14, 2016, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

21. **DISCUSSION/POSSIBLE ACTION:** To appoint members to the committees to prepare arguments advocating and opposing the ballot question regarding AB 191 relating to motor vehicle fuel tax indexing and to take any additional action required or permitted by NRS 295.121, which establishes the provisions relating to the appointment of such members and preparation of arguments.

Clerk/Treasurer Vanessa Stephens presented this item. This is a question that will appear on the November ballot for the State. The Commission is required to direct the Clerk to appoint committees to present arguments for and against this ballot question. NACO has done a lot of work on this issue which will enable the committees to use language provided - modify and make changes - and bring back to Commission for approval to put on the ballot.

Public Comment:
None

Motion: Approve County Clerk to appoint members to the committees to prepare arguments advocating and opposing the ballot question regarding AB 191 relating to motor vehicle fuel tax indexing and to take any additional action required or permitted by NRS 295.121, which establishes the provisions relating to the appointment of such members and preparation of arguments, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

22. **DISCUSSION/POSSIBLE ACTION:** Approval of short-term extension of Collective Bargaining Agreement (CBA) between Storey County, Nevada and Comstock Chapter AFSCME Local 4041 July 1, 2013-June 30, 2016 CBA, to August 16, 2016, or until a succeeding CBA is approved by the Board of Storey County Commissioner, whichever comes first, in order to allow collective bargaining between the parties to continue beyond the current CBA period.

County Manager Pat Whitten presented this item on behalf of Austin Osborne. This extension will allow added time necessary for the County and the union to continue bargaining fiscal and non-fiscal matters of the existing CBA, which expires July 1, 2016. The parties are in full cooperation in the bargaining process and mutually agree to this extension. The extension expires by the August 16, 2016 regular Board meeting or when a tentative agreement is reached by the union and the Board, whichever comes first.

Public Comment:
None

Motion: Based on recommendation by staff, I make a motion to approve a short-term extension of Collective Bargaining Agreement between Storey County, Nevada and Comstock Chapter AFSCME Local 4041 July 1, 2013-June 30, 2016, CBA, to August 16, 2016, or until a succeeding CBA is approved by the Board of Storey County Commissioners, whichever comes first, in order to allow collective bargaining between the parties to continue beyond the current CBA period, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

RECESS TO CONVENE AS THE STOREY COUNTY FIRE PROTECTION DISTRICT BOARD

23. **DISCUSSION/POSSIBLE ACTION:** Approval of resolution 16-439, Augmentation of the Fire Protection District

Comptroller Hugh Gallagher commented this is what the State Department of Taxation calls a "cleaning up" under NRS 354.598, procedures and requirements for augmentation of amending budgets.

The first is Resolution 16-439 for the Fire Protection District augmenting the budget in the amount of \$581,858. This comes from un-anticipated revenue sources, including federal grants, building permits, business license fees, and State centrally assessed overages.

The augmentation will be used for salaries, PERS, and Pact Compensation Trust.

Mr. Gallagher recommends approval.

Public Comment:
None

Motion: Approve Resolution 16-439 Augmentation for the Fire Protection District in the amount of \$581,858, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

24. **DISCUSSION/POSSIBLE ACTION:** Approval of resolution 16-440, Augmentation of the Mutual Aid Fund

Mr. Gallagher: Resolution 16-440 is for augmentation of the Mutual Aid Fund in the amount of \$376,000. Revenues were higher than anticipated. This augmentation will go toward overtime, health insurance, medicare, social security, capital outlay, fire suppression and fire protection.

Public Comment:
None

Motion: Approve Resolution 16-440 Augmentation of the Mutual Aid Fund in the amount of \$376,000, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

25. **DISCUSSION/POSSIBLE ACTION:** Approval of transfer of appropriations from Contingency to be split among various accounts, pursuant to NRS 354.598005

Mr. Gallagher: This transfer of appropriations will be from the contingency for Fire Protection District in the amount of \$101,300. This amount will go towards telephone, communications, computer software, personal protective equipment, and tires.

