



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, AUGUST 16, 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, Vice Chairman Gilman, Commissioner McGuffey, County Manager Pat Whitten, County Clerk & Treasurer Vanessa Stephens, District Attorney Anne Langer, Battalion Chief Jeff Nevin, Sheriff Gerald Antinoro, Tourism Director Deny Dotson, Lobbyist Bum Hess, Emergency Management Director Joe Curtis, Administrative Officer/Planning Director Austin Osborne, Director of Security Melanie Keener, Communications Director Dave Ballard, Public Works Director Mike Nevin, Comptroller Hugh Gallagher, Planner Jason VanHavel, Deputy District Attorney Keith Loomis, and Special Counsel Bob Morris

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 August 16, 2016

County Manager Pat Whitten requested to move items 18 and 17 after item 8.

District Attorney Anne Langer said item 13 should state "Discussion and Possible Action"

Motion: Approve Agenda for August 16, 2016, **Action:** Approve, **Moved** ice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=3)

4. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for July 19, 2016

Motion: Approve Minutes for July 19, 2016, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote,

(Summary: Yes=3)

5. CONSENT AGENDA

- I For possible approval Payroll checks dated 07/29/2016 for \$400,504.56 and dated 08/04/2016 for \$187,774.05 and \$112,220.19. Accounts Payable checks dated 07/25/2016 for \$194,553.56 and dated 08/03/2016 for \$1,016,365.05 and \$18,830.59.
- II Possible approval of General Business License and Cabaret License First Reading for Mellow Fellow, 171 South C St., Virginia, Nevada.
- III For possible approval General Non-Profit License First Reading for Virginia City 601 Vigilance Committee, 120 S B St., Virginia City, Nevada, a local non-profit.
- IV For possible approval Treasurer Report for July 2016.
- V For possible approval Assessor's Recommended Corrections to 2016-17 Secured Tax Roll for Exemptions.
- VI For possible approval Assessor's Recommended Corrections to 2016-17 Secured Tax Roll for Clerical Error.

END OF CONSENT AGENDA

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

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

Nicole Barde, Senior Citizens Center:

- April Enloe has left the position of Executive Director of the Senior Citizens Center.
- The Center has posted and is accepting applications for Executive Director. In the interim, Virginia Nevin is filling in as acting Director.
- There are three Board vacancies. Individuals who are interested in senior issues and want to help the community, please contact the Senior Citizens Center.

Jeff Nevin Acting Fire Chief:

- Engines were sent to Carson City this Sunday to assist in a fire.
- Currently there is an engine in the Little Lake area in California.
- A paramedic is in Idaho assisting in the Pioneer fire.
- Over the last month, engines have been sent to California and eastern Nevada, and assistance was given to BLM on the fires near Pyramid Lake.
- Jim Reinhardt, former East Fork Fire Protection District Chief, passed away. Condolences to his family.

Planning Department Jason VanHavel :

- With the approval of the Master Plan, the Planning Department will be focusing on the following:
 1. Design standards to support items in the Master Plan;
 2. Sign ordinance;

3. Potential tattoo regulations in the County;

- The response to the USGS has been very positive from residents in the Highlands and Mark Twain Estates. Several residents have volunteered to have wells monitored. The USGS is looking to develop a comprehensive plan for these areas regarding water issues and working with the County to address water issues moving forward.
- Staff is working with Carson Water Subconservancy to develop a flood plan for the Mark Twain area and to mitigate flood issues in future.

Public Works Director Mike Nevin:

- Met with Broadbent, the archaeological company reviewing sites, regarding the Virginia City sewer improvement project:
 1. Six potentially sensitive archaeological sites have been identified. More research will be done to make a final determination.
 2. A couple of sites that may have historical significance - one near the intersection of B and Mill Streets and the other the V&T Tunnel 7, crossing Washington Street at L. Work will be done to determine the condition of these sites.
 3. Another site is on the Divide where the two smaller water tanks are scheduled to be replaced by one larger tank. This will be checked out.
 4. This work is being done to satisfy BLM and USDA requirements to complete the plan.
- Boring work is complete on the water line construction under Highway 580. An additional water line was discovered which was apparently put in in the 1960's, which be eliminated. The new line will most likely be complete in October.
- The swimming pool will close for the season on August 21st. Staff will be lost due to school starting.
- Still waiting for the playground equipment for Miners Park. Proposals have been solicited -one was received - for the paver project in the park. Work will start after Labor Day.
- Crews have been busy doing crack sealing on portions of roads that are scheduled for cape seal.
- After 35 ½ years, Mr. Nevin will be retiring at the end of the year.

Planning Director/Administrative Officer Austin Osborne:

- The U.S. Geological Survey will give a presentation at the Planning Commission meeting to be held on October 6 at 6PM at the Courthouse. This will be the same presentation as the one previously given to the County Commission. Residents who were unable to able that meeting are welcome to attend.
- 17 residents in the Highlands and 5 or 7 in the Mark Twain area have volunteered for well monitoring.

County Manager Pat Whitten: The County will be looking at supportive funding to be used to mitigate issues determined from the USGS findings.

Mr. Osborne: Once the USGS findings are turned over to the County, the County's team will look at what to do to mitigate issues.

Tourism Director Deny Dotson :

- One person has been hired and one more is in the works. Within the next couple of weeks, the Tourism office will be fully staffed and open seven days a week.
- The fall season is the biggest for special events, with events every weekend through September and October.

Special Counsel Robert Morris :

- An update on the Business License Ordinance:
 1. A lot of input was received on this issue;
 2. Creating a resolution for the fees is on-going;
 3. Making sure the State repository and the FBI were satisfied with the Ordinance language;
 4. Working on the exact qualifications that would be best for the liquor license;
 5. A final version of this ordinance is scheduled for the October 4th Commission meeting.

County Manager Pat Whitten:

- Pipers Opera House was recently painted and looks fantastic. A question has been raised - when will the Courthouse be done? It is long overdue. The cost for painting the Opera House - \$14,000, was a surprise. The County will begin the process and request a bid. Most likely the color for the Courthouse will be different - it will be a historical color from the 40's.
- The County is required to submit to the Legislative Counsel Bureau two annual reports on Tesla. First is, "yes, there is a project". The second is a list of what the County would have collected if there was no abatement of fees, what the County did collect under any agreements, and what the County is really spending. A fairly accurate number can be determined. The first report is due September 1st, the second on October 1st.
- Joe Curtis previously discussed that there was not a County museum in Storey County. When the Police Officer's Museum vacated the old jail, the display cases were generously left. The artifact committee, including Cherie Nevin, Melanie Keener, and Joe Curtis, will be meeting tomorrow to discuss the museum. The museum will be called, "The Courthouse Slammer and County Museum". Signs will be printed up with this name. The museum will be used as a polling place during the general election.

