

# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

5/16/2017 10:00 A.M.

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## **AGENDA**

MARSHALL MCBRIDE CHAIRMAN

ANNE LANGER DISTRICT ATTORNEY

JACK MCGUFFEY VICE-CHAIRMAN

LANCE GILMAN COMMISSIONER

VANESSA STEPHENS CLERK-TREASURER

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

All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Pursuant to NRS 241.020 (2)(d)(6) Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. The Commission Chair reserves the right to limit the time allotted for each individual to speak.

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

- 1. CALL TO ORDER REGULAR MEETING AT 10:00 A.M.
- 2. PLEDGE OF ALLEGIANCE
- 3. DISCUSSION/POSSIBLE ACTION:

Approval of the agenda for May 16, 2017

#### 4. DISCUSSION/POSSIBLE ACTION:

Approval of the minutes for April 4, 2017.

#### 5. DISCUSSION/POSSIBLE ACTION:

Approval of the minutes for April 12, 2017.

#### 6. DISCUSSION/POSSIBLE ACTION:

Approval of minutes for April 18, 2017.

#### 7. CONSENT AGENDA

- I For possible action: Approval of payroll claims in the amount of \$695,362.68 and accounts payable claims in the amount of \$332,153.19.
- II For possible action: Approval of the Treasurer's Report for April 2017.
- III For possible action: Approval of the Intrastate Interlocal Contract between DMV and the Storey County Assessor, the contract term effective upon approval to June 30, 2019.
- IV For possible action: Approval of Business Licnese First Readings:
  - A. ALL THINGS ELECTRIC Contractor / 4632 Sommerville Way ~ Reno (Contractor)
  - B. TUFF WRAP INSTALLATIONS, INC. Contractor / 2080 Detwiler Road ~ Harleysville, PA (Contractor)
  - C. SUPREME CONCRETE, LLC Contractor / 5295 Coggins Road ~ Reno (Contractor)
  - D. SOUTH ATLANTIC CONTROLS, INC. Contractor / 10226 Governor Blvd ~ Williamsport, MD (Cont.)
  - E. ROCKWELL AUTOMATION Contractor / 3000 Executive Pkwy ~ San Ramon, CA (Professional)
  - F. PRO-BEAM USA, INC. Contractor / 3909 75th Street ~ Aurora, IL (Contractor)
  - G. HAS CONSULTING, LLC Professional / 3450 Madison Road ~ Cincinnati, OH (Software Developer)
  - H. ROSENBERGER HFT GMBH & CO KG Contractor / PO Box 1260 Tittmoning, Germany (Contractor)
  - I. LJS SOLUTIONS Contractor / PO Box 969 ~ Sumter, SC (Contractor)
  - J. CC CLEANING SERVICE, LLC General / 9115 Hummer Drive ~ Reno (General)
  - K. MEMORY LANE JEWELRY Home Business / 340 Cartwright Rd ~ Reno (online sales)
  - L. PALETTI USA, LLC Contractor / 145 Keystone Drive ~ Montgomeryville, PA (Contractor)

- M. BAYSIDE INTERIORS, INC. Contractor / 3220 Darby Common ~ Fremont, CA (Contractor)
- N. JAPAN SYSTEMS CO., LTD Professional / 1-5-17 Dojima, Kita-ku, Osaka JAPAN (Professional)
- O. HERO CO., LTD Professional / 6-6-6 Nishinakajima Yodogawa-ku, Osaka JAPAN (Professional)
- P. PROMTEC INDUSTRIEMONTAGE GMBH Contractor / Benzstrasse 2, GERMANY (installer)
- Q. GO GREEN CONSTRUCTION, INC. Contractor / PO Box 956 ~ Crystal Bay, NV (roofing contractor)
- R. TK SYSTEMS, INC. Contractor / 6949 Buckeye Street ~ Chino, CA (Contractor-pallet racking)
- S. BBS AUTOMATION PENANG SDN.BHD Contractor / Plot 313 Pulau Pinang, Malaysia (Contractor)
- T. STERICYCLE ENVIRONMENTAL SOLUTIONS, INC. General / 28161 N Keith ~ Lake Forest, IL (labor)
- U. CENTIMARK CORPORATION Contractor / 5380 South Watt ~ Sacramento (roofing contractor)
- V. BRIDGE CRANE SPECIALISTS, LLC Contractor / PO Box 940 ~ Kiefer, OK (Contractor)
- W. PLAN B CONSULTANCY, INC. Professional / 696 McVey Avenue ~ Lake Oswego, OR (consultant)
- X. AUTOMATION NTH, LLC Professional / 491 Waldron ~ Lavergne, TN (Engineer)
- Y. EATON CORPORATION Professional / 1000 Moon Township, PA (Engineer)
- Z. AMADOR STATELINES, INC. Transportation / 1331 C Street ~ Sacramento, CA (bus transportation)
- AA. ATS ASSEMBLY AND TEST, INC. Contractor / One ATS Drive ~ Nixom, MI (Contractor)
- BB. KYZEN CORPORATION Contractor / 430 Harding Industries ~ Nashville, TN (Contractor)
- CC. MEI RIGGING & CRATING, LLC Contractor / 3838 Western Way NE ~ Albany, OR (Contractor)
- DD. INNOVATIVE MANAGEMENT SOLUTIONS, INC. Professional / 825 Watters Creek ~ Allen, TX (prof)
- 8. DISCUSSION ONLY (No Action No Public Comment): Committee/Staff Reports
- 9. BOARD COMMENT (No Action No Public Comment)
- 10. **DISCUSSION ONLY (No Action):**

Discussion and direction to staff regarding legislation or legislative issues proposed by legislators or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chairman or the Board to be of critical significance to Storey County. Specific bills will include SB 57

which staff has expressed full support and bills SB176, SB244, SB314, AB289, SB271, AB290, SB356, SB469 AND AB384.

#### 11. DISCUSSION/POSSIBLE ACTION:

Authorize the County Manager to execute contract(s) as needed with JBA Consulting Engineers to provide engineering, general consulting and 3rd party review services in an amount not to exceed \$50,000.00.

#### 12. DISCUSSION/POSSIBLE ACTION:

Review and possible approval of the 2017-2018 General Fund Final Budget for submission to the Department of Taxation

#### 13. RECESS TO CONVENE AS THE STOREY COUNTY WATER AND SEWER BOARD

#### 14. DISCUSSION/POSSIBLE ACTION:

Review and possible approval of the 2017-2018 Water-Sewer Final Budget for submission to the Department of Taxation

## 15. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

#### 16. **DISCUSSION/POSSIBLE ACTION:**

Review and possible approval of the 2017-2018 General Fund Final Budget for submission to the Department of Taxation

#### 17. RECESS TO CONVENE AS THE 474 FIRE PROTECTION DISTRICT BOARD

#### 18. DISCUSSION/POSSIBLE ACTION:

Review and possible approval of the 2017-2018 474 Fire District Final Budget for submission to the Department of Taxation

# 19. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

#### 20. DISCUSSION/POSSIBLE ACTION:

Review and possible approval of the 2017-2018 General Fund Final Budget for submission to the Department of Taxation

#### 21. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD

#### 22. DISCUSSION/POSSIBLE ACTION:

Amendment to the Liquor Licnese for Lance Gilman, from Mustang Ranch Steakhouse and Red Light Lounge to Virginia City Bar & Grill.