Public Comment:
None

Motion: Approve transfer of appropriations from contingency to be split amount various accounts pursuant to NRS 354.598005 in the amount of \$101,300, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

ADJOURN TO CONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

26. **DISCUSSION/POSSIBLE ACTION:** Approval of resolution 16-441, Augmentation of the Equipment Acquisition Fund

Mr. Gallagher: Resolution 16-441 is for augmentation of the Equipment Acquisition Fund in the amount of \$155,000. This is accomplished through unanticipated revenue from equipment sales and the funds will be appropriated to Capital Outlay expense in the amount of \$155,000.

Public Comment:
None

Motion: Approve Resolution 16-441 Augmentation of the Equipment Acquisition Fund in the amount of \$155,000, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

27. DISCUSSION/POSSIBLE ACTION: Approval of resolution 16-442, Augmentation of the Genetic Marker Fund

Mr. Gallagher: This is augmentation of the Genetic Marker Fund in the amount of \$1,243 from unanticipated resources.

Public Comment:
None

Motion: Approve Resolution 16-442 Augmentation of Genetic Marker Fund in the amount of \$1,243, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

28. DISCUSSION/POSSIBLE ACTION: Approval of transfer of appropriations from Contingency to be split between salaries, benefits, service, supplies and capital outlay, pursuant to NRS 354.598005

Mr. Gallagher: This is transfer of appropriations from contingency in the amount of \$270,500 from higher than anticipated revenues. These funds will be distributed to various accounts as indicated in the agenda.

Mr. Whitten: Some of the larger items for the Sheriff's Office are the result of the Bureau of Indian Affairs contract where the County is being reimbursed.

Public Comment:
None

Motion: Approve transfer of appropriations from Contingency to be split between salaries, benefits, service, supplies and capital outlay, pursuant to NRS 354.598005 in the amount of \$270,500, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

29. DISCUSSION/POSSIBLE ACTION: Approval of transfer of appropriations from Sheriff salaries and benefits to Admin salaries and benefits, pursuant to NRS 354.598005

Mr. Gallagher: This item is a transfer of appropriations from the Sheriff salaries and benefits to Administrative salaries and benefits in the amount of \$29,116 in regards to a movement of a position.

Public Comment:
None

Motion: Approve transfer of appropriations Sheriff salaries and benefits to Administrative salaries and benefits pursuant to NRS 354.598005 in the amount of \$270,500, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

34. DISCUSSION/POSSIBLE ACTION: Special Use Permit 2016-008, by Kevin and Ambre Chevalier. The applicant requests a Special Use Permit to operate a business for classic automobile chassis, mechanical and body restoration in a CR Zone location at 790 South A Street, Virginia City, Nevada (APN: 001-041-12).

Planner Jason VanHavel presented this item:

- The property located at 790 south A Street is currently in a CR (Commercial/Residential) zone.
- The area is not subject to potential adverse impacts and applicant has assured that this “high-end” automobile restoration business will not cause adverse impacts.
- Potential impacts and mitigation of potential impacts are addressed in the staff report.
- No public comment has been received regarding this request.
- The Planning Commission has recommended approval with the comment that special attention be brought to the storage issue. Storage will be inside and enclosed - with the allowance that one extra vehicle can be stored outside.

Chair McBride commented he attended the Planning Commission hearing and there did not seem to be any concerns regarding this Special Use Permit.

Mr. VanHavel reviewed three potential motions for this item.

Chair McBride: If applicant is doing on-site painting, he would fall under guidelines of Nevada Environment Protection, correct?

Mr. VanHavel: Yes.