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

Chairman McBride: Received a letter from Senator Dean Heller stating the amount the County received from the Federal Government "PLT" - payment in lieu of taxes - funding, as \$37,617. This is for the 14,000 plus acres of federally owned land in the County.

8. DISCUSSION/POSSIBLE ACTION:

Approval to authorize the County Manager to finalize submittal language regarding Storey County's singular Bill Draft Request (BDR) allocation for the 2017 Nevada Legislative Session to the Legislative Counsel Bureau (LCB) regarding restructuring of the current composition of the Nevada Commission for the Reconstruction of the V & T Railway (Rail Commission) as provided for in the Chapter 566, 1993 Statutes of Nevada as amended by Chapter 42, 2001 Statutes of Nevada. For further clarification, while additional minor verbiage changes may occur subsequent to Commission approval and prior to submittal of the BDR by or before the Legislative deadline of September 1, 2016, the core fundamental language must address and cover the following concepts:

- A. Restructure the Rail Commission Board as constituted under Chapter 42, 2001 Statutes of Nevada, reducing the current structure from nine (9) Rail Commissioners to five (5) consisting of:
- i. One elected Supervisor, or a designated staff appointee from Carson City appointed by the Carson City Board of Supervisors.
 - ii. One elected Commissioner, or a designated staff appointee from Storey County appointed by the Storey County Board of Commissioners.

- iii. The Executive Director, or equivalent position, of the Carson City Convention and Visitors Bureau.
- iv. The Executive Director, or equivalent position, of the Virginia City Tourism Commission.
- v. One member appointed by the Governor.

B. The effective date of this change, if approved, would be October 1, 2017.

C. Others elements as may be recommended by Storey County Legal Counsel, Storey County's acknowledged Legislative Lobbyists including, but not limited to Walker & Associates and the LCB.

County Manager Whitten presented this item:

- Recognized representatives in attendance: Dwight Millard, Chairman of the Nevada Commission for the Reconstruction of the V&T Railway; Candy Duncan, project coordinator, Joel Dunn, Director of Carson City Convention & Visitor's Bureau; and Deny Dotson, Director Virginia City Tourism Commission; and Jack McGuffey, the County Commission's current representative on the Rail Commission
- Mr. Whitten reviewed the history of the V&T Railroad.
- The County recognizes Bob Gray and the entire Gray family who revived the railroad in Virginia City. Tom Gray is the current principal of the V&T Railroad.
- In 1993, the Nevada Legislative Commission enacted legislation authorizing the constitution for Nevada Commission for the Reconstruction of the V&T Railway.
- In 2001, the Board was re-structured to the present board of nine commissioners with representative from Storey County, Carson City, Douglas, Lyon and Washoe counties, three political appointees - one by the Governor (currently Mr. Millard), one by the Speaker of the Assembly, one by the Senate majority leader, and a designee from a historic rail society.
- In the Staff Report, when referring to the failure of the rail commission - it is not any one person or commissioner. The results have not been satisfactory for the amount of money the County **continues to invest under the ¼ cent sales override.**
- **In review, from the ¼ cent sales tax, the County has contributed: \$248,000 plus in 2015; \$286,000 in 2014; and \$206,000 in 2013.**
- The average revenue generated for the long-ride runs - not the short-ride runs which is a separate operation of Tom Gray as a private business - is about \$5,000 per run, the cost to operate is approximately \$5,900.
- Looking from the Virginia City side, every run loses money. Passengers from the train are only **in town for 2 to 2 ½ hours. The County is losing money and not getting a satisfactory return on its investment.**
- Kudos to the project for capitalizing on events such as the Polar Express - which does not go to Virginia City.
- The situation with the V&T Commission has been discussed at many Commission meetings and rail meetings with no results.
- The recommendation is to consider using Storey County's one Bill Draft Request for submittal to the Legislature, requesting re-structure of the nine member commission reducing to five seats. The seats would be elected representatives or the Storey County and Carson City Commission appointees - the two entities with major investment, along with two representatives from the tourism commissions, with the fifth member continuing to be the Governor's appointee.
- There may be minor verbage changes to BDR.
- There is full support for this request from Lyon and Washoe Counties, and hopefully forthcoming support from Douglas County. Meetings continue with Carson City to make sure all are on the same page.
- This is not a failure of the (Railway) Commission, or any of the Commissioners.

- The failure is delivery of results to Virginia City that were anticipated.

Public Comment:

Candy Duncan, Project Coordinator for the V&T Railway: Appreciates the concern of the Virginia City community and whether or not it is perceived as a success.

- Discussions have been held for many years on how to make Carson City stand apart from other areas in trying to get more visitors. The possibility of re-constructing the train from Carson City to Virginia City was brought up by Mayor Texeira. Ms. Duncan thought the train would be a tremendous asset to Northern Nevada.
- Ms. Duncan totally respects everything the Gray family has done for the railroad.
- In her view, each year since beginning revenue-producing operation in 2009 - has been better than the last. It's not easy, it was never the plan to make a lot of money for the railroad - the plan was to make money for the region. It was believed the train would be something to set Northern Nevada apart.
- Not sure if changing the makeup of the Commission will help or hurt the success of the railroad. If it's going to help - then this is something that needs to be done.
- Mr. Millard, the Chairman, has dedicated extreme amounts of resources and time to helping making this project a success, and has succeeded.
- In 2015, between Polar Express and the regular season, there were 23,000+ passengers on the V&T Railway - an all-time high.
- Polar Express is a huge event - pays the bills and keeps the railroad running.
- Ms. Duncan has met with Joel Dunn and Deny Dotson to have more of a cooperative approach with marketing and is looking forward to working with them.
- This year money is being lost as only 144 passengers can be held at one time (due to cars out of service). When at fully capacity with three cars there are 216 passengers.
- When marketing, in addition to promoting the train, promotion can be given to tours, vouchers for meals, room packages - a lot more can be done.
- This is an important project for the region and should not be abandoned. It has a great future.

Chairman McBride: Thanked Ms. Duncan.