## 23. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

#### 24. DISCUSSION/POSSIBLE ACTION:

Parcel Map 2017-011 by Nancy Krushke. The Applicant requests approval of a Parcel Map dividing one parcel into two parcels located at 20 South N Street, Virginia City, Storey County, Nevada, Assessor Parcel Number (APN): 001-246-11).

#### 25. DISCUSSION/POSSIBLE ACTION:

Business License Second Readings:

- A. SUNBELT RENTALS, INC. General / 2341 Deerfield Dr ~ Fort Mill, SC (courier)
- B. MBP ENTERPRISES General / 631 Dunn Circle ~ Sparks (party rentals)
- C. JOANNE PANTALEO Professional / 16002 Legacy Rd ~ Tustin, CA (consulting)
- D. SIR AMERICA, LLC Contractor / 1300 Triad Blvd ~ Saginaw, TX (contractor)
- E. INDUSTRIAS REVIRIEGO Contractor / Torrejon de Ardoz SPAIN (contractor)
- F. BARN DOOR, LLC Home Business / 1910 Empire Road ~ Reno (handyman)
- G. ACCENT FOOD SERVICES, LLC General / 16209 Central Commerce ~ Pflugerville, TX (vending mach)
- H. BLACKBURN AND SON, LLC Contractor / 2301 West 4th Street ~ Reno (contractor)
- I. KRATOS PUBLIC SAFETY & SECURITY SOLUTIONS, INC. Contractor / 4820 Eastgate Mall ~ San Diego, CA (contractor)
- J. MCKINSTRY ESSENTION, LLC Contractor / 5005 3rd Ave ~ Seattle, WA (contractor)
- K. DYNAMIC CONTROLS SOLUTIONS, INC. Contractor / 46998 Magellan ~ Wixom, MI (contractor)
- L. WINSUPPLY RENO NV Contractor / 755 Timber Way ~ Reno (contractor)
- M. JABIL Contractor / 6375 San Ignacia Avenue ~ San Jose, CA (electronics manufacturing)
- N. EXECUTIVE TOWING AND RECOVERY, LLC Transportation / 20 Hwy 341  $\sim$  Moundhouse (transp)
- O. DMG MORI USA, INC. Contractor / 2400 Huntington ~ Hoffman Estates, IL (contractor)
- P. VISTA SOLUTIONS (US), INC. Contractor / 440 Burroughs St ~ Detroit, MI (quality control)
- Q. PENINGTON PAINTING COMPANY, LLC Contractor / 6313 W Commonwealth ~ Chandler, AZ (contr)
- R. BATTLE BORN CONSULTING SERVICES Home Business /  $166 \, \text{S} \, \text{Q} \, \text{St} \sim \text{VC}$  (consulting)

- S. 3S, SAFFLE SERVICE SUPPORT AB Contractor / 5421 Kietzke Lane ~ Reno (contractor)
- T. JANSSONS ELEKTRO AKTIEBOLAG Contractor / Boxholm SWEDEN (contractor)
- U. SWISSLOG-ACCALON AB Contractor / Boxholm SWEDEN (contractor)
- V. ENZELBERGER INDUSTRIEMONTAGEN GMBH Contractor / Treuchtlingen GERMANY (contractor)
- W. ECLIPSE AUTOMATION SOUTHEAST, LLC Contractor / 401 Ryland ~ Reno (contractor)
- X. AKAL CONSTRUCTION, INC. dba Ace Design, LLC Cont. / 7455 Arroyo Crossing ~ Las Vegas (const)
- Y. SYNCREON TECHNOLOGY (AMERICA), INC. General / 2555 USA Parkway (logistics) TRI
- 26. PUBLIC COMMENT (No Action)
- 27. ADJOURNMENT
- 28. CLOSED SESSION

Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding labor negotiations with the Storey County Firefighters Association IAFF Local 4227 and Storey County Sheriff's Office Employees Association NAPSO Local 9110. This meeting will commence immediately following the regular commission meeting.

#### **NOTICE:**

- Anyone interested may request personal notice of the meetings.
- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.
- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.
- In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all

bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at

http://www.ascr.usda.gov/complaint\_filing\_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

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

#### **CERTIFICATION OF POSTING**

I, Vanessa Stephens , Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before 5/10/2017; Virginia City Post Office at  $132\,\mathrm{S}\,\mathrm{C}\,\mathrm{St}$ , Virginia City, NV, the Storey County Courthouse located at  $26\,\mathrm{S}\,\mathrm{B}\,\mathrm{St}$ , Virginia City, NV, the Virginia City Fire Department located at  $145\,\mathrm{N}\,\mathrm{C}\,\mathrm{St}$ , Virginia City, NV, the Virginia City Highlands Fire Department located a  $2610\,\mathrm{Cartwright}\,\mathrm{Rd}$ , VC Highlands, NV and Lockwood Fire Department located at  $431\,\mathrm{Canyon}\,\mathrm{Way}$ , Lockwood, NV.

Vanessa Stephens Clerk-Treasurer



# Storey County Board of County Commissioners Agenda Action Report

Meeting date:			Estimate of Time Required: 0 -5			
Agenda: Consent [x] Regular a			agenda []	Public hearing required []		
1. 2.						
3.	3. Prepared by: VANESSA					
	<b>Department:</b> MANAGE	ER <u>Telephone</u>	<u>:</u> 847-1111			
4.	Staff Summary: Minute	s attached.				
5.	Supporting Materials:	See attached				
6.	Fiscal Impact: 0					
7.	Legal review required:	No				
8.	Reviewed by:					
	Department Head		Department	Name: MANAGER		
	County Manager		Other Agen	cy Review:		
9.	<b>Board Action:</b>					
	[] Approved			d with Modification		
	[] Denied		[] Continue	ed		



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, APRIL 4, 2017 9:00 A.M.

DISTRICT COURTROOM 26 SOUTH B STREET, VIRGINIA CITY, NEVADA

#### **MINUTES**

MARSHALL MCBRIDE CHAIRMAN

ANNE LANGER DISTRICT ATTORNEY

LANCE GILMAN VICE-CHAIRMAN

JACK MCGUFFEY COMMISSIONER

VANESSA STEPHENS CLERK-TREASURER

ROLL CALL: Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, Comptroller Hugh Gallagher, County Manager Pat Whitten, Clerk & Treasurer Vanessa Stephens, District Attorney Anne Langer, Sheriff Gerald Antinoro, Fire Chief Gary Hames, Director of Tourism Deny Dotson, Communications Director Dave Ballard, Emergency Management Director Joe Curtis, Director of Security Melanie Keener, IT Director James Deane, Management Analyst Jennifer McCain, Fire Chief Appointee Jeff Nevin, Community Outreach Director Cherie Nevin, Community Chest Director Shaun Griffin, Director of Economic Development Dean Haymore, Public Works Director Jason VanHavel, Administrative Officer/Planning Director Austin Osborne,

#### 1. CALL TO ORDER REGULAR MEETING AT 9:00 A.M.

Meeting was called to order by Chairman McBride at 9:00 A.M.

#### 2. PLEDGE OF ALLEGIANCE

Chairman McBride led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for April 4, 2017

Motion: Approve Agenda for April 4, 2017, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Chairman McBride, Vote: Motion carried by unanimous vote, (Summary: Yes=2)

4. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for February 21, 2017.

