



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, OCTOBER 18, 2016 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN
ATTORNEY

ANNE LANGER
DISTRICT

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER
TREASURER

VANESSA STEPHENS
CLERK-

Roll Call: Chairman McBride, Vice-Chairman Gilman, Commissioner McGuffey, County Manager Pat Whitten, Clerk - Treasurer Vanessa Stephens, Comptroller Hugh Gallagher, Deputy District Attorney Keith Loomis, Fire Chief Gary Hames, Sheriff Gerald Antinoro, Tourism Director Deny Dotson, Community Outreach Director Cherie Nevin, Public Works Director Mike Nevin, Recorder Jen Chapman, Planning Director/Administrative Officer Austin Osborne, Planner Jason VanHavel, Communications Director Dave Ballard

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

Meeting was called to order by the Chair at 10:01am

2. PLEDGE OF ALLEGIANCE

The Chair led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for October 18, 2016

County Manager Pat Whitten stated there would be no action or discussion on item 10. This item will be continued to the November 1, 2016 meeting.

Motion: Approve Agenda for October 18, 2016, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

4. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for September 20, 2016

Motion: Approve Minutes for September 20, 2016, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

5. CONSENT AGENDA :

- I For possible action: Reschedule the November 15, 2016 Board of County Commissioners Meeting to November 10, 2016 at 12:00pm. This will allow for the canvassing of the General Election and for the Commissioners to attend the NACO Conference.
- II For possible action: Approval of the Justice Court Quarterly Report for July - September 2016.
- III For possible action: Approval of Treasurer's Report for September 2016.
- IV For possible action: Approval of claims for payroll dated 09/29/2016 for \$77,068.03 and \$131,497.41 and dated 10/07/2016 for \$481,415.28. Claims for accounts payable date 09/30/2016 for \$134,921.77 and \$10,169.73

END OF CONSENT AGENDA

Motion: Approve Consent Calendar for October 18, 2016, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

6. DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff Reports
Public Works Director Mike Nevin:

- The last portion of the slurry-seal project will finish today in Mark Twain Estates.
- Striping of Six Mile Canyon will be done on Friday from 10AM to 2PM. The road will be closed during that time.
- Intermountain Slurry Seal was a good company to work with.
- The Miners Park project is 90% complete, waiting for the plastic barrier to hold the bark in place around the playground equipment. The pavers compliment the area and it is a great improvement.
- The siphon project was completed on October 7th. Water is now flowing through the new portions of the pipeline.

Fire Chief Gary Hames:

- Thursday and Friday fire personnel responded to the Little Valley Fire. During the operation an engine was involved in a "burn over". Two personnel on that engine were engaged in suppression operations on a structure (a house) - were behind the structure and could not see the engine. Personnel from Carson City Fire saw the engine on fire and put the fire out. The engine suffered damage with melting paint and to the pre-connect hose lines. The fire personnel were absolutely fine and were sent back into field operations. The engine is in for repairs which will be paid for by the incident. Through training and experience, the personnel involved did, and were doing, the right things.

Shaun Griffin, Community Chest:

- Just completed the audit - it was a clean audit for the third year in a row.
- The big event is October 28th at Pipers featuring Poor Man's Whiskey and Jelly Bread. This will be a Halloween show. Doors open at 7:30, show at 8:00. This is a fundraiser for the library.
- The second phase of the community center will go out to bid next week.

Director of Tourism Deny Dotson:

- Attended the Governor’s Global Tourism Conference. People were brought in from all over the world with this year’s focus on China. Travel Nevada is one of the first states to open an office in China.
- The focus is on video which was influenced by the “Below the Surface” video campaign in Virginia City. This video has had over 1 million views.
- An agreement has been signed with Brand USA to promote videos abroad.
- “Thomas Train” will be in operation the next two weeks with about 8,000 kids - along with parents -attending, and bringing revenue to shops.
- A year-end survey will be passed out to get opinions on what was done and what could be better. This year there were a lot of back-to-back events which will be spread out next year.
- Working on getting the rest of the oak barrels out on C Street. The barrels are for visitor’s trash.