- There is no intention to do away with this project.
- The approach in Storey County government is to run government like a business. Seeing a loss of money almost daily needs to be looked at from a business standpoint and how to make it better. One way is to eliminate the Counties who participate on the Board who do not participate financially.
- Chair McBride commented that he sat on the Foundation for the reconstruction of the railroad for years and served on the fundraising arm of the Foundation then left after many years. At that time, the only way the railroad was going to work was with taxpayer-funded means. The Foundation was instrumental in getting legislation to obtain funds through such things as the license plate and other avenues.
- The Legislature was lobbied to bring in Washoe and Douglas Counties thinking there would be cooperation from Reno and Tahoe area casinos. This never panned out.
- Asking Douglas, Lyon, and Washoe Counties to step out because they have "no skin in the game" whittles it (the number of Commissioners) down by three.
- A more cohesive Board can be formed which would be a better, well-rounded organization.
- This probably cannot be run as a profit. Both Carson and Virginia City are subsidizing this train - and may always have to do so - but losses can be reduced to a minimum.
- The Memorandum of Understanding on how this is supposed to work has never been adhered to by the current Board. This is frustrating for the County.
- The County does not want to eliminate the train but wants more of a "hands on" experience.

- The County has been responsible for a lot of revenue going into this, with only one voting person.
- Carson City has a lot of “skin in the game”, raising the room tax by 2% to fund \$5 million of bonding, and instituting an 8% sales tax. The Realtor’s Board also put funds in.
- Something has to be done to satisfy this Board.

Mr. Whitten: Mr. Millard, Commissioner McGuffey, and others “get it”. It is what is the extent of involvement?

- A smaller, more focused Board will have the opportunity to digest and work through issues and make it be what it potentially can be.
- Ms. Duncan’s skills as the project director and the marketer, with Deny and Joel, and together with Dwight, Bob, and Jack, are ideal.
- From a local government good at analyzing budgets and numbers looking at the Rail Commission’s annual budget - items jump out. Approximately \$150,000 a year is paid to an entity, under two or three different categories, for the staffing of the Eastgate depot on rail days - which is understandable - but equally for bookkeeping services, for non-accountant accounting purposes. One of the two local governments would be happy to do that if there was a structure in place to get the data.
- Recently the County has had difficulty getting numbers. The reports this year are the first quality numbers the County has ever seen.

Commissioner McGuffey:

- With no disrespect to the personnel on the Board now, the key is to get people who will have a direct impact and make it more efficient. This would be tourism people and the County representatives.

Joel Dunn, Executor Director - Carson City Convention and Visitor ’s Bureau:

- It is correct that there was a 2% allocation towards the bonding for the reconstruction. During the economic downturn, there was an additional 2% on the room tax for that bond payment. At any given time, CCCVB was contributing up to \$650,000 just for the bond payments. **This changed 3 ½ years ago with a new CCCVB Board and the hiring of Mr. Dunn.**
- The bond payments have decreased to \$360,000.
- The Bureau is still working and supporting the operation of the V&T.
- Last year, an additional \$250,000 was allocated to marketing efforts to have an inherent benefit on the V&T Railroad.
- Even though the railroad has not become the “end all - save all” that was thought it would be, it is a huge asset for Carson City and the region.
- Some change is needed. Bringing some different stakeholders to the table that have an investment can bring a level of skill-set and expertise that is currently not part of the Board.
- The CCCVB Board will move forward in support of change. Having the Executive Directors of Virginia City and Carson City on that (Railway Commission) Board brings the level of expertise to go through re-branding and change marketing strategies to give the railroad more opportunity to make significant return on investment.
- The CCCVB Board continues to work with and has a great relationship with Mr. Millard and Ms. Duncan.

Mr. Whitten: Looks forward to working with the CCCVB. There are a number of programs that the marketing personnel can come up with to increase the bottom line.

Nicole Barde, Storey County Resident: There's no one on the Commission who knows how to run the railroad. Has Tom Gray, as the content expert on what it takes to run a railroad, been considered to be on the Commission?

Mr. Whitten: Many options have been considered. The realities are the County has one rail operator. Having the operator also on the governing board of the project may pose some level of question. Tom Gray is an active, respected voice regardless of whether he is on the Board or not. Tom does sit on the operations committee - which is a powerful committee.

Deny Dotson, Tourism Director - Virginia City Tourism Commission:

- Welcomes the changes and looks forward to working with the CCCVB.
- Tourism is a return on investment if managed correctly. If done right, the number will be driven up. This is headed in the right direction making it work for the entire region. This is a very positive thing.

Bruce Kettis, Carson City Resident:

- Has been going to the V&T meetings since 2005. Certainly a good time to reduce the number of Commissioners, nine is too many.
- If Mr. Millard had not come along, this would have been out of business long ago.
- For Carson City, there is still \$11 million dollars to pay off. With interest there is probably \$50 million invested along with years the bonds had to be supplemented.
- Change the Commissioners. A lot of the things that we are stuck with today, are because the Commission did not pay attention to Tom Gray when building the railroad and then during the operation.

Commissioner McGuffey: Tom Gray keeps the trains running and the Commission does listen to him.

Dwight Millard, Governor 's Appointee to the Train Commission:

- Was appointed in 2009. This is the 7th year of operation.
- Not against changing the make-up of the Commission to five members.
- As long as Mr. Millard has been on the Commission the railroad has run as effectively and efficiently as the Commission thinks it can.
- The money asked for from both Counties for subsidy to allow the train to continue running, was primarily earmarked as advertising dollars.
- Some of the monies eluded to are still in the "coffers" in Virginia City. Mr. Millard does not believe any money has been to the Commission since 2010 when the County re-upped the tax bond. Just to be clear on some of the things that are out there.
- Tom Gray is the key to operating the train.
- The County has said that this needs to be fixed. It has to be delineated in order to fix it.
- The problem is the entities (Carson City, Storey County) not accepting the responsibility of what the train is here for and what is being done about it.
- Changing the Board is fine but this will not fix the problem.
- Storey County, Carson City, and Reno, and their tourism directors, need to get together to make this a regional attraction.
- The train can be operable without dollars from Virginia City. The Polar Express enables the train to run all summer.
- Carson City is currently doing the books.

Chairman McBride: If Carson City is doing the books - for years the County has not received an audited financial from the Railway Commission.

Mr. Millard: There's an audited financial every year - by law this is done. They have been passed out at meetings.

Chairman McBride: It has been delayed and delayed. Nothing has been received for years. It's only now that the County is seeing numbers from the Commission. If the numbers were available, why didn't the County get a copy?

Mr. Millard: A representative from the County is at the meetings and the statements are passed out.

Chairman McBride: The County was always told it was not available, it hadn't been done, there was an extension. The County has decided to take action because it is not receiving accurate information from the (Railway Commission) Board.