Motion: Approve Minutes for February 21, 2017, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Chairman McBride, Vote: Motion carried by unanimous vote, (Summary: Yes=2)

#### 5. CONSENT AGENDA

- I For possible action: Approval of payroll claims in the amount of \$587,369.85 and accounts payable claims in the amount of \$1,279,171.02.
- II For possible action, approval of contract renewal between The Aging and Disability Services (ADSD) and Storey County. A renewal is required for provision of services for children with intellectual disabilities within Storey County.
- III For possible action, approval of Special Meeting of the Board of County Commissioners on April 12, 2017 for the purpose of canvassing the April 11, 2017 Special Recall Election results and potential subsequent actions as may be appropriate.
- IV For possible action, business licenses first readings:
  - A. SOUL HOSPITALITY, LLC (THE) dba The Soul from Seoul General / 2325 Kietzke ~ Reno (food)
  - B. BAXTER & SON MECHANICAL CO., INC. Contractor / 35 Stokes Dr ~ Moundhouse (contractor)
  - C. DOS CO., LTD Contractor / 1-15-27 Nishi-ku, Osaka City JAPAN (contractor)
  - D. SQUAW VALLEY SKI CORP General / 1901 Chamonix Place ~ Olympic Valley, CA (promos)
  - E. REP PLUMBING, LLC Contractor / 2528 Business Pkwy ~ Minden (contractor)
  - F. MINO AUTOMATION USA, INC. Professional / 1670 Harmon Rd ~ Auburn Hills, MI (consulting)
  - G. PHOENIX INSTALLATION & MGMT CO, INC. Contractor / 347 Have a Hill Rd ~ Shelbyville, KY (equipment installation)
  - H. NIKON METROLOGY, INC. Professional / 12701 Grand River Rd ~ Brighton, MI (consulting)
  - I. CARDINAL CONTRACTING, LLC Contractor / 2300 S Tibbs Ave ~ Indianapolis, IN (contractor)
  - J. EAST FORK ROOFING, LLC Contractor / 260 Freeport Blvd ~ Sparks (contractor)
  - K. VARIATION REDUCTION SOLUTIONS Professional / 14901 Galleon Ct ~ Plymouth, MI (engineer)
  - L. JSJ VENTURES, INC. Contractor / 1111 S Roop ~ Carson City (septic system cleaning)
  - M. MERCIER ELECT & MECHANICAL, INC. Contractor / 115 Mayhew St ~ W Point, MS (contractor)
  - N. CSC SERVICEWORKS, INC. General / 303 Sunnyside Blvd ~ Plainview, NY (coin oper. machinery)
  - O. TEAMTECHNIK MASCHINEN UND ANLAGEN GMBH, LLC Professional / Planckstr 40, 71691 Freirergamneckar GERMANY (consulting)
  - P. ODAWARA AUTOMATION, INC. Contractor / 4805 S County Rd ~ Tipp City, OH (machinery)
  - Q. RSI INSTALLATIONS, INC. General / 13524 Vintage Place ~ Chino, CA (staffing)

- R. DERIK JONATHAN MURILLO-VAZQUEZ Contractor / 1850 Selmi Dr ~ Reno (contractor)
- S. FULL OF HEART SPIRITUAL HEALING General / 164A South C St (life coach) VC T. SILVER SPOON EATERY, LLC dba Silver Spoon Eatery General / 171 South C St (restaurant) VC
- U. PACIFIC INTEGRATED HANDLING, INC. Contractor / 10215 Portland Ave ~ Tacoma, WA (contractor)
- V. IMES GROUP, LLC Professional / 6601 Vaught Ranch Rd ~ Austin, TX (engineer)
- W. PENTA BUILDING GROUP, LLC (THE) Contractor / 181 East Warm Springs ~ Las Vegas (contractor)
- X. KING BEE CONSTRUCTION, INC. Contractor / 804 Mill Street ~ Reno (contractor)
- Y. TEAMTECHNIK PRODUCTION TECHNOLOGY, LLC Contractor / UL ZA GORA
- 23, PL 32-040 POLAND (contractor)

#### **Public Comment:**

County Manager Whitten: The Special Meeting on April 12, 2017 will be held at 10:00 AM.

Motion: Approve Consent Agenda for April 4, 2017 with the addition of 10:00 AM to item III, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Chairman McBride, Vote: Motion carried by unanimous vote, (Summary: Yes=2)

Commissioner Gilman joined the meeting.

# 6. DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff Reports Community Chest Director Shaun Griffin:

- Thank you to Commissioner McGuffey for helping with water issues at the Community Chest.
- April 14<sup>th</sup> is the annual fundraiser featuring Rodney Crowell. This event is fully underwritten with all ticket sale proceeds going to Community Chest.

#### Community Development Director, Dean Haymore:

- Groundbreaking took place yesterday in TRI for Studio 6 Hotel.
- Things are very busy in TRI, especially with Tesla and Switch.

#### Public Works Director Jason VanHavel:

- There has been a rash of water leaks over the winter. All of these issues are being addressed.
- The "to-do" list for Six Mile Canyon is getting shorter and there is optimism that the road will open sooner rather than later.

#### County Manager Pat Whitten:

• Recognized County employee Janet Arnold, Office Manager in the Assessor's Office, who is retiring after 22 years. Ms. Arnold will be missed.

#### 7. BOARD COMMENT (No action - No Public Comment)

Commissioner Gilman: Read a prepared statement: "The purpose of this memo is to recuse myself from any agenda item concerning the appointment of an interim County Sheriff between April 11<sup>th</sup>, 2017 and November 6<sup>th</sup>, 2018, if the "For Recall" side prevails in the election on April 11, 2017. I also

ask to be excluded from any interview process of applicants for the position of Sheriff during that same time frame.

While there is no conflict of interest present which precludes me by law from participating in the appointment process, I hope my recusal will provide reassurance to the public that any appointment of an interim Sheriff in the event the Recall succeeds will be done by the County administration and Board of Commissioners using arms-length vetting and appointment procedures without favor or prejudice to any purported private interest."

#### Vice Chairman McGuffey:

- NACO news: President Trump signed an Executive Order to repeal BLM's Planning 2.0 Initiative, intended to bring counties together with BLM to be part of the process in decision making in the counties. It was clear that BLM would do what BLM wanted to do. NACO jumped on this to "kill it" which the Executive Order does.
- With the help of Jay Carmona and James Hoyt of the Highlands HOA's, the first steps towards building a community center have been taken. A lot of groundwork still needs to be completed.
- Parking and speeding issues near the school bus stop in the Highlands have been discussed.
- A meeting will be held once a month to talk about issues in the Highlands.
- **8. DISCUSSION ONLY (No Action):** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chairman or the Board to be of critical significance to Storey County. Specific bills will include SB 57 which staff has expressed full support and bills AB 271, AB 350, AB 354, SB 88, SB 289, SB 314, SB 389, and SB 477.

#### County Manager Whitten reviewed:

- SB439, the 5 cent diesel tax option has committee meeting today. This would allow each County to institute a diesel-sales tax up to 5 cents. Diesel sales are currently tax-free.
- SB57 is a bill that is in peril and is currently stalled in committee. This bill has been discussed at previous meetings. Washoe and Douglas Counties have advised the Chair, Senator Parks, they do not want to be on the Commission anymore. Attempt will be made to get this out of committee and on to the floor.