County Manager Whitten: It is important to stress these barrels are only intended for visitor’s trash. Businesses are reminded these barrels are not for their use. There is an agreement with Waste Management who is very attentive to the use of the barrels.

Mr. Dotson: During events there is some confusion as to the days trash is picked up. Waste Management has been asked but has not been forthcoming with information. Pretty sure there is no limit to the number of oak barrels - some need to be replaced and additional barrels will be added.

Chairman McBride: A good idea would be to give flyers to the businesses as a reminder these barrels are not for trash from the stores. Also, Waste Management should be contacted to find out what days trash is picked up.

Planning Director /Administrative Officer Austin Osborne:

- Planning Commission meeting:
 1. A second workshop and discussion was held regarding planning and development of subdivision Title 16 and the multi-family existing zoning regulations. These workshops will continue.
 2. The USGS also gave the presentation regarding water in the Highlands and Mark Twain which was previously given to the Board of Commissioners.
- Work continues on the Collective Bargaining Agreement and will probably be ready by the November 1st BOC meeting for approval.
- Work has started on the Courthouse parking lot. This will be about a 90-day project with 30 additional days for paving.
- Working with the Clerk’s office to ensure adequate parking for early voting and ADA access.

County Manager Pat Whitten:

- In response to the Little Valley Fire, an emergency command center was activated to prepare for potential threat to the safety and security of any of the County’s communities. This was based on information regarding the fire that there were significant threats to Virginia City Highlands, as well as Virginia City and Gold Hill, depending on direction and velocity of the winds.
- Throughout Friday and the next two days, information was given to RAD Strategies to disseminate to the media.
- Thank you for a job well done to Joe Curtis, the Command Center manager; Fire Chief and information resource officer Gary Hames, along with the great Battalion Chief structure; and the rest of the people who participated throughout the event.
- Parking will be difficult the next few weeks with two on-going projects - the parking lot construction and the painting of the courthouse. If the painting was not done this year, the

courthouse would have been exposed to continued deterioration. Despite some major deterioration - which could not be seen and has been repaired - this project is on-time. The target completion date is Nevada Day. There is an artist rendering of the completed courthouse in the County Manager's office.

Clerk/Treasurer Vanessa Stephens:

- Election update:
 1. Today is close of registration for the general election- on line until midnight or in person until 5PM.
 2. As of this morning there are 3,024 registered voters - huge for Storey County;
 3. Sample and absentee ballots have been mailed;
 4. Absentee ballots can still be requested;
 5. Looking for election volunteers - call the Clerk's office for information;
 6. Early voting starts this Saturday and will be held at the Courthouse Slammer Museum and the Lockwood Senior Center from 10AM to 2PM.

Mr. Whitten: A second BOC meeting is not anticipated for November due to the NACO conference, however a Special Meeting is scheduled for November 10 at 12 noon to canvass the vote. Any urgent items may be heard as well.

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

Commissioner McGuffey:

- Thank you to District Attorney Langer and Assistant D.A. Loomis for the efforts in finding a statute that helped get Cartwright Road paved. And to Mike Nevin and team for making it happen. It looks really good and is well liked by residents.
- The work at Miners Park looks great. With completion of this project, the Highlands gazebo roofing project "moves up" and hopes to be done as long as the weather holds.
- Register on-line to vote at NVSOS.gov.

Chairman McBride:

- Gold Hill resident Noelle Darwin passed away. Noelle worked at the Bucket of Blood for ten years and was a lovely lady - a lot of fun to be around.
- Reminder to candidates running for election - today is the due date for financial reports to be filed with the Secretary of State's Office without a fine.

8. DISCUSSION/POSSIBLE ACTION: Review of the 1st quarter 2017 unaudited budget to actual review.

Comptroller Hugh Gallagher discussed the 1st quarter budget review. This hasn't been done for some time as the certified audit is still being conducted. The 1st quarter creates communication between department heads and the Comptroller's office regarding accounts and is a great review to look at expenses and income and to make any adjustments to a line item. This is a very good quarterly report.