Mr. Millard: Thinks there are emails for every piece of data that was requested. There was a request **by Storey County to do an audit. The money raised by Storey County on the ¼ cent sales tax goes to the Commission.**

Chairman McBride: Under the Memorandum of Understanding, that money goes to the Railway Commission upon request from the Commission to the Storey County Commissioners if there is a monetary shortfall in a given month. In the past, the funds have been deposited into your (Railway Commission) account as a "piggybank".

Mr. Millard: The funds haven't been used since the County "re-upped" the sales tax because the County keeps the money.

Chairman McBride: That is being done because there has never been a formal request under the Memorandum of Understanding.

Mr. Millard: The Memorandum of Understanding wasn't in affect at the time.

Chairman McBride: The County will look into this. The County feels there are on-going expenses that can be reduced or eliminated with help on this end.

Commissioner McGuffey: Appreciates all Mr. Millard does for the train.

Mr. Whitten: Wanted to avoid this and that's why it was specifically stated that this is not Mr. Millard's or any one Commissioner's failure.

- At some point Mr. Whitten like to know what the misinformation is.
- Under the Interlocal Agreement with the Rail Commission, the County has been withholding since 2014, not 2010. The Interlocal Agreement had a retroactive application geared toward **helping the ¼ cent sales tax renewal that had to be voter approved.**
- Mr. Whitten's frustration is with the Rail Commission's treasurer.
- After meetings with Mr. Millard, Commissioner McGuffey, County Comptroller, and others, conceptual numbers were agreed to. That being that the County could get by with probably \$100,000. Then the Rail Commission treasurer turns around, raises it to \$300-350,000 and presents in whatever level of budget presenting that he did.
- Past mistakes cannot be fixed, but can be stopped.
- A smaller Commission, to include Mr. Millard, would be more efficient.

District Attorney Langer: In the Memorandum of Understanding between Storey County and the Rail Commission, **there were specific items that the County would receive as a result of the ¼ cent sales tax.** Such as, renovating Tunnel 6 and purchasing the freight depot. There was specific language on

how Storey County's money would be used. The County finally received a general breakdown as far as monies being sent from the actual budget, but not the breakdown in order to use the formula that was to be used on what the County was supposed to pay. Mr. Millard is saying there is a budget every month that shows specific expenses, the County is talking about the breakdown. It seems there are two different things being talked about.

Mr. Whitten: Instructed the Comptroller not to remit funds partly based on what the District Attorney says, but mostly because no one from the Commission has said there was an operational shortfall - a specified term of the interlocal agreement. It was understood that monies raised in Storey County would go to Storey County rail projects unless notified otherwise by the Commission or the treasurer of an operational shortfall.

Mr. Millard: Agrees and is not aware of any written request for funds. There was a verbal request to help with the refurbishing of the engine, which could cost over \$400,000. At a subsequent meeting with Mr. Whitten and Carson City, Mr. Millard said to just do a one-time thing and then come up with a flat number every year, leave it at that, and all monies stay in Virginia City from then on.

Mr. Whitten: We're on the same page. That (\$100,000) is a palatable number with potential, additional funding discussed for the servicing or refurbishing of the train every so many years.

The County may or may not get what is asked for in the BDR. There may be amendments to the legislature. Hopefully this is a path to make it even better.

Mr. Millard: Looks forward to working with Mr. Whitten and will bring up the audits if the County wants them. The train has come through difficult times, even until recently.

Ms. Langer: Last year there was an approval of \$100,000 to go to the Rail Commission to cover costs.

Mr. Millard: Is doing research to see why \$24,000 of the \$100,000 was given back.

Mr. Whitten: There is a lot the County would like to buy and Mr. Millard has indicated that maybe it should be given to the County and that ground transportation up here should be paid for by the Commission - that would be \$10,000 that could be put into advertising.

Mr. Millard: When asked, the Commission approved a \$250,000 to match the County, to buy a freight depot and put in the tunnel along with approving retroactive sales tax. For as long as Mr. Millard has been on the Commission, it has been looked at that the train ride experience does not end at the end of the Rail Commission track, but continues up to Virginia City. The Commission is open and feels that it should support this as long as it's rail.

Tom Gray, Virginia/Truckee Railroad: Thank you for the kind words.

- Mr. Gray said he is limited to what can be done in the future so the certain things are chosen to be repaired.
- The railroad has always been "under-capitalized" in Virginia City. After 40 years, the next person will have an infrastructure that is set up.
- The Rail Commission is only two-thirds done building track.
- The original vision was to build the railroad from Virginia City to the old shops in Carson City. These are gone now.
- For the future, the need is to be more leaner and more frugal, and to seize any opportunity that comes along.

- Mr. Gray explained some of the business plans that had been developed. Some plans are still on the “to do” list.
- This year ridership is down.
- Would like to see staff improvements to the Rail Commission and more transparency.
- Mr. Gray reviewed work being done on some of the engines.

Mr. Whitten: Mr. Gray is THE guy, the family, and the operator. Mr. Gray speaks with the knowledge that no one else has. The County Commission, the Rail Commission, the Tourism Commissions need to work very closely with Mr. Gray.

This item is the path to get the Bill Draft Request into the Legislative Counsel Bureau by the deadlines to get it under consideration for the 2017 Legislative Session.

Motion: Approve authorization for the County Manager to finalize submittal language regarding Storey County’s singular Bill Draft Request (BDR) allocation for the 2017 Nevada Legislative Session to the Legislative Counsel Bureau (LCB) regarding restructuring of the current composition of the Nevada Commission for the Reconstruction of the V & T Railway (Rail Commission) as provided for in the Chapter 566, 1993 Statutes of Nevada as amended by Chapter 42, 2001 Statutes of Nevada. Additionally, I move to condition approval of submittal based on requirements that the fundamental language must address and the following provisions:

- A. Restructure of the Rail Commission Board as constituted under Chapter 42, 2001 Statutes of Nevada, reducing the current structure from nine (9) Rail Commissioners to five (5) consisting of:
- One elected Supervisor, or a designated staff appointee from Carson City appointed by the Carson City Board of Supervisors.
 - One elected Commissioner, or a designated staff appointee from Storey County appointed by the Storey County Board of Commissioners.
 - The Executive Director, or equivalent position, of the Carson City Convention and Visitors Bureau.
 - The Executive Director, or equivalent position, of the Virginia City Tourism Commission.
 - One member appointed by the Governor.