Public Comment:
None

Mr. Van Havel read the findings of fact for approval:

- 5.1.1 The Special Use Permit complies with all federal , state, and county regulations.
- 5.1.2 The Special Use Permit will not impose substantial adverse impacts or safety hazards on the adjacent properties or the surrounding area;
- 5.1.3 The conditions of the Special Use Permit adequately address potential fire hazards and require compliance with the applicable fire codes, including fire protection ratings;
- 5.1.4 Use will not adversely affect the existing South Street, B or A Street, and if the use does impact the road, the applicant will maintain effected streets to conditions as of SUP approval;
- 5.1.5 Any paint and/or body work will be mitigated appropriately to maintain public health and safety.
- 5.1.6 The conditions under this The Special Use Permit do not conflict with the minimum requirements in SCC Chapter 17.12 General Provisions, Chapter 17.30 CR Commercial Residential Zone and Chapter 17.02.150 Special Use Permits, or any other federal, state, or county regulations, including building and fire codes.

Motion: In Accordance with the recommendation of the Planning Commission and staff, the Findings under section 5.1 of the Staff Report and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the condition of approval of Section 6 of this report, I hereby recommend conditional approval of Special Use Permit #2016-008 for the operation of the automobile restoration business, including local body and paint work, located at 790 So. A Street, Virginia City, Storey County, Nevada, APN 001-041-12,, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

Chairman McBride called for recess at 12:50 PM

Meeting reconvened at 1:00 PM

RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR BOARD

30. DISCUSSION/POSSIBLE ACTION: Second reading of Ordinance no. 15-271 amending Storey County Code chapter 5.12 Sale of Alcoholic Beverages, and section 8.28.025 Alcoholic Beverages, to revise the procedure for issuing and revoking business and liquor licenses, and providing for other properly related matters.

Outside Counsel Robert Morris presented an update of work on improving Storey County Code chapters on business and liquor licenses. Mr. Morris stated there are still issues to be worked on so Mr. Morris will request the Board to continue this matter to a date certain. There are issues that can be discussed at this time.

Mr. Morris: NRS makes this a complicated matter. There is a special NRS section for liquor board ordinances. Mr. Morris' attempt to comply with NRS is to break into two separate ordinances - one dealing with liquor licenses to be approved by the liquor board. Establishing two separate ordinances should meet with the intent of the law. After discussion with the Clerk, it was decided the Ordinance number would be 15-71 L, signifying the liquor board ordinance as opposed to a regular ordinance.

Other issues are:

- Section 5.12.100 calls for a fee for an additional bar on the same premises. It is understood that this has been a County practice. It seems strange to charge an extra fee for having another bar on the same premises. The Board needs to look at this as the process could be streamlined by eliminating this extra fee. It would take away some revenue but there does not seem to many establishments that have the additional bar.
- This would not pertain to a service bar.

County Manager Whitten: It would be staff's recommendation to eliminate any additional fees for a second bar or a service bar within the same facility.

Mr. Morris:

- Another item, is the Certified Training Program. Counties over 100,000 are required to have these programs where people are trained in the sale of alcohol. In jurisdictions under 100,000, the Board can include such a program if it wants. It is not included at this time, however it can be included if the Board is interested.

Chairman McBride: Has the Sheriff's Office seen problems with people being over-served or with underage drinking?

Sheriff Antinoro: Mostly there has not been a problem. Training has been brought in on a few occasions and was well received. However, we may be doing a dis-service to businesses who have a lot of turnover in employees. The Sheriff does not think the training should be included.

Chairman McBride: Perhaps the Board should "stand pat", waiting to see what the Legislature does.

Mr. Whitten: Agrees - it is just added governance.

Mr. Morris: There are a couple of related items: one is a special event permit for alcoholic beverages which states the permit is good for a single event for five days. A previous question discussed, was whether someone could get a permit for more than one event during a given time period - instead of single permit for each event as it happened.

Mr. Whitten: Does not believe the existing applications for special events are labor intensive. The County and the tourism commission have an idea as to who will be serving during events. Mr. Whitten suggested the practice continue.

Mr. Morris: The position would be to leave this as it is unless there is interest to change it.

Sheriff Antinoro: For tracking purposes it would be better to leave it as it is.

Chairman McBride: The County does want people who participate in special events to have a liquor license - not just having anyone set up shop.