#### Mr. Osborne reviewed:

- AB271- Re: Collective Bargaining Agreement. This bill would make the fact finder have the final say in an arbitration. This bill would eliminate the opportunity for the parties to come to an agreement prior to arbitration.
- AB350-Re: Employee Orientation. This bill requires a Union representative be present during 30 minutes of orientation to do union business. Mr. Osborne feels union business should be conducted as has been done and not during the orientation period. This bill makes orientation subject to collective bargaining.
- SB88 Body camera fund. This bill is moving along a State level fund allowing jurisdictions to tap into to fund body cameras if the body camera program becomes a requirement.
- SB289 Out-of-network. Currently under health benefit insurance, there are in-network and out-of-network doctors. This bill requires the County/insurance companies pay for an out-of-network doctor up to the 80% of other out-of-network doctors in the State.

- SB314 Wind energy bill. A county could not put height limitations on wind energy.
- SB389 Alien info bill. Prohibits local employer from providing certain information to the Federal government regarding alien status of an employee. This does not appear to be getting any traction.
- SB477 Residential-care zoning bill. Contains provisions for disabled persons, drug rehab centers, halfway houses, and group homes, which would eliminate the counties' decision to eliminate or deny a Special Use Permit. This bill would also define these uses as "single family, residential uses". Potentially this bill could cause water issues in areas such as the Highlands, as well as zoning implications.
- SB244 Historic digging bill. State tribal organizations are having issues when remains are found in construction sites, or otherwise. Currently the State comes in and will shut down a project and require permitting for archaeological dig. The State doesn't report digs to the tribes and remains are going to museums, storage, or places the tribes feel are inappropriate. There are some issues with wording in this bill which need to be clarified.
- **9. DISCUSSION/POSSIBLE ACTION:** Consideration and Possible action to authorize Public Works Department to commence proceedings to remove obstructions on Sutro Springs Road located on property bearing APN 004-291-28 and having a street address of 269 Edith Lane in the Mark Twain area of Storey County.

Deputy District Attorney Keith Loomis presented this item regarding an obstruction at 269 Edith Lane, an extension of Sutro Springs Road - a road existing since 1869 and still showing on a 1923 map.

- A request was made in 1995 to divide the area north of Mark Twain into 40-acre parcels.
- The tentative map shows Sutro Springs Road crossing the 40-acre parcels.
- It was removed from the final map, except for a small portion in the northeast corner identifying it as a travel roadway.
- Since then, it has been identified on a number of maps, including USGS, as an existing road.
- Two landowners have identified this roadway as access to their property.
- The road has been used by a number of people to gain access to BLM lands before and after 1995.
- The parcel at 269 Edith Lane was purchased in October 2016 by Mr. and Mrs. Thomas. The owners began to exclude people from using the roadway where it crosses this 40-acre parcel.
- The owners filed numerous complaints to the Sheriff of trespassers using this area.
- The District Attorney's office sent a letter to the Thomas' advising that obstruction of a roadway could potentially be a misdemeanor charge, requesting removal of the obstruction.
- A letter was received from the Thomas' attorney advising of their position.
- The D.A. responded that people using that roadway would not be prosecuted for trespassing as it is a public roadway.
- There is provision under NRS 405 advising if the obstruction is not removed in five days the Public Works Department has the authority to remove the obstruction. There is also opportunity to recover costs for the Public Works Department as well as attorney's fees and costs incurred.
- This item could result in litigation to determine whether or not this is a public roadway.
- The District Attorney's Office does not have the authority to tell Public Works what to do.
- The Board is requested to authorize Public Works to remove the obstruction in concurrence with the DA's office.

- The question is should a private landowner litigate this issue because it is access to certain private parcels.
- The road is used by a portion of the Mark Twain area and seems to be more of a community issue than a private landowner issue.

Vice Chairman McGuffey: Does the (Thomas') attorney agree with this?

Mr. Loomis: No.

Vice Chairman McGuffey: What are the reasons?

Mr. Loomis: It seems because the large parcel map approved by the County does not show the roadway except in a small, northeast corner of the map.

- Does approval of that map eliminate the public roadway that existed? That will be the issue.
- A statutory process for vacating a public roadway was not utilized in the course of approving the 1995 map.
- The roadway has been used consistently by the public after that map was approved.
- There is a prescriptive right as well as a RS2477 roadway never properly vacated in the process of approving the large parcel map.

Commissioner Gilman: How much damage might the opening of the road do to the 40-acre parcel?

Mr. Loomis: The landowners' attorney has asked the title company to look at this to see if they will get involved in any litigation.

- Most Title Insurance policies do not insure items that are open and notorious on the ground. The roadway has been there over 100 years it is open and notorious.
- If not covered by Title Insurance, it is not by itself, a damage. It is an existing right-of-way.
- The owners contend it is not an existing right-of-way that it's private property. So reopening of the roadway out could affect value to the property.

Commissioner Gilman: Is there a picture of how the roadway affects the property?

Mr. Loomis showed a tentative map of the large parcels on the power point screen indicating a roadway that has been there for some time, which would be considered an extension of the Sutro Springs roadway.

- This map was recorded in approximately 2002.
- This was recorded by the Harpers to show that they had access to their parcel to the northwest.
- A similar map was recorded by Mr. Zachary showing access to his property further to the northeast.
- A record of survey recorded in 2002 or 2003 by Jack Randell shows the access road across the 40 acres down to Mark Twain.

Mr. Loomis continued showing pictures of the area including pictures of the obstructions on the roadway which were placed in the last couple of months.

- This is not a maintained road. It is a county access road as referenced in NRS 405 and 403 that the RS2477 roadway goes back in history. In 1866, mining laws were passed stating any public highways and open use are hereby conveyed by the federal government to the states.
- This is (a road) that can be traced back to 1869. Title to the property belonged to the federal government at the time the roadway existed, making it a conveyance under the 1866 mining law later known as statute 2477.
- This (road) was conveyed from federal land to private ownership approximately in the 50's.
- The road is used to this day.

Commissioner Gilman: Is litigation imminent on this roadway?

#### Mr. Loomis:

- The property owners have filed for temporary protective orders against three of the neighbors requesting the neighbors be kept off the property.
- This will not establish title to the roadway.
- The process that may be initiated today is what Mr. Loomis would see as establishing title to the roadway.

Commissioner Gilman: What is being requested today is to have the barriers removed?

Mr. Loomis: To authorize Public Works Department to remove the barriers in conjunction with request from the D.A.'s office. How to proceed is not clear, but the District Attorney would like to have the authority to have those barriers removed if that looks like the best way to proceed.

Chair McBride: Is there any indication the most previous recorded map was an oversight that this road was eliminated on it or was it deliberate that this road was eliminated?

Mr. Loomis: This was discussed with Mr. Haymore, Planning Director at the time.

- One of the conditions on the approval of the large parcel map was that there be cul-de-sacs at the end of Sutro Springs Road and that the developer place "no trespassing" signs so the people using the roadway would be residents of the 40-acre parcels.
- Mr. Haymore indicated he was unaware that Sutro Springs Road was a public road at the time.
- Looking at the maps, Mr. Haymore would agree that it looked like a public roadway.

Chair McBride: How far is the residence from the roadway?

Mr. Loomis: About 300 to 400 feet.

Commissioner Gilman: The County will be taking a position in this settlement forthcoming – is that enhanced by removal of the obstructions or is the County doing, as Mr. Loomis sees it, our responsibility under the requirements of County government?