B. The effective date of this change, if approved, would be October 1, 2017.

C. Others elements as may be recommended by Storey County Legal Counsel, Storey County’s acknowledged Legislative Lobbyists including, but not limited to Walker & Associates, and Greg Hess, the Legislative Counsel Bureau (LCB), **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Chairman McBride called for recess at 12:36 PM
Meeting reconvened at 12:45

18. **DISCUSSION/POSSIBLE ACTION:**

Resolution No. 2016-444, a Resolution Adopting the Amended 2016 Storey County Master Plan. The resolution includes comprehensive text amendments to the existing Storey County Master Plan, including the following elements: Land Use; Population; Housing; Economic Development; Transportation; Public Services and Facilities; Water and Natural Resources; Cultural and Historical Resources; and other provisions thereof. The resolution also includes comprehensive map amendments to the existing Storey County Master Plan area and land use designation maps. Public participation is encouraged. Copies of the master plan draft may be obtained from the Planning Department website at <http://www.storeycounty.org/521/Updates>, at 775 847-1144, or from planning@storeycounty.org. A copy will also be made available at the meeting.

Austin Osborne, Planning Director, presented this item. The purpose today is to adopt the Master Plan. This is a planned use and strategic plan on how properties are used, how the County is developed, and how things are allowed to occur across the County - over a 20 year period, with an anticipated 5 year update.

- The text of the plan includes the narrative, goals and objectives, and policies. This part is the basis to work the zoning ordinances, land use ordinances, and other regulations and entitlements for land.
- The other part is the maps. The maps describe what can be done and where - a broad umbrella of land use patterns seen in each of the communities. Specifics are found in the zoning ordinance and zoning maps.
- All of this has to work together - now, and in the future.
- This plan has been a 7 year process from the ground up, working with property owners, citizens, and stakeholders in building a master plan that is truly the County's. A custom document for Storey County - aligned with this community.
- Numerous meetings were held over the last 7 years going to the different communities multiple times with the Planning Commission, and outside the Planning Commission.
- It is the "homegrown" element that gives this document strength and validity needed to be a defensive document against things that are not wanted or a complimentary document for things that are wanted in the County.
- The Planning Commission adopted the plan on August 4, 2016 with a unanimous vote.
- The recommendation by staff is to approve Resolution No. 2016-444 as adopted by the Planning Commission.

Mr. Osborne introduced Fred Steinmann, Assistant Research Professor with the University Center for Economic Development and the College of Business at UNR, and the a member of the American Planning Association, Nevada Chapter. Mr. Steinman was involved in the Master Plan and comprehensive editing, as well as presenting a perspective from the American Planning Association on best planning practices as seen in the County's plan.

Mr. Steinmann thanked the Board for the opportunity to review and speak regarding the proposed draft of 2016 Storey County Master Plan.

Mr. Steinmann discussed the Standard State Zoning and Enabling Act. Through this legislation it was determined that the best planning occurs when individual property owners, business owners, and stakeholders at the local level have the opportunity to engage in planning decisions that will impact their lives for the next 20 years. Best practices were identified in this act that are still used today.

Mr. Steinmann presented the following as a review of the Storey County Master Plan:

- This Master Plan is in the best traditions and practices of comprehensive land use and master planning not only in the State of Nevada but throughout the United States. It represents a ton of work by staff and the Planning Commission, and others who participated in the process.
- This plan is a view of this community's aspirations moving forward.
- Mr. Steinmann's comments regarding the Master Plan were editorial designed to enhance the ability of citizens to be able to read and get a sense of the general direction the Master Plan outlines, including:
 1. Removal of the phrase "redevelopment" from certain sections replacing with "revitalization". Revitalization is a more general approach to enhancing the existing built environment.
 2. Changing the phrase "new urbanism", which is viewed as an alternative to traditional zoning ordinances - to "neo-traditional design", a general catch-all for a

type of development standard used in certain parts of the Master plan moving forward.

- Mr. Steinmann complimented the Planning Commission, the Board of Commissioners, Storey County staff, and all citizens and stakeholders who participated in this very long, but very successful strategic planning and master planning process.

Public Comment:

Bum Hess, Storey County School District: The School District is very happy with how Austin kept the district informed on the Master Plan and is in full support of moving forward, and looking forward to working with the County and Mr. Osborne on future developments. Kudos to Austin who worked very hard on this.

Mark Joseph Phillips, Storey County Resident: Concerned the agenda package lists 18 maps and the Planning Commission Resolution listed 10. It would be wrong to approve this item when it was clear there were 10 maps approved by the Planning Commission.

Mr. Osborne: To clarify, the Resolution talks about two things - maps in general , everything that was seen at the Planning Commission adopted and done. The 10 - some of those maps are divided into sub-sections, ie., Gold Hill - divided in to lower, middle, and divide. Other areas are also divided - like McCarren which is also divided into three sections. The words maps as shown in the Resolution does encompass all maps, regardless of what they are, that the Planning Commission adopted on August 4th.

Deputy District Attorney Keith Loomis: Planning Commission Resolution states: the Storey County Planning Commission hereby resolves to amend the Master Plan by adopting the attached 2016 amendment of the Storey County Master Plan with accompanying charts, drawings, diagrams, maps, reports, and other descriptive materials covering the following subject matters or portions thereof as are appropriate to Storey County: Introduction and Framework; Themes and Principles; Land Use; Housing; Population; Transportation; Water and Natural Resources; along with supporting References, Maps, Appendixes E through P, Bibliography, and Ten Land Use Maps, as the Storey County Master Plan.

It is understood that the land use maps do exist and are broken down to encompass smaller areas of the land use area. All maps have been signed off by the acting Chairman of the Planning Commission.

It is appropriate to proceed and address the Resolution today to approve the Master Plan amendments.

Mr. Osborne: As discussed at the Planning Commission, all of the maps in their most current form, have been updated periodically on the County website. All agenda language has referenced the link to those maps which could have been looked at any time during the phases when the maps were posted. All maps were included.

Rosie Aston, Lockwood Resident: Thanked the Planning Commission for listening to the residents of Lockwood. Many people came to meetings and were definitely listened to. It is hoped that this Commission will pass what was approved.