Mr. Morris: There are two other issues outlined in a memorandum sent out by Mr. Whitten. Basically, the current ordinance requires certain financial standing before obtaining a liquor license. Does the County want to continue using financial standing as a qualification for a license? Good moral character has also been discussed - this is required in Clark County. A majority of jurisdictions do not have financial standing as a requirement for liquor license and some have a size limit on the business before requiring financial information. This is an idea for the Board to consider and if financial standing is considered - there may be certain limits as far as size, number of employees before requiring financial standing.

Mr. Whitten: Mr. Morris brought up "good moral character". The question is how is this defined? It could be through "credit worthiness" as shown in a credit report, criminal history, character references, background history, and other information that may come across. If the Board goes down this path, it definitely should be tiered based on some parameters such as Mr. Morris mentioned. It should not be based on revenues.

Sheriff Antinoro: Governance should not stand in the way. What constitutes "credit worthiness"? Financial standing should be taken out. It is agreed that organized crime should not get in - most of the establishments here are "mom and pop" operations. Large casinos will be monitored by the Gaming Board, the County does not need to "reinvent the wheel". There has not been a real strict standard for liquor licenses in years.

Mr. Whitten: With recent issues, the County has learned that these things need to be looked at and potentially restructured. Non over-governance is appreciated. But, for larger operations, this would be a one-time shot before giving the initial, one-time license. Credit standing is a pretty simple credit report. Not requiring anything is not wise. Guidelines need to be set with results provided to the applicant. When making decisions, the Liquor Board needs to know who is being licensed.

Commissioner McGuffey: There are (currently) provisions for felons. Pending litigation could also be considered.

Mr. Whitten: The worry would be, "you're innocent until proven guilty".

Chairman McBride: Looking at a financial background, if a person has a continuing reputation of not paying bills this would show cause to consider the background.

Sheriff Antinoro: If this is what is being looked at, it needs to be defined better. There are people with licenses that occasionally have a hard time paying bills - this does not make them bad people.

Mr. Whitten: The rules are not being changed for anyone who is already here. Only looking at initial licensing. These are privileged licenses - not "run of the mill" business licenses. The County should know who is receiving liquor licenses to the greatest extent it can.

Chairman McBride: Reputation of the applicant plays into this. It (liquor license) IS a privileged license - just like gaming.

Mr. Whitten: Since these are privileged licenses, perhaps the County should go to current licensees (with financial issues) to show cause - maybe a new credit report. The Sheriff said "good people turn bad and marginal people turn great" as far as financial issues.

Another question where (Board) guidance is needed is who should do the processing? The Community Development, licensing division, processes between 2 and 500 licenses compared to every liquor license. The liquor licensing was given to the Sheriff's Office many years ago. Mr. Whitten is an advocate of going back to the "one stop shop" concept. Anything to do with credit worthiness and financial strength would go the Comptroller. Work is being done diligently with a State Repository as to how an agency, other than the Sheriff's Office, can access and use information in the State and Federal criminal databases. The mechanism is in place.

In addition, the four members of the Liquor Licensing Board can then look at a full package. The State is working with the County on disclaimers.

Commissioner McGuffey: Likes the idea of a "one stop shop". The (Community Development) Department is the mode to actually direct applicants on what's going to happen and where to go next. Whereas, the Sheriff's Department is not in that mode.

Mr. Whitten: This is right. Community Development has different packages with checklists to give to applicants. Mr. Whitten does not say that the Sheriff's Department cannot do this - and may be doing it - it just putting the processing in a department that does it all the time. The ordinance is being structured to be compliant with State law that there would be a licensing division within Community Development.

Mr. Morris: NRS does make the Sheriff the ex-officio licensing authority in the County, unless the County takes time to do an ordinance creating a licensing department.

As Mr. Whitten indicated, will liquor licenses still go to the Sheriff, or more appropriately in the licensing division.