Mr. Loomis: It's the interpretation of the District Attorney's office that Sutro Springs Road is a public roadway not subject to being blocked by the owners of the property with due process. We could initiate it by leaving the barriers there, but (the owners) took the action to place the barriers rather than seeking to get title to the property established. This has been a burden to people in the area.

This is why the (District Attorney's office) thinks it should be removed and then have the title established.

Commissioner Gilman: It appears there is NRS statute that directs the Commission to follow that direction.

Mr. Loomis: Does not think it says you have to. It is the opinion of the District Attorney's office that this is a public roadway. There is authority within the statute to ask the Public Works Department to remove the obstructions.

Vice Chair McGuffey: Has access been restricted to property owners beyond this property?

Mr. Loomis: The obstructions are on 269 Edith Lane. People are not prohibited from getting up to the obstructions and then going back.

Vice Chair McGuffey: There are properties north of (the obstruction). Does closing this road eliminate access to property owners to the north?

Mr. Loomis: Yes.

Vice Chair McGuffey: That was the intent of the law in 1889, to allow miners access to their mines/property.

Mr. Loomis: Any public way it was being used, is conveyed.

Chair McBride: Are the Thomases here today? Anyone representing the Thomases?

#### Public Comment:

Tom Zachary, owner of 80 acres at Sutro Springs: Mr. Zachary has used this road over 44 years. Looking at the power point map, Mr. Zachary indicated where the roads give access to his property and Mr. Harper's property.

- These roads are the only access to Mr. Harper's property.
- Another access to Mr. Zachary's property has been established, but this road was the only access until 1973.
- Mr. Zachary has used this road a lot. If it is allowed to be blocked, you can't get there.
- Mr. Zachary uses Pine Nut Road, a private road established by Baselite who bought the easement. Baselite can stop use anytime.
- Houses were on those properties and the roads were being used before this courthouse was built. Surveys were done in the late 1800's. There were houses on both properties in 1875.
- Those roads were established to access our properties. The roads do not go through the property, only to the properties.
- The roads are shown clearly on the 1923 map which is in County offices.

Jason Van Havel, Public Works Director: Whatever action is taken today, Mr. VanHavel wants to be sure there are no unintended consequences to the County of having to maintain this road in the future.

Mr. Loomis, referring to the map, pointed out areas that are BLM land – public land. A lot of people use that road for access to that area, section 16. Section 17 is private land.

Looking at the map, Mr. Zachary pointed out where the obstruction is on the road.

Commissioner Gilman: The evidence suggests this is a public road and this Board would have the authorization to have the barriers removed until such time as this road is identified in some formal process.

Mr. Loomis: Agree,

**Motion:** I move to authorize the Public Works Department at the request of the District Attorney's Office to commence proceedings to remove obstructions from the Sutro Springs Road located at or near 269 Edith Lane, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**10. DISCUSSION/POSSIBLE ACTION:** Possible action to require first reading of an ordinance to repeal chapter 8.32 of Storey County Code addressing hazardous materials and toxic substances.

Mr. Loomis stated this item came about as the result of a meeting with AUECC, a company proposing to relocate in the old Alcoa building at TRI. This company intends to refine highly hazardous materials. Mr. Loomis reviewed County ordinances and came up with chapter 8.32 dealing with hazardous materials and toxic waste. This chapter creates a Hazardous Materials Board, including Fire Chief, Sheriff, Director of Public Works, Emergency Management coordinator, as well as a couple of others.

Fire Chief Hames believed this ordinance had been repealed. After research, the Fire Chief's office found that it still exists.

The Board has the authority to issue permits for use of hazardous materials within the county and to take policing, inspection, and regulatory actions and are authorized to adopt regulations to control use and handling of hazardous materials within the county. The ordinance has apparently never been utilized.

Emergency Management Director Joe Curtis indicated his office is in favor of repeal of the chapter as is the Fire Chief's Office.

Vice Chairman McGuffey: Is there something in place to handle these issues?

Mr. Loomis: The State has the authority to address hazardous materials operations within the County. The State was at the meeting with AUECC and explained the (State) process for issuing hazardous materials permits.

There is authority within the State and Federal governments to regulate uses of hazardous materials.

Public Comment:

None.

Commissioner Gilman: This regulation appears to set a board within the County regulate the County's own environment with a certain level of control of what comes in to the County. Without this chapter, the County will rely on the State to "oversee our destiny" with development.

Mr. Loomis: True to some extent. Under the International Fire Code, 2012 Edition, the Fire District has additional authority over hazardous materials being utilized within the County.

Chief Hames: This ordinance was developed in 1989. There were a lot of issues with hazardous materials in the '80s and there was rush to write ordinances and statutes.

- At the same time, the State started writing ordinances and implemented the permitting processes. The County felt it was not fair for companies to come in and have to have two permits.
- The Fire Department has direct input to the State and monitors the field inspections.
- Through Emergency Management, there is a board in place that functions well and additionally there is a special use permit process. This is regulated through the 2012 International Fire Code with very specific regulations, which circumvent the existing policy (ordinance). Instead of 8.32, modern fire codes have been adopted. This is controlled locally with the State tracking on a statewide basis.
- The responsibility given to the local fire department through an interlocal agreement with the State and the use of the International Fire Code.

Commissioner Gilman: In the event GOED and the State identified a company they would like to see specifically in Storey County, would they have the ability to override and place that company in the county?

Chief Hames: No. This is where the 2012 Fire Code comes in. It is strictly and solely in the County's control. The State approves through a SUP or if not required, once the Fire Department has given approval the State tracks it.

Commissioner Gilman: Based on the County's placement in the industrial world, there is a high probability of having to deal with these kinds of elements. Just want to be certain that a control level is not given up that would be important to health, safety, and welfare to the County and all of the businesses.

Chief Hames: Agrees. This process is followed well as shown when fines and citations have been issued, all through the 2012 International Fire Code. Chief Hames thought 8.32 had already been dropped.

Austin Osborne: As part of the special use permit process and the list of uses, the State agencies are going to regulate the use but not necessarily going to stop the use or place a use where appropriate that's going to be referred to the local jurisdiction. The local jurisdiction is going to use its ordinances for that purpose.

Chief Hames: AEUCC has to go through the chemical use process through the State. The State will not hear this matter until AEUCC has a special use permit issued by the County. This gives reassurances the County is in control.

County Manager Whitten: Would tend to support repeal (of 8.32). A process is on the books that is not being followed and is being addressed through the 2012 code and NDEP. The County is well positioned to control its own destiny and allow NDEP to provide expertise to monitor that the County does not have.

At the request of District Attorney Anne Langer, motion on this item is continued to the next Board meeting as the Ordinance is not available to be read into the record.

#### 11. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD

#### 12. DISCUSSION/POSSIBLE ACTION: Liquor Board Second Reading:

a. Bonanza Saloon –Liquor License. Operating at 27 N C Street, Virginia City, NV. Tina Perkins, lessee.

Chairman McBride: There was a procedural error at the last Commission meeting. This matter is on the agenda for correction of that error.

Chairman McBride: I have a liquor license at an establishment in proximately to the Bonanza Saloon. My vote on this item no more benefits myself or anyone else licensed in the same manner in that area.

Commissioner Gilman: Same disclosure, as I own an establishment in proximately to the Bonanza Saloon.