Mr. Gallagher reviewed the General Fund. Revenue is in line with what was budgeted. Most departments, at this time, are below the budgeted percentage in expenses. There are no significant deviations from the budget that cannot be explained.

Looking at the first quarter, department heads are doing a stellar job in managing the departments.

The second quarter review should be presented at the second Commission meeting in January. Immediately after, the 2017 budget process will begin.

9. DISCUSSION ONLY/NO ACTION: The applicant requests a variance allowing the required 60 foot front setback (or 50 percent of the lot's depth) distance between an accessory building and the property easement line to be reduced to 10 feet for the placement of an accessory garage on the subject property located at 21440 Delta Drive, Virginia City Highlands, Storey County, Nevada, APN 003-014-029.

Senior Planner Austin Osborne presented this item.

- The applicants request a 10 foot setback on their one-acre parcel in Virginia City Highlands.
- The proposal is to build an accessory garage in the front area of the residence up to the 10 foot mark.
- In this E-1-VCH zone, the 30 foot setback for a residence is from an easement line - the easement accommodates the road.
- This request is for an accessory building not a residence.
- Applicants property is very steep and would require substantial grading, cutting, filling, and cost.
- Based on the conditions of hardship, not causing a substantial impact, and the costs, applicant requested the variance.
- The property was looked at and it was found that it would be very expensive to build a garage where normally it would be built.
- Applicant stated if the garage could be built in the front, the garage would be turned so the garage door faced into the front yard of the property rather than egress from Delta Drive.
- Neighbors on both sides have similar garages.
- Side and rear setbacks are met.
- Fire District and Building Department have no issues with this request.
- The Planning Commission approved this request with conditions.

Mr. Osborne reviewed the conditions. Including that vehicle access must be from the west, east, or north facing sides only as well as a condition to obtain a survey verifying the property lines and setbacks.

Staff recommends approval. Applicant, Jason Yasmir, is present.

Commissioner McGuffey: Has no objection.

Vice Chair Gilman: Attended the Planning Commission meeting and the Commission did a terrific job reviewing and approving this project.

Mr. Osborne read the Findings:
5.1 Motion for approval

The following findings of fact are evident with regard to the requested variance when the recommended conditions of approval in Section VI Recommended Conditions of Approval, are applied:

1. The variance complies with all federal, state, and county regulations.
2. The variance will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area.
3. The conditions of the variance adequately address potential fire hazards and require compliance with the applicable fire codes, including setback and fire protection ratings

4. The conditions under this variance do not conflict with the minimum requirements in Storey County Code Sections 17.03 Administrative Provisions, 17.12 General Provisions; and 17.40 E-1-VCH Zone, or any other federal, state, or county regulations, including building and fire codes.
5. Because of the special circumstances applicable to the subject property, including shape, size, topography, or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.
6. Granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.
7. Granting of the variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood of the subject property.

Public Comment:
None

Motion: In accordance with the recommendation by staff and the Planning Commission, the findings of fact under Section 5.1 of this report, and other findings deemed appropriate by the Storey County Board of County Commissioners, and in compliance with the conditions of approval, I, Lance Gilman, motion to approve with conditions Variance No. 2016-021 allowing the required 60 foot front setback (or 50 percent of the lot's depth) distance between an accessory building and the property easement line to be reduced to 10 feet for the placement of an accessory garage on the subject property located at 21440 Delta Drive, Virginia City Highlands, Storey County, Nevada, APN 003-014-29, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

10. DISCUSSION/POSSIBLE ACTION: TRI Audit of project revenue and net revenue of the TRI Public-Private Partnership for the year ended June 30, 2015.

This item is continued to the November 1, 2016 Board of Commissioners meeting.

11. DISCUSSION/POSSIBLE ACTION: Memorandum of Understanding (MOU) between Storey County and Dayton Valley Conservation District (DVCD) for noxious weed abatement in Six and Seven Mile Canyons, and in Gold Hill, Gold Canyon, Virginia City, and American Flat in Storey County.

Austin Osborne explained this is the 6th year of noxious weed abatement in these areas.