Mr. Morris met with the State to see how it was possible for the "civilian" side of the County to use the CHRI for fingerprinting. There is a procedure set up that the County can have prospective applicants go to businesses that do "live scan" fingerprints. Specific language needs to be contained in the ordinance. There are certain requirements which can easily be met.

What does the Board think about creating this licensing division moving some of the Sheriff's duties as the ex-officio licensing department to the one that's being created? Is this an appropriate thing to do?

Chair McBride: Isn't it already created?

Mr. Whitten: In a functional way, but technically “no”. Mr. Morris is doing a “multi-cleanup” and establishing a legal name for work group and what they’re doing.

Mr. Morris: This is “cleanup” work and puts in language creating a licensing division, giving the authority and procedures to go forward.

Sheriff Antinoro: Regarding the process, with the Sheriff’s Office it is much cleaner, straight up and down. As far as the criminal history information, the end result is still the same. There are not enough licensing issues to make a difference one way or the other. There seems to be many more moving parts, which becomes problematic for the building department in making the pieces come together. With the Sheriff’s Department there is basically one person that says “x, y , z”, a cleaner more efficient process. The end result will still be the same thing.

Mr. Whitten: There is a world of difference with “privileged” licenses. As far as criminal and background histories, the efficiency of the Sheriff’s Department is not being questioned. In looking at complex and large businesses with some level of interest in their credit worthiness and financial standards, Mr. Whitten would question the credentials of someone working in the Sheriff’s Department as opposed to the Comptroller. As far as the added steps, the applicant will probably never see anything. This is an item that the licensing division is used to all the time. Nothing is given to the Commission until all departments have signed off.

Mr. Morris: Wanted to make sure the Board understood this issue. Hopefully, this will be resolved one way or the other the next time this item comes back to the Board.

Mr. Whitten: All of you (the Board and Sheriff) should share thoughts with Mr. Whitten and Mr. Morris. From the customer’s standpoint, they will know exactly what needs to be done - it is better for the applicant. The building department has all of the figures on business licenses but there is no tracking of the number of liquor licenses - overall with the efficiencies by volume, experience, and knowledge this is a good opportunity to do this.

Commissioner McGuffey: In looking for reasons to deny, in 5.12.055 - four items are listed. Maybe add alcohol abuse, DUI - which are public record - selling to minors, and things like that. Don’t know if that should be a 5 year or life (denial).

Mr. Whitten: Great input. The Board needs to provide their thoughts.

Mr. Morris requested this matter be continued to a time when it can be brought back, not to a date specific.

Motion: Continue the Second reading of Liquor Board Ordinance no. 15-271 for 45 to 60 days,
Action: Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=2)

ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

31. **DISCUSSION/POSSIBLE ACTION:** Second reading of Ordinance no. 15-271 amending Storey County Code section 3.60.050, chapter 5.04 Business Licenses, chapter 5.12 Sale of Alcoholic Beverages, and section 8.28.025 Alcoholic Beverages, to revise the procedure for issuing and revoking business and liquor licenses, and providing for other properly related matters.

Outside counsel Robert Morris recommends this item be continued after discussion of a few issues.

First, creation of the licensing division. This is cleanup in order to follow all requirements to create this division. Mr. Whitten provided a work flow chart outlining how this will work.

NRS allows the County, by ordinance, to use civil penalties instead of the misdemeanor currently used. Some jurisdictions have fines. Currently this is not in the ordinance. If the Board is interested, language will be drafted, otherwise it will stay the same.

Mr. Whitten: Sometimes the criminal path is needed, but often times not.

Mr. Morris: Currently the County cannot go criminal or civil. The Board would have to direct to have language for civil penalties and then it could go either way.

District Attorney Langer: Language for civil sanction should be added. The aspect of the criminal action does not mean someone is going to jail or having a criminal record, just that the person will go before a Judge, get a possible sentence suspended, while completing certain things that need to be done. Sometimes it's better to have different avenues to get to the result.

A lot of these ordinances are 10 to 15 years old and need to be updated. The process needs to be thoughtful with the intention of lasting another 10 to 15 years.