Austin Osborne gave the following acknowledgements:

- The Storey County Board of Commissioners : Marshall McBride-Chairman; Lance Gilman-Vice Chairman; Jack McGuffey-Commissioner. All have been in the process from the beginning with the public workshops.
- The Planning Commissioners: Larry Prater, Chairman; Virginia Bucchianeri; Pamela Smith; John Herrington; Jim Hindle; Ron Engelbrecht; and, Kris Thompson. Appreciate and commend these commissioners for the hard work and heavy lifting.
- Former Planning Commissioners: Doug Walling, Chairman; Lydia Hammock; Bret Tyler; and Laura Kekule. All were integral in conversations and the heavy lifting.
- County Manager Pat Whitten
- Planning Department: Austin Osborne, Director; Jason VanHavel, Planner; Lyndi Renaud, Planning Assistant. All were integral in bridging the gap from where the Master Plan was to getting it done.
- District Attorney's Office: Anne Langer, District Attorney; Keith Loomis, Deputy District Attorney; Special Legal Counsel, Bob Morris. Mr. Morris and Mr. Loomis have been involved in keeping the County out of issues that have arisen with other Master Plans in the State that were challenged and failed.
- Assessor Jana Seddon; Recorder Jen Chapman; Clerk/Treasurer Vanessa Stephens; Public Works Director Mike Nevin; Fire District Chief Gary Hames; Comptroller Hugh Gallagher; Community Development Director Dean Haymore; Virginia City Tourism Commission; Storey County School Board of Trustees; Comstock Historic District Commission; Storey County School District and staff; Bureau of Land Management; Nevada Division of State Lands; Nevada Energy Economic Development Division of NV Energy; local neighborhood organizations; and, the University of Nevada Reno College of Business Center for Economic Development and Fred Steinman. All were involved one way or another in this plan and making sure it was where it needed to be.
- Special thanks to the Storey County School District involved throughout this process providing guidance in doing what is necessary for school and community development in this plan.

Commissioner McGuffey: This has been an arduous and interesting process. Hats off to Austin and thank you Fred Steinman from UNR for being so thorough.

Chairman McBride: Thank you to the citizens and residents of Storey County for participation in the workshops. With the input, it (Master Plan) is where it is today and their guidance is being followed.

Mr. Osborne read Resolution 2016-444:

Whereas, Nevada Revised Statutes (NRS), sections 278.150 to 278.220, and Storey County Code, 17.03.210, provides that the procedures for the adoption and amendment of the Storey County Master Plan by Planning Commissions and the Boards of County Commissioners; and

Whereas, the Storey County Planning Commission (Planning Commission) has conducted numerous hearings throughout Storey County to obtain public input for comprehensive amendments to the text and maps of the existing Storey County Master Plan over a number of years; and

Whereas, notice of a meeting to be held on August 16, 2016 by the Storey County Board of County Commissioners to consider the adoption of comprehensive changes to the Master Plan and Maps was duly published in the Comstock Chronicle on the 22nd day of July, 2016, and an agenda with the Planning Commission identifying as a topic of discussion the adoption of comprehensive amendments to the Master Plan and maps, was duly posted on or before July 26, 2016 and published as required by law; and

Whereas, the attached Master Plan contains eleven chapters including Chapter 1 Introduction and Framework; Chapter 2 Themes and Principles; Chapter 3 Land Use; Chapter 4 Public Lands; Chapter 5 Population; Chapter 6 Housing; Chapter 7 Economic Development; Chapter 8

Transportation; Chapter 9 Public Services and Facilities; Chapter 10 Water and Natural Resources; Chapter 11 Cultural and Historic Resources; Bibliography; Appendices; and Land Use Maps;

Now Therefore, the Storey County Board of County Commissioners hereby resolves to amend the Master Plan as recommended by the Planning Commission by adopting the attached 2016 amendment to the Storey County Master Plan, with accompanying charts, drawings, diagrams, maps, reports and other descriptive materials covering the following subject matters or portions thereof as are appropriate to Storey County; Introduction and Framework; Themes and Principles; Land Use; Housing; Population; Transportation; Water and Natural Resources; Economic Development; Public Services and Facilities; Public Lands; Cultural and Historic Resources; along with supporting References, Maps, Appendixes E through P, Bibliography, and Ten Land Use Maps, as the Storey County Master Plan.

The Storey County Master Plan is adopted to conserve and promote the health, safety and general welfare of the citizens of Storey County.

Adopted this 16th day of August 2016, by a vote of this Commission.

Motion: Based on the findings of fact shown in Resolution No. 2016-444, and conformance with Federal, State, and County regulations, and the existing 1994 Storey County Master Plan, the recommendation for approval by staff and the adoption of the Plan by the Planning Commission, I, Lance Gilman, motion to approve Resolution No. 2016-444, a Resolution adopting the Amended 2016 Storey County Master Plan, including comprehensive text amendments to the existing Storey County Master Plan, including the following elements: Land Use; Population; Housing; Economic Development; Transportation; Public Services and Facilities; Water and Natural Resources; Cultural and Historical Resources; and other provisions thereof. As part of Resolution 2016-444, I also motion to improve comprehensive map amendments to the existing Storey County Master Plan area and land use designation maps as recommended for approval by staff and the Planning Commission,

Action: Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey,

Vote: Motion carried by unanimous vote, **(Summary:** Yes=3)

Mr. Whitten: Asked all to reflect on this milestone and what it really means, not only for the County but for Mr. Osborne who has put in countless hours.

- To the citizens of the County, this really is OUR PLAN. With great pride, a very good document from the 1990's has been revised to reflect the changing times. Thank you to the citizens for their participation and to Mr. Osborne and the Planning Commission members for soliciting input from the citizens.
- Thank you to Mr. Steinmann, it was an honor to have his involvement.
- Thanks also to the past and present Planning Commission members who provided a continued level of expertise to the process.
- The current County Commission has been dedicated to this process - attending meetings, reviewing documents, meeting with staff, and taking the time to fully understand the details of this plan.
- Staff had ample opportunity throughout the process to provide input.
- This may not be Austin Osborne's "plan" - but it takes a leader to make it happen.

Mr. Whitten presented Austin Osborne with a plaque in honor and appreciation of the great work and career milestone in developing and adopting the 2016 Master Plan.

17. **DISCUSSION/POSSIBLE ACTION:**

Special Use Permit 2016-013, by Nature Conservancy, Mickey Hazelwood. The Applicants requests to obtain a special use permit to alter portions of the existing Truckee River channel and abutting

floodplain environment to facilitate flood management, water quality and improvement, biodiversity and habitat enhancement, noxious weed eradication, and recreation opportunity.

Planner Jason VanHavel presented this item. This is a river restoration project for the north end of the Truckee River through some areas in Storey County and overlays two different parcels.

Applicant Mickey Hazelwood gave a powerpoint presentation explaining this project.

- This is phase 2 of previous restoration work on the Tracy reach.
- Mr. Hazelwood gave a description of the area for the project.
- The goal of the project is to remedy the vertical banks of the river which are marked by invasive weeds by excavating flood plain adjacent to the river making it more accessible to spring flows and to restore in-stream habitat for the fishery and to improve wildlife habitat, flood storage, water quality for in-stream habitat, and recreational opportunities.
- This project does not include channel realignment. There will be several features to prevent the river from migrating. There are private properties and the railroad to the north that need to be protected.
- A grade control structure will be constructed on the down-stream end to prevent any out-flanking of the river.
- Local, State, and Federal regulations apply.
- Past work includes the lower river from Lockwood to USA Parkway and others in that area.
- A monitoring program indicates these projects are having the intended benefits. Fishing is quite good and vegetation composition is changing.