- This request is for \$15,000 for 2016-17 to be given to the Dayton Valley Conservation District to apply to crews, equipment, and herbicide to complete this work.
- Storey County Planning staff works in-kind with the District, providing notification and GIS mapping. Public works sets up reader boards. Dayton Valley Conservation District does in-kind match covering mapping, inventory project management, and herbicide purchase.
- The Carson Water Subconservancy District is providing \$2500 this year to assist in completion of this project.
- Due to success of the weed abatement over the last five years, the project is turning into spot spraying. Native brush, grasses, and trees are taking over leaving just a little bit of "baby sitting".
- Working with the Bureau of Land Management to get the spraying on to BLM land as well - particularly in American Flat and Six Mile Canyon.
- DVCD has been great to work with over the years.

Commissioner McGuffey: Thought needs to be given to the Highlands where there are sections of whitetop that doubles every year.

Mr. Osborne: The district that covers the Truckee River watershed is the Washoe Storey Conservation District.

- The County is in cooperation with WSCD and WSCD wants to work with the County. It is believed that this year work will begin with a mile - it's a start.
- In Six Mile Canyon, 80% of the work was getting it going - getting agreements, funding sources. In the years subsequent, it becomes much more self-perpetual.
- All agree that the situation in the Highlands needs to be addressed.

Vice Chairman Gilman: Had a request from the Rainbow Bend community to address the issue along the river where there is a lot of whitetop. Who would be the authority to contact?

Mr. Osborne:

- The County would like to work its way downstream from the top to eliminate the seed source.
- At the river, it's tricky as to whose jurisdiction it is. There are different jurisdictions on the river.
- The flood management authority has delegated this to the Nature Conservancy that's done river restoration projects. The theory is by getting native plants to re-germinate and managed correctly, minimal work would have to be done to address invasive species.
- When the project gets down that far, it is suggested to collaborate with Carson Truckee Conservancy District to see what the County could do to take treatment action.

Chair McBride: There are issues with whitetop in the Lockwood community garden as well.

Mr. Osborne: That area is in the County's jurisdiction. It's the area along the river where there would be coordination with flood projects, nature conservancy, private property owners, and TRI center.

Vice Chair Gilman: It's worth a look - this is becoming quite an issue in that area.

Chair McBride: Let's look at those geographical areas to see what can be done going forward.

Mr. Whitten: Supports the comments about the success in Six and Seven Mile Canyons. Six years ago that area looked like a jungle - it's a night and day difference. Next will be the Highlands then on to the River District.

Public Comment:
None

Motion: In accordance with the recommendation by staff, I, Lance Gilman, motion to approve Memorandum of Understanding between Storey County and the Dayton Valley Conservation District (DVCD) for noxious weed abatement in Six and Seven Mile Canyons, and Gold Hi8ll, Gold Canyon, and American Flat in Storey County, utilizing funds provided by the Storey County Planning Department and in-kind match provided by the DVCD, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

12. DISCUSSION/POSSIBLE ACTION: Discuss and approve project ideas for the Community Development Block Grant Funding for 2017 cycle for pre-application submittal to the State of Nevada Governor's Office of Economic Development.

Community Outreach Director, Cherie Nevin, presented three potential projects to be submitted for pre-application consideration to the State. Eligible activities under this grant program must consist of: housing rehabilitation programs, public facility and public improvement projects, public service programs, planning studies, economic development business assistance, and micro enterprise activities. Of these activities, three HUD objectives must be met: benefit to low income households or persons; elimination of slums and blight; or meeting urgent community development need.

Potential projects were received from St. Mary's Art Center:

- 1) New exterior signage and re-branding;
- 2) Youth art program;
- 3) Arts and technology improvement project;
- 4) Development of a formal historical hospital and art center museum exhibit;
- 5) Development of 4th floor theater space;
- 6) Front porch and 3rd floor balcony repairs and restoration.

These projects were reviewed by CDBG - the only project that may be eligible would be the front porch, balcony repairs and restoration, and only if the building was declared slum or blight. Ms. Nevin does not see a declaration of slum or blight as an option.