Public Comment:

None

Motion: Approve Liquor License, Second Reading for the Bonanza Saloon operating by Tina Perkins, lessee, at 27 N C Street, Virginia City, NV, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Commissioner Gilman, Vote: Motion carried by unanimous vote, (Summary: Yes=3)

#### 13. ADJOURN TO RECONVENE THE STOREYCOUNTY BOARD OF COMMISSIONERS

**14. DISCUSSION/POSSIBLE ACTION:** Sheriff's licensing board second readings: a. Bonanza Saloon –General Business and Cabaret License. Operating at 27 N C Street, Virginia City, NV. Tina Perkins, lessee.

Chairman McBride: I have a General Business and Cabaret License at an establishment in proximately to the Bonanza Saloon. My vote on this item no more benefits myself or anyone else licensed in the same manner in that area.

Commissioner Gilman: I also have a business in close proximately to the Bonanza Saloon and believe I have a responsibility to vote on this issue.

**Public Comment:** 

None

**Motion:** Approve second reading for the Bonanza Saloon General and Cabaret License operated by Tina Perkins, lessee 27 N C Street, Virginia City, NV, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Chairman McBride called for recess at 10:13 AM Meeting reconvened at 10:25 AM

#### 15. DISCUSSION/POSSIBLE ACTION: Tentative Budget Hearings for FY 2017/18

Commissioner Gilman recused himself from any discussion or vote related to the Sheriff's budget.

Comptroller Hugh Gallagher presented and reviewed the 2017/18 Tentative Budget. This has been a difficult budget which gives an indication of where the County is and what is being done.

- REVENUES: Total revenues are budgeted to decrease from the previous year. This is based on a decline in Centrally Assessed compared to last year. In addition, Service Charges will decrease due to a reclassification of Tesla Reimbursement payments from the General Fund to the 474 Fire District.
- CLERK/TREASURER: Major increase in capital outlay for replacement of voting machines.
- DISTRICT COURT: Increase in expense based on anticipated increase in hearings and trials, and the use of a Public Defender.
- GENETIC MARKER TESTING: Revenues from Justice and District Court fees. Expenditures are for items such as analytical testing.
- DRUG COURT: Revenue is received at the time of sentencing and passed through to the Carson City Alternative Sentencing per Court order.
- RECORDER: Increase in services due to retirement of ADS, the main computer program, with additional fees for migration.
- TECHNOLOGY FUND: Shared by the Recorder, Clerk/Treasurer, and Assessor who can charge additional fees which can be used to improve technology in those departments.
- BUILDINGS & GROUNDS: There is a reduction created by the retirement of the Public Works Director. Expenditures for streetlights and historical preservation adjusted to reflect current projections.
- POOLS & PARK: Decrease due to elimination of Parks and Recreation line items picked up by the Park Fund.
- SERVICE DEPARTMENT: Increase due to reallocation of all Public Works employees, addition of Assistant Public Works Director, and increase in insurance premiums.
- ROADS: Revenue increase due to anticipated import tonnage fees, gas tax, and favorable interest rates. Appropriations revenue decrease based on retirement of road projects and some projects being completed this year rather than next.

#### 16. RECESS TO CONVENE AS THE STOREY COUNTY WATER AND SEWER BOARD

17. DISCUSSION/POSSIBLE ACTION: Tentative Budget Hearings for FY 2017/18 for the Water and Sewer services in Virginia City, Gold Hill and Silver City.

Mr. Gallagher reviewed budgets for Water and Sewer services.

- WATER SYSTEM: Revenue increase due to favorable interest rates. Appropriations will increase slightly due to system maintenance agreements. There is possibility of paying off an outstanding bond, saving approximately \$100,000 in interest.
- VIRGINIA DIVIDE SEWER SYSTEM: Revenue expected to increase slightly due to funds received from USDA and anticipated interest rate increases. Little change to appropriations.

#### **Public Comment:**

None

Motion: Approve Tentative Budget FY 2017/18 for the Water and Sewer services in Virginia City, Gold Hill and Silver City, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Commissioner Gilman, Vote: Motion carried by unanimous vote, (Summary: Yes=3)

#### 18. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

**19. DISCUSSION/POSSIBLE ACTION:** Tentative Budget Hearings for FY 2017/18. Mr. Gallagher continued:

- USDA BOND FUND: Phases 2 through 5 of the Wastewater Treatment Plant to begin this year. USDA has appropriated \$6.1 million in bond proceeds, and \$9 million in grant funds. Bond payments will come from the Virginia Divide sewer.
- COMMUNITY DEVELOPMENT: Mr. Gallagher suggests this budget be approved as submitted due to changes in administration and operation brought on by the retirement of the Director. The budget will be adjusted between the tentative and final when a new Director is in place.
- DISTRICT ATTORNEY: Expenditures increased due to reclassification of the Assistant District Attorney.
- JUSTICE COURT: Salaries increased due to reclassification and step increases. Appropriations decreased due to a decrease in training.
- JUSTICE COURT FUND: Authority for this fund created by NRS 176. There are two revenue accounts that must stay in this fund until statutory time limit has expired. At that time, the balance in the fund goes into the general.
- COMMUNICATIONS: Salaries increased based on a salary study and CBA. Maintenance agreement has been transferred to Service/Supplies from Capital Outlay.
- IT DEPARTMENT: Wages increased equipment maintenance and communications decreased to reflect current trends.
- COMPTROLLER: Salaries increased due to reclassifications and adjustments. Professional services increased based on the retirement of the CPA that conducted the annual audit since 1972.
- EMERGENCY MANAGEMENT: Services and supplies increased for additional computer equipment and professional services to inventory unreinforced masonry buildings.
- EMERGENCY MITIGATION FUND: A special revenue fund created by Resolution 08-266 to set aside to pay expenses incurred by local government to mitigate the effects of an emergency. There is \$100,000 in this fund. How to increase this amount is to be determined.
- COMMUNITY RELATIONS: Salaries/benefits increased due to addition of directors for Virginia City and Lockwood senior centers. The addition was necessary to have oversight of the operations of the senior centers that are scheduled to receive \$135,000 for operation.

Appropriations remain the same 7 of the 11 non-profits. Requesting more appropriation: Community Chest \$30,000; Library \$10,000; St. Mary's Art Center \$14,000; and Health Care Services \$19,000. Request for more information from these non-profits will be made prior to approval of the final budget.

• PARK FUND: As of June 30, 2016, the balance of the Park Funds total \$121,888, broken down

as follows:

Virginia City \$ 6,873 Virginia City Highlands \$44,618 Mark Twain \$33,433 Lockwood \$36,953

• SHERIFF: The County Manager and BOC Chairman were included in the review of the budget. The Sheriff's budget dramatically affects the General Fund. There are issues to be resolved before the final.