Commissioner McGuffey: How is public accessibility being created? Are the access points marked?

Mr. Hazelwood: Prior to restoration, most of the reaches were privately owned with no access.

- It has been the intention to have the property at the McCarren Ranch Preserve open to the public. Thanks to Mr. Gilman and the industrial center in granting public access across to those lands.
- Other properties have transitioned from private to public lands. The Nature Conservancy works with various entities to do restoration projects and insure future continued use by the public.
- The access points are marked. There is information on the Nature Conservancy website or Mr. Hazelwood can be contacted directly.

Chairman McBride: This organization does wonderful work with revitalization of the river.

Mr. Whitten: When speaking of the Mustang Ranch properties, this was the former Mustang Ranch properties located off Mustang exit. The Mustang Ranch is still a steakhouse in Virginia City and another location in the vicinity of the former.

It has been a pleasure to work with Mr. Hazelwood and the Nature Conservancy over the years. Great work has been done along the river.

Public Comment:
None

Jason Van Havel read the Findings for approval:

5.1.1 Storey County Code Sections 17.35.040(T) and 17.76.020(I) (Uses Subject to a Special Use Permit) require a special use permit for nature resource projects including river and waterway restoration, wetland creation, and recycling in the 1-2 Heavy

Industrial and NR Natural Resources Zones.

- 5.1.2 The subject land is located in McCarran, Nevada, but is not located within the boundaries of the Tahoe-Reno Industrial Center; therefore, the proposed use is not subject to the restrictions or entitlements of the Development Agreement between Storey County and the Tahoe-Reno Industrial Center.
- 5.1.3 The conditions of the SUP No. 2016-013 will not conflict with the purpose, intent, and other specific requirements of the I-2 Heavy Industrial Zone and the NR Natural Resources Zone, in which the project is located.
- 5.1.4 The Special Use Permit complies with all federal, state, and county regulations.
- 5.1.5 The Special Use Permit will not impose substantial adverse impacts or safety hazards on the adjacent properties or surrounding area. The proposed project and the final product will not conflict with or adversely impact surrounding existing land uses, future land uses, or land use entitlements.
- 5.1.6 The conditions of approval under SUP No. 2016-013 impose sufficient regulations on the proposed project to reasonably mitigate associated impacts on the surrounding environment and closest land uses.
- 5.1.7 The conditions under this The Special Use Permit do not conflict with the minimum requirements in SCC Chapter 17.12 General Provisions, Chapter 17.35 I-2 Heavy Industrial Zone, 17.76 NR Natural Resources Zone and Chapter 7.03.150 Special Use Permits, or any other federal, state, or county regulations, including public safety and health codes.

Motion: In accordance with the recommendation by staff and the Planning Commission, the Findings under Section 5.1 of the Staff Report and in compliance with the conditions of approval of Section 6 of this report, I, Lance Gilman hereby recommend conditional approval of Special Use Permit Application Number 2016-013 to amend portions of the Truckee River channel and abutting flood plain areas for the purpose stated forth in the SUP Application, located at 191 Wunotoo Rd, McCarran, Storey County, Nevada (APN: 004-091-72 and 0 PLC#4: PTN NW4 S34 T20N R22E, McCarran, Storey County, Nevada (APN: 004-091-30) **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

County Manager Pat Whitten requested that Item #14 be heard by the Commission, followed by Item #16.

14. DISCUSSION/POSSIBLE ACTION:

Consideration of and possible action to approve contract for the purchase of three (3) lots from Bucket of Blood Saloon which are adjacent or close to the courthouse. The addresses of the lots are 55 and 75 South A Street and 50 South B Street. They bear Assessor's Parcel Number 1-081-01, 1-081-02 and 1-081-05.

Chairman McBride, having a pecuniary interest in the Bucket of Blood Saloon, recuses from testimony and vote on this item.

Deputy District Attorney Keith Loomis stated the County has proposed for some time to make improvements to the parking lot next to the Courthouse to make it more accessible and available to the public and employees. In order to make improvements, the County must own the parking lot. This item addresses the areas adjacent to the Courthouse owned by the Bucket of Blood Saloon. Since Chairman McBride has a substantial pecuniary interest in the Bucket of Blood and in the outcome of the contract, it was necessary to request the Ethics Commission whether or not it would be permissible for the County to enter into a contract with the Bucket of Blood Saloon for the purchase of those lots. The Ethics Commission said it would be permissible under these circumstances in light

of the fact that these lots are unique and only available here, it would be in the public interest to purchase the lots, and that an appraisal would be required prior to entering into the contract.

An appraisal was completed by appraiser, Ann Delahay. Ms. Delahay was sworn under oath to make the appraisal. The appraised value of the lots - prior to the time excavation work was done - was \$200,000.00.

The decision today is whether or not to purchase the lots. The cost will be \$200,000 per the appraisal with the close of escrow is set for July 1, 2017. This is the date the existing lease with the Bucket of Blood expires.

Commissioner McGuffey: Appreciates Chairman McBride being flexible with the County to create more parking. As soon as it was excavated, people were filling it up. It's time to move forward.

Mr. Whitten: The approval of this purchase and execution of document (Agreement) today allows the County to go forward as the future owner to begin bidding and construction process.

Mr. Loomis: Once the contract is signed, there are no conditions on the close of the escrow. The County will deposit \$200,000 into escrow, the Bucket of Blood will submit a deed, and there are no conditions. This gives the County an equitable ownership of the property and authorizes the County to proceed with improvements on the parking lot.

Public Comment:

Bum Hess, Storey County lobbyist and former County Commissioner: The County has been trying to obtain these lots for forty years. A lot of "runs" have been made to purchase this property. Every time the County wanted it, there were no funds. It is prudent that this move forward at this time. Congratulations.

Vice Chairman Gilman: Thank you to the McBride family. The community is desperately in need of parking.

Motion: Approve the contract for the purchase of three (3) lots located at 55 and 75 South A Street and 50 South B Street from the Bucket of Blood Saloon and authorize the acting Chair to sign,

Action: Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Vice Chairman Gilman,

Vote: Motion carried by unanimous vote, (**Summary:** Yes=2)

16. DISCUSSION/POSSIBLE ACTION:

Special Use Permit 2016-018, by Laurie Weatherston. The applicant requests merging three approximately 50'x 100' Virginia City lots into two approximately 75' by 100' lots located at 180 S O Street, Virginia City, Storey County, APN: 001-251-10, 190 S O Street, Virginia City, Storey County, APN: 001-251-11, and 200 S O Street, Virginia City, Storey County, APN: 001-251-12.