Pipers Opera House submitted:

- 1) Arts and cultural district feasibility study - a project to revitalize B Street showing the history and legacy of that area. Maybe a transportation system from D Street to B Street.

This may be a fundable activity, however there is no LMI benefit. A strong economic development angle may get this through.

Farr West Engineering submitted the following:

- 1) County control survey network. Re-surveying work is being done in Virginia City - this project would give the County modern and accurate county-wide survey network controls. This would establish control points and tie existing centerline property and public survey system monuments into the network. It is well known that mapping in Virginia City is off - this would tie all of that together.

There are concerns with this project and tying it to economic development. Because of the LMI, it may be feasible to do surveying in the Lockwood area and to make a case for that area.

If approved, the ideas that CDBG indicated may be acceptable can be submitted for the pre-application process. The due date is November 15th. The State will review and hopefully have a decision by the December 6th Commission meeting so the projects can be ranked for the final application.

This process has taken a different spin with the emphasis now on economic development. There is nothing to lose in submitting all of these project ideas.

Mr. Whitten: Is there any opportunity to go back and factor in any project on stormwater drainage? Maybe something can be done working with Lyon County.

Ms. Nevin: The possibility of a two-county income survey in the Mark Twain area has been looked at. Ms. Nevin can reach out to see if Lyon County would like to partner in a LMI survey to perhaps qualify both counties. Each county impacts the other.

Mr. Whitten: How the areas (in Mark Twain) are developed may be a potential “check box” for economic development. There are areas being looked at that would certainly meet that criteria, if not this year, then next.

Ms. Nevin: There are now four projects to be looked at. This includes the project in the Mark Twain area.

Public Comment:
None

Motion: I move to approve the TBD projects for the State of Nevada Governor’s Office of Economic Development for the 2016 Community Development Block Grant Program pre-application process, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

13. DISCUSSION/POSSIBLE ACTION: Approval of mutual aid agreement for assistance with public safety emergencies between Storey County Sheriff’s Office and Pyramid Lake Paiute Tribe.

Sheriff Antinoro stated this is a standard agreement between agencies covering any kind of event emergencies or catastrophe’s. There is a small section of the reservation that crosses through the county. Deputy District Attorney Loomis has reviewed the agreement and found no issues.

Chairman McBride: This is the first of this kind with the tribe?

Sheriff Antinoro: Yes.

Chairman McBride: Is there anything like this with the Fire District? It’s interesting - it’s at the tip of the county.

Mr. Whitten: Does not know, but will find out.

Public Comment:

Mark Joseph Phillips, Virginia City resident: Concerned with item 12 (in the agreement) - no compensation and requiring the Sheriff to absorb the cost. Will there be discussion in the up-coming budget to help the Sheriff in meeting this agreement? The Sheriff’s budget has been cut pretty much.

Sheriff Antinoro: There are no anticipated costs in this. Everyone accepts their own liabilities, their own employees. In the case of disaster or a big event, there is other potential funding. This is a “housekeeping” deal - give and take. This contract is directed to those emergency circumstances, if something happens, everyone is covered from a legal perspective.

Vice Chairman Gilman: This kind of mutual aid program, especially with the tribe, is important to Storey County. There is a lot of interaction with the tribe in TRI, especially having to do with water service where the tribe has tendency to address every issue in an adversarial manner. Mr. Gilman appreciates the fact the County is “consensus building” and coming together in this matter.

Motion: Approve the mutual aid agreement for assistance with public safety emergencies between Storey County Sheriff’s Office and Pyramid Lake Paiute Tribe, **Action:** Approve, **Moved by:** Vice Chair Gilman, **Seconded by:** Commissioner McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

14. CORRESPONDENCE:

I Storey County Fire Protection District Activity Report for September 2016.

II Voluntary Statement from Raymond Pierre Bares regarding noise from the V&T

15. PUBLIC COMMENT (No Action):

None

16 . ADJOURNMENT

The meeting was adjourned by the Chair at 11:25 AM

Respectfully submitted,

By: _____
Vanessa Stephens Clerk-Treasurer