Mr. Gallagher continued:

- 1. A review of incidents shows the lowest since 2012, indicating that 24/7 double coverage may or may not be appropriate at this time. The budget committee would like to see material relating to this issue.
- 2. There are 16 deputies available for duty. A person can work a maximum of 1,880 hours per year. Double coverage requires 19 deputies; single coverage 10; in between would be 16. Correctional officers are different.
- 3. With inclusion of the BIA contract, double coverage is highly suggested.
- 4. In January, the Sheriff adjusted schedules to have people on 12, and others on 10 –both shifts used for public safety.
- 5. Going from 12 to 10 increases staff.
- 6. The budget committee listened to the Sheriff's input which needs consideration.
- 7. Double coverage does not mean double "plus" coverage. Double coverage for a week is 336 hours. 10 hour shifts is 400 hours, making it double plus, requiring additional funding for the extra 64 hours, with a potential yearly impact of ¼ million dollars.
- 8. The Commission needs to look at double coverage versus double "plus" coverage and make the appropriate approval.
- 9. Scheduling is inconsistent and needs to be redirected.
- 10. The BIA contract for housing of Native American inmates needs to be analyzed.
- 11. Sheriff had requested 9 vehicles but has settled on 3.
- 12. The problem of deputies picking up vehicles in one sector and going to duty in another still exists. This could be 30,000 miles per vehicle, per year. This needs to stop.
- 13. Sheriff has a plan to schedule by sector a great idea.

Based on the above, Mr. Gallagher requests approval of the Sheriff's Tentative Budget. However, documentation needs to be presented before the budget is finalized.

Vice Chairman McGuffey: Has a problem with the 46.7% increase in services and supplies.

Mr. Gallagher: This includes increases in utilities, training, auto maintenance, computer equipment, uniforms, and insurance deductible. There may be adjustment for public safety previously in capital outlay, which is now in services and supplies.

Mr. Whitten: There will be other adjustments prior to the final.

#### **Public Comment:**

None

Motion: Approve the Sheriff's tentative budget for 2017-18, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Chairman McBride, Vote: Motion carried by unanimous vote, (Summary: Yes=2)

#### 20. RECESS TO CONVENE AS THE 474 FIRE PROTECTION DISTRICT BOARD

#### 21. DISCUSSION/POSSIBLE ACTION:

Tentative Budget Hearings for FY 2017/18 for the NRS 474 Fire Protection District.

#### Mr. Gallagher continued.

- 474 FIRE PROTECTION DISTRICT: Reclassification of Tesla reimbursements for TRI fire services provides additional revenue. Appropriations budgeted to increase in training, auto maintenance and tires. The Fire District is currently under collective bargaining which may not be completed by the final budget.
- FIRE EMERGENCY FUND: Created by Resolution 07-240. This fund must be used for emergencies and not for operating expenses. There is a threshold of \$1 million- anything over must be credited to the Fire Operating Fund. This fund needs to be increased as much as it can.
- MUTUAL AID: Created by Resolution 12-356 to account for all deployments and billings outside the 474 Fire District. Items will not budgeted to this account this year due to uncertainty of district deployment. This is basically and in-and-out account.
- 474 CAPITAL PROJECTS FUND: New this year, this fund was created under Resolution 16-435 and is primarily used for purchase obligations within 474 Fire District, including equipment acquisition, building additions, etc.

#### Public Comment:

Motion: Approve the 474 Fire Protection District tentative budget for 2017-18, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Commissioner Gilman, Vote: Motion carried by unanimous vote, (Summary: Yes=3)

#### 22. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

#### 23. DISCUSSION/POSSIBLE ACTION: Tentative Budget Hearings for FY 2017/18

#### Mr. Gallagher:

- COMMISSIONERS BUDGET: Salaries increased based on step increases, adjustments and NRS requirements governing longevity. Appropriations increased due to purchases of computer equipment and require insurance deductibles.
- ADMINISTRATIVE: Salaries increased due to step increases and adjustments. Benefits projected to increase due to healthy insurance and retiree insurance subsidy.

- HEALTH & HUMAN SERVICES: Salaries increased due to reclassification. Increases in consumer health protection and rural child protective services are anticipated.
- PLANNING: Salary and benefits increase is offset by a reduction in professional services.
- INDIGENT MEDICAL: A special fund created by Resolution 97-26 under NRS 428, Indigent Persons. Revenue is received from the 0.10 rate on ad valorem and centrally assessed taxes.
- INDIGENT ACCIDENT: Directed by NRS 244.160 giving County Commissioners power and jurisdiction in their county to take care of and provide for the indigent sick of the County in a manner only as is for may be provided by law.
- CAPITAL PROJECTS: This fund is used for pre-determined expenditures and emergency operations such as the Courthouse parking lot, sewer plant expansion, Sheriff vehicles and office fence, and the Five Mile Reservoir. There is an anticipated balance this year of \$2.5 million. Future projects include replacement of the ADS system the County's entire accounting software, including the Assessor's Office; communications infrastructure; and body cameras including the effects of same.
- INFRASTRUCTURE: A special revenue fund provided with funds from a ¼ cent sales tax for expenditures under NRS 377. The plan was finalized in 2016 and expenditures have drawn to the ending fund balance. Projects still to be completed include Courthouse remodel, V&T Restoration, Gold Hill Depot restoration, and community development projects for Mark Twain and Lockwood.
- STABILIZATION: Special revenue fund created by Resolution 05-218. Revenues accepted from the General Fund; expenditures fall under NRS 354.6155 guidelines. Balance of the fund must not exceed 10 percent of the expenditures from the general fund for the previous year.
- TRI PAYBACK: Created in 2009 to help pay back the County's public/private partner, Tahoe Reno Industrial Park. Funds collected from TRI businesses are dedicated for payback. Funds include ad valorem, building permits, licensing fees, and other fees applied in the Park. Stipulated expenses are deducted, and 35% is paid out.
- V&T RAIL PROJECT: Operating under Resolution 11-322. Disposition of this fund has not yet been determined and is attached to the liability of the purchase of the V&T Freight Depot. Current bond debt liability will end December 2027 (year uncertain).
- VIRGINIA CITY TOURISM COMMISSION: Revenues projected to increase due to room tax revenue and ¼ cent tourism sales tax. Currently, two or three hotels are projected for TRIC. Additional funding is budgeted for special events. The Camel Races will have an additional session this year. Appropriations increase due to salary reclassifications along with promoter commissions and marketing.
- FEDERAL & STATE GRANTS: Presently, the County is looking at the following grants: Historical Preservation Fund for \$9,700 with a \$6,500 match; Victim Services for \$20,000, with a match of \$6,667; Hazardous Materials (Emergency Management) for \$3,900, no match; State Emergency Response \$29,000, no match; and, United We Stand \$25,000, no match. Also, Landscape Scale Restoration (474 Fire District) for \$238,000, match of \$125,000; Public Land Management (474 Fire District) for \$170,000, with match of \$34,000.00.

Presentation of the Tentative Budget concluded.

Vice-Chairman McGuffey: Expressed concern with some of the hikes in the budget especially with rate increases. Property taxes are anticipated to go up 5.2% but expense is way beyond. Property taxes will not be making a big gain in the next several years.

Mr. Gallagher: Does not like the fact that the County is sitting at a negative percent for revenue and appropriations are increasing. At some point in time, the number of employees will have to expand due to the current level of business being created. It was decided to incentivize current "multitasking" employees rather than hire new employees. Salary structures will be reviewed prior to the final.

Mr. McGuffey is right, 5.2% on ad valorem is about the best the County is going to get. There may be some help from centrally assessed. If not, it will be adjusted accordingly.

Chairman McBride: Looking at the percentages, although some seem high – some of the dollar values are not that much and is confident the staff along with elected officials will be able to "whittle" the budget down as in the past. As far as salaries and benefits, a lot is in the equation simply with collective bargaining agreements that are already on the books. Health care keeps going up. There is no control over some of these items. What has been negotiated is what has to be lived with. Hopefully, property values will continue to rise.

Mr. Gallagher: The quarterly review helps tremendously. Department heads do not spend even though it is in the budget.