Mr. Whitten: This gives other options rather than just the criminal path.

Mr. Morris: The next subject changed, is 5.04.030, requiring a single hearing for business licenses. There is no legal requirement for two business license hearings. The Board does not need to see these items twice. The new ordinance will require a single hearing for approval.

Mr. Whitten: Hearings for business licenses will not be presented until everything is signed off. This will streamline the Board's time on these general licenses. The readings will no longer be on the Consent Agent.

Mr. Morris: The next item - increased fees. A resolution for fees has been discussed. Many counties have a yearly review of fees that are applied by resolution of the Board. This gives the ability to have a single document with all of the fees. The fees are being left in the ordinance and have included language saying if the Board decides to set the fees by resolution it can set up the resolution outside of the ordinance. If fees are changed on a regular basis, the ordinance would have to be changed each time. A resolution would be easier. At this time, the existing fees will be kept as they are. At the time the County decides to go ahead with a fee resolution for County-wide fees, this can be moved over.

Mr. Whitten: Would the Ordinance have to be re-opened to do this?

Mr. Morris: Yes.

Mr. Whitten: To be clear, we don't want to raise fees. However, you never know when we may want to raise the fees. Changing the Ordinance is time-consuming and expensive. Mr. Whitten advocates removing the fees now, go ahead and have a resolution that matches the existing fee schedule

Stacey Bucchianeri: When the fees were implemented, it was never thought there would be 500,000 square foot buildings.

Mr. Whitten: The fees would be taken out of the Ordinance, including square footage, and move into resolution - with no anticipated changes on the horizon.

Commissioner McGuffey: A neighbor wants to start a tattoo business - what category does this fall under?

Mr. Whitten: The County does not provide for this. Some jurisdictions have no concerns regarding tattoo parlors. The County previously approached Carson City Health to see about a memorandum of understanding so that Carson City Health could health inspect and the County could provide. This may require a re-opening of this Ordinance. Currently the County does not have a provision for (tattoo parlor) so it is not allowed.

If this is something suggested to be included, research can be started.

Chair McBride: Why was this not pushed forward a long time ago? It was because - do we want the main corridor of the business district in Virginia City to look like downtown Reno? Pawn shops, tattoo parlors, t-shirt shops? One fortune teller license has been issued here and it is a privileged licence.

Mr. Whitten: There are "work arounds". Mr. Gilman would be the best person to ask if tattoo parlors are wanted in TRI.

Mr. Morris: Can just report on the rest of the items in this Ordinance rather than ask questions in order to re-iterate why the Ordinance needs to be changed.

- There is a NRS requirement for industrial insurance for workers comp that is not in the County's Ordinance - it needs to be included.
- Another NRS requirement to add: If child support orders are not met, business license should be denied.

Review has been very complicated. For example, in section 5.04-Business Licenses, there is a section about liquor at special events. This will be removed and put into a separate section for special events. Other liquor ordinance items misplaced in business licenses have been moved to the appropriate sections.

Alternatives for liquor license qualifications can be brought in for the Board to review. This includes whether or not to require good moral character, financial standing, and suitability.

A work flow chart has been provided to the Board which presents a good idea of the proposals.

Mr. Whitten: A lot of the steps will not be there as they are not privileged. The new ordinance will clean up many issues. Mr. Morris is to be complimented. He learned of at least seven new ordinances when meeting with the Repository that are heavily relied on. This has been a very difficult project to take on.

Mr. Morris requested this item be continued.

Public Comment:
None

Motion: Continue the Second reading of Ordinance no. 15-271 to the near future, 30 to 45 days,
Action: Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

COMMUNITY DEVELOPMENT AND PLANNING

32. DISCUSSION/POSSIBLE ACTION: Second reading of Ordinance No. 16-272, an ordinance extending interim development regulations affecting Title 16 and 17 of the Storey County Code by extending through August 31, 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 August 31, 2016 whichever comes first.