Planner Jason VanHavel stated the applicant is present and representing the property owners.

- There are three parcels in this application - two owners.
- One of the owners owns two of the parcels.
- The owners would like to realign the lots to two lots of approximately 75' by 100'. This is the agreement reached by the two property owners. Each owner will own one lot.
- The subject properties are R-1 residential and the realignment is in compliance with all zoning laws and regulations. This could be a positive impact on the area.
- There are no objections from surrounding property owners.
- Staff recommends approval.

Public Comment:
None

Mr. VanHavel read the findings:

- 5.1 The parcel map complies with NRS 278.475 through 278.477 relating to the change in location of boundary lines; and
- 5.1.2 The parcel map complies with all Federal, State, and County regulations pertaining to parcel maps and allowed land uses; and
- 5.1.3 The parcel map will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity; and
- 5.1.4 The conditions of approval for the requested parcel map do not conflict with the minimum requirements in Storey County Code Chapters 17.16 Residential Zone or any other Federal, State, or County regulations.

Motion: In accordance with the recommendation of staff and the Planning Commission, the Findings under section 5.1 of the Staff Report, and in compliance with all Conditions of Approval, I, Lance Gilman, hereby recommend approval with conditions for the parcel map application number t 2016-018, that merges three Virginia City lots into two lots located at 180 S O Street, Virginia City, Storey County, APN: 001-251-10, 190 S O Street, Virginia City, Storey County, APN: 001-251-11, and 200 S O Street, Virginia City, Storey County, APN: 001-251-12, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

9. RECESS THE STOREY COUNTY BOARD OF COMMISSIONERS TO CONVENE AS THE STOREY COUNTY BROTHEL LICENSE BOARD:

10. DISCUSSION/POSSIBLE ACTION:

Work card appeal/revocation hearing for Laura Aileen Williams.

Vice Chairman Gilman, having a pecuniary interest in the business in this item, recuses from discussion and vote on the item.

Applicant Laura Aileen Williams presented background information including information leading to the revocation of a work card.

Chairman McBride: Asked for clarification of information regarding the reason for revocation.

Sheriff Antinoro: All background information has been confirmed. The revocation was based on a history of incidents and conduct. All information was disclosed.

County Manager Whitten: Reviewed the five disqualifiers for a work card pursuant to the current brothel code. In this case (Ms. Williams), there is an outright disqualifier.

Sheriff Antinoro: Temporary work cards are normally issued at the time of application pending results of the criminal investigation and history.

District Attorney Langer: Agrees with the Sheriff's decision to revoke this work card based on the current County ordinance.

Chairman McBride: The Commissioners are usually considerate of applicants applying for reinstatement of work cards. In this case, reinstatement would be a violation of the County ordinance. If there was a timeframe in the ordinance, this could be considered.

Commissioner McGuffey: Agrees.

Mr. Whitten: The brothel ordinance is being revised and the applicant should “stay tuned”.

Motion: To uphold the Sheriff’s decision and deny work card at this time, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

ADJOURN THE STOREY COUNTY BROTHEL LICENSE BOARD TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD:

11. **FOR POSSIBLE APPROVAL:** Liquor License First Reading for Mellow Fellow, 171 South C St., Virginia City, Nevada.

Sheriff Gerald Antinoro presented this item. This is a first reading. The background information has not been completed, however the criminal portion is complete. There is nothing in that background that would preclude this applicant.

Mr. Whitten: Understands that Mellow Fellow has three other locations and are a fairly sizable, regional operation.

Motion: To approve as part of the Consent Agenda, Liquor License - both on and off sale - for Mellow Fellow operating out of 171 South C Street, Virginia City, Nevada , **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

12. RECESS TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

13. DISCUSSION/POSSIBLE ACTION:

Approve bid award for Public Works Project No. ST-2016-230; Cape Seal Project on approximately 10 miles of selected roads and streets in Storey County.

Public Works Director, Mike Nevin, stated bids were solicited for this project per requirements of NRS 332 and 338.

- Two bids were received.
- The low bid was from Intermountain Slurry Seal in the amount of \$685,900.
- Farr West Engineering has reviewed and finds no exceptions that would preclude making the award in the amount stated.
- The bid came in under the amount budgeted for these projects.

Mr. Nevin reviewed cost breakdown for each of the locations in this project and recommends awarding the bid to Intermountain Slurry Seal.

Mr. Whitten: Why are the bids for Lockwood and TRI for one-half inch seal, and if different, what is the seal for the other locations?

Mr. Nevin: TRI and Lockwood (on Canyon Way) because of the heavier truck traffic.

Mr. Whitten: The portion in the Highlands is actually on the private sections of Cartwright Road. The Commission had previously approved this. This item today is for awarding the bids.

Ms. Langer: This had been discussed last year.

- Part of the agreement to go forward on the private property was to do a Resolution where the County was going to pave that part of the roadway as it was an area where the public has access with emergency vehicles and school buses.
- Also, because it is on private property, the County Manager went to the homeowners associations. A letter was received from the One Acre lots stating that they were fine with this.
- This will be followed-up with a Resolution to be done before the execution of the contract. It is fine for the Commission to award the bid today.

Mr. Whitten: The County has everything it needs from the Highlands homeowner association.

Commissioner McGuffey: This (Cartwright Road) basically has become a public road and is also used by the tens and the forties.

Mr. Whitten: While the public uses this road, it is owned by the One Acres.

Mr. Nevin: Upon approval, can the Notice of Award be signed?

Mr. Whitten: Yes. Hold the work on Cartwright until after September 6th so that a Resolution can be obtained.

Motion: To approve bid award for Public Works Project No. ST-2016-230 to the low bidder, Intermountain Slurry Seal, Inc., in the amount of \$685,900.00 for Storey County Public Works Cape Seal Project, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

15. 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 September 30, 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.

Administrative Officer, Austin Osborne, indicated collective bargaining is still proceeding with the AFSCME General Employees Chapter and more time is needed. This item allows the existing contract to continue while bargaining continues.

Public Comment:
None

Motion: To approve a 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 September 30, 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:** Vice Chairman Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

19. Correspondence - No Action or discussion

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

None.

21. **ADJOURNMENT**

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

By _____
Vanessa Stephens Clerk-Treasurer