Planner Jason VanHavel presented this item. Given the presentation by Mr. Osborne at the first reading and the update of the Master Plan given today, are there any questions.

Commissioner McGuffey: There are provisions regarding well-water usage or developer's concern about well-water.

Mr. VanHavel: To prove water rights before....

Mr. Whitten: Does not believe that is where this is going Commissioner McGuffey. This item is for the larger, planning and development subdivisions and is meant to avoid some challenges that are currently in the Highlands. This continues the approach under current advisory questions passed in 2009 with provisions asking that water be proved before beginning the process until the August date when it is hoped the Master Plan is complete. These items are strongly integrated in the Master Plan.

Mr. VanHavel: This extends the temporary moratorium until the new Master Plan is in place. The Master Plan is in the proof-reading phase right now. The current schedule for the Master Plan is: July 7th to be adopted by the Planning Commission, August 2nd for adoption by the County Commission, leaving the August 16th County Commission meeting if needed.

Public Comment:
None.

Motion: In conformance with the applicable federal, state, and county regulations, and the recommendation for approval by staff, I recommend approval of Ordinance Number 16-272 creating interim development regulations, i.e., moratorium on subdivisions and planned unit developments, affecting Title 16 and 17 of the Storey County Code by creating Title 16A establishing minimum interim requirements for subdivision map approvals and Title 17A by limiting master plan amendments for approvals of planned unit developments during the master plan approval process, and providing for other properly related matters, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

33. DISCUSSION/POSSIBLE ACTION: Modify Development Agreement between Storey County and Tahoe-Reno Industrial Center, LLC (February 1, 2000) in order to approve the annexation of certain real property into the Tahoe-Reno Industrial Center, including a portion of Sections 34 and 35, T20N, R22E, M.D.M., Parcel 2016-W2 as shown in that certain Parcel Map for Western 102 Ranch, Inc. and Western 102 Ranch Limited Partnership, recorded on February 22, 2016, as File No. 123567 in the Official Records of Storey County, Nevada.

County Manager Whitten presented the background for the item. In and around Waltham Way, there are a number of parcels adjacent to TRI - but not in TRI. Mark Siegel, the principle developer of the Gateway Commerce Center - a property near the corner of Waltham Way and Electric Avenue -

wishes to purchase additional parcels. Some of which are in TRI and others owned by Western 102 Ranch. In this case, there are two methodologies of valuation. TRI's property is worth more per square foot due to improvements that come with the property. The simplest solution is to get the property into TRI. The properties in this item are "small slivers" strategically important to the applicant's buildings. The annexation has been agreed to by all parties.

Mr. Whitten recommends approval.

Commissioner McGuffey: The only problem is that there was no document signed by Mark Siegel saying that Mr. Siegel wants this.

Mr. Whitten: The County does have his approval and it is known that Mr. Siegel wants it (the property) to all be in the park.

Chair McBride: Thinks Mr. Siegel does want it. Mr. Siegel was surprised to find out (the property) was not in TRI.

Commissioner McGuffey: There is nothing stating that owner of the property wants to do this.

Mr. Whitten: Mr. Siegel has told Mr. Osborne, Mr. Whitten, and Bob Sader that he wants it annexed in as it's the easiest of answers for Mr. Siegel. Mr. Siegel will have to start paying the annual assessments on those portions that have been outside of TRI boundaries.

The approval can be made on contingency that Mr. Siegel signs the documents.

Chair McBride: The subject property is not owned by TRI. The owner, Reno Britain One LP, has requested that TRI approve and consent to the annexation.

Mr. Whitten: What Mr. Siegel has done is appropriate - requesting TRI to annex the property in, so that it is all within the TRI boundaries. TRI has said okay and asked the County to extend the boundaries of their development agreement.

Chair McBride: Pretty sure Mark Siegel owns that property.

Public Comment:
None

Motion: Based on the recommendation for approval by staff, I move to approve the modification to the Development Agreement between Storey County and Tahoe-Reno Industrial Center, LLC (February 1, 2000) in order to approve the annexation of real property into the the Tahoe-Reno Industrial Center, including a portion of Sections 34 and 35, T20N, R22E, M.D.M., Parcel 2016-W2, as shown in that certain Parcel Map for Western 102 Ranch, Inc. and Western 102 Ranch Limited Partnership, recorded on February 22, 2016, as File No. 123567, in the Official Records of Storey County, Nevada, pending a letter from Mark Siegel stating approval of this modification within 30 days, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

34. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit 2016-008, by Kevin and Ambre Chevalier. The applicant requests a Special Use Permit to operate a business for classic automobile

chassis, mechanical and body restoration in a CR Zone location at 790 South A Street, Virginia City, Nevada (APN: 001-041-12).

Heard following item 29.

35. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

- A. **F & G CONSTRUCTION LTD.** – Contractor / 20 Martin Drive ~ Dayton (contractor)
- B. **CLP RESOURCES, INC.** -- General / 1380 Greg Street ~ Sparks (temp employment agency)
- C. **CHRISTENSON ELECTRIC, INC.** – Contractor / 17201 NE Sacramento St ~ Portland (elect cont.)
- D. **CONSTRUCTION DEVELOPMENT SERVICES** – Contractor / 1601 Lewis St ~ Reno (contractor)
- E. **A CAMPAGNA CO., LLC** – Contractor / 1993 Whitney Mesa Dr ~ Henderson (contractor)
- F. **ATLAS COPCO TOOLS & ASSEMBLY SYS, LLC** – Contractor / 7 Campus Dr ~ Parsippany, NJ (cont.)
- G. **OLSON ELECTRICAL SVCS.** – Contractor / 3237 E Mustang ~ Sparks (contractor)
- H. **GREGORY P LUTH & ASSOC** – Professional / 3350 Scott Blvd ~ Santa Clara, CA (engineer)
- I. **E & M ELECTRIC & MACHINERY, INC.** – General / 126 Mill St ~ Healdsburg, CA (distributor)
- J. **M & M CONSTRUCTION** – Contractor / 4960 Gila-Bend Rd ~ Reno (contractor)
- K. **LOTUS AUTOMATION USA** – Contractor / 9611 NE 117th Ave ~ Vancouver, WA (industrial svcs.)
- L. **KAHL COMMERCIAL INTERIORS** – Contractor / 2675 Mill Street ~ Reno (installation svcs)
- M. **CALDWELL TANKS, INC.** – Contractor / 4000 Tower Road ~ Louisville, KY (steel construction)
- N. **ASPEN ENGINEERING** – Professional / 5474 Longley Lane ~ Reno (engineer)
- O. **WESTERN LANDMARK ENT., LLC dba Reno Renovations** – Contractor / 5401 Longley ~ Reno (contractor)
- P. **W&W-AFCO STEEL, LLC** – Contractor / 1730 West Reno ~ Oklahoma City, OK (steel fabricator)
- Q. **JACOBS’S ENGINEERING GRP, INC.** – Professional / 111 Corning Rd ~ Cary, NC (engineer)
- R. **OUTSOURCE, LLC** – General / 1960 East Grand ~ El Segundo, CA (temp employment agency)
- S. **THE CIDER HOUSE** – General / 420 South B Street (restaurant) VC
- T. **WESTERN SINGLE PLY** – Contractor / 1560 Industrial Way ~ Sparks (contractor)
- U. **TOMARCO CONTRACTOR SPECIALTIES** – Professional / 4125 Wagon Trail Rd ~ Las Vegas (consultant)
- V. **TIEJUN DING dba Blue Buffalo** – General / 160B South C Street (fashion jewelry) VC

Stacey Bucchianeri, on behalf of the Community Development Department, recommended approval of items A. through V.

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

36. PUBLIC COMMENT (No Action)

None.

37. ADJOURNMENT

The meeting was adjourned by the call of the Chair at 2:37 PM

By _____

Vanessa Stephens Clerk-Treasurer