#### Public Comment:

**Nicole Barde, Storey County Resident:** There is a flat to down revenue trend, increasing over the years. Other than salaries and benefits, what are the "drivers" on expenses? How much of the expenses are driven by services and supplies needed at TRI? And, to the extent the "big ones" – Tesla and Switch – have abatements, what is the County doing to recoup the expense to the County of having to support TRI? With the agreement with Tesla – are they paying what it is costing the County to support them, with Switch, any of the ....

Chair McBride: Abated properties is not what is on the agenda.

Ms. Barde: Why are the expenses increasing? Where is the revenue to offset?

Chair McBride: You wanted to exclude payroll and benefits. This is where it starts. PERS, federal and state unemployment, workers compensation insurance – based on payroll. As payroll goes up with collective bargaining agreements, longevity, state statute – everything tied to it goes up.

Ms. Barde: Understands this. What is the County paying to support TRI and is the County getting what it should to support TRI?

Chair McBride: The County absolutely is getting what it should out of TRI for tax revenue.

Ms. Barde: Is the County not getting enough out of property tax revenue? Would that make it better?

Chair McBride: The County's ad valorem rates have been flat for the last several years. Without additional revenue coming from increased value of real estate and the cost of salaries and benefits going up – belts have to be tightened. That's how to get a balanced budget.

Ms. Barde: So the County is getting what was contracted with Tesla from a revenue standpoint to offset that. That's in the budget.

Mr. Whitten: Absolutely.

Ms. Barde: It's that the County is not able to increase property taxes, centrally assessed, that keeps us behind....

Chair McBride: Property taxes can be increased, but this is not what the County wants to do. The County would like to collect more revenue by more businesses opening in TRI. As abatements expire and the full share of the tax rate is paid, the County will benefit.

Mr. Whitten: To clarify, Tesla is performing according to it's agreement with the County. The abatements are different with Switch – there are no abatements on real property taxes, 75% abatements on personal property, and a similar amount to sales and use tax.

There are three levels of abatements: One that is processed through GOED, typically abating personal property taxes up to 50% for 10 years. A list is being prepared by the Assessor to determine which of the companies have these standard abatements and when they expire. There are protection periods for companies that leave prior to the expiration of the abatement.

Under statute, the County is not authorized to generate abatements. The County can "weigh in" on the decision.

**Motion:** Approve the filing of the 2017-18 All Tentative Budgets to the Department of Taxation, not to include the 474 Fire Protection District Tentative Budget, the Water and Sewer Tentative Budget, the Sheriff's Tentative Budget, and the TRI Payback Tentative Budget, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Commissioner Gilman recused himself from discussion and vote on the TRI Payback Tentative Budget.

**Public Comment:** 

None

Motion: Approve the filing of the 2017-18 TRI Payback Tentative Budget to the Department of Taxation, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Chair McBride Vote: Motion carried by unanimous vote, (Summary: Yes=2)

#### **24.** DISCUSSION/POSSIBLE ACTION: Licensing Board Second Readings:

A. R. F. MACDONALD COMPANY – Contractor / 25920 Eden Landing Rd ~ Hayward, CA (boilers) B. DURR ECOCLEAN, INC. – Contractor / 26801 Northwestern Hwy ~ Southfield, MI (ind. machinery)

C. EBZ SYSTEC, INC. - General / 22251 Diesel Dr ~ McCalla, AL (supplier)

D. WAX ON WAX OFF MOBILE DETAIL - General / 2225 Elcrest Dr. ~ Reno (mobile car wash)

E. W.W. CLYDE & CO. - Contractor / 869 North 1500 West ~ Orem, UT (contractor)

- F. TRADESMEN INTERNATIONAL, LLC General / 9760 Shepard Rd ~ Macedonia, OH (staffing)
- G. AUTOMATION LOGISTICS CORP Contractor / 331 Scarlet Blvd ~ Oldsmar, FL (machine install.)
- H. Keith Wallace dba A-SNAP General / PO Box 3293 ~ Turlock, CA (mobile mechanic)
- I. KING CONSTRUCTION, INC. Contractor / 2040 Farm District Rd ~ Fernley (construction)
- J. LADA CUBE, LLC General / 101 Canary Lane ~ Grand Jet, CO (furniture delivery)
- K. TEKNO, INC. Contractor / One Wall Street ~ Cave City, KY (automation equip.)
- L. BASTIAN AUTOMATION ENG., LLC General / 10585 N. Meridian ~ Indianapolis, IN (equip sales)
- M. BANNER INDUSTRIES OF N.E., INC. General / 1 Industrial Drive ~ Danvers, MA (distribution)
- N. TRUMPF, INC. Contractor / 111 Hyde Rd ~ Farmington, CT (mfg equip)
- O. NEVADA BARRICADE & SIGN CO., INC. / Contractor PO Box 20459 ~ Reno (road const.)
- P. CME PROFESSIONAL SVCS., LLC / General -- 7100 Cave Creek Rd ~ Cave Creek, AZ (staffing)
- Q. INDUSTRIAL KINETICS, INC. Professional / 2535 Curtiss St ~ Downers Grove, IL (matl handl equip)
- R. KDDI AMERICA, INC. General / 21241 S. Western Ave ~ Torrance, CA (translation svcs.)
- S. UL, LLC General / 333 Pfingsten Road ~ Northbrook, IL (safety training)
- T. BLACK GOLD INDUSTRIES dba BGII Transportation / 527 North Rice Ave ~ Oxnard, CA (hazardous waste transportation)
- U. OUT WEST BUILDINGS, LLC General / 7450 Reno Hwy ~ Fallon (deliver portable sheds)
- V. HIRATA CORPORATION OF AMERICA Contractor / 5625 Decatur Blvd ~ Indianapolis, IN (equipment manufacturing)

On behalf of Community Development, Pat Whitten requested that all items A. through V. be approved.

Motion: Approve all items A. through V., Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Commissioner Gilman, Vote: Motion carried by unanimous vote, (Summary: Yes=3)

#### 25. PUBLIC COMMENT (No Action)

Commissioner Gilman: There was a recent announcement stating Tesla has passed Ford becoming the second largest company in stock market cap in the United States – second only to GM. However, Reuters has announced that Tesla has passed GM as the most valuable U.S. car company today.

#### 26. ADJOURNMENT

The meeting was adjourned by the Chair at 11:50 AM

#### 27. CLOSED SESSION

Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with County management and legal counsel regarding labor negotiations with the Storey County Firefighters Association IAFF Local 4277 and Storey County Sheriff's Office Employees Association

NAPSO Local 9110.	This meeting will commence immediately following the regular commission	n
meeting.		

Respectfully submitted,

By: Vanessa Stephens Clerk Treasurer



# Storey County Board of County Commissioners Agenda Action Report

Meeting date:		Estimate of Time Required: 0 -5		
Agenda: Consent [x]	Regular agenda []	Public hearing required []		
<ol> <li>Title: Approval of the m</li> <li>Recommended motion:</li> </ol>	inutes for April 12, 2017.  Approve minutes as submitted	1.		

3. **Prepared by:** VANESSA

**Department:** MANAGER **Telephone:** 847-1111

- 4. Staff Summary: Minutes are attached.
- 5. Supporting Materials: See attached
- **6.** Fiscal Impact: 0
- 7. Legal review required: No
- 8. Reviewed by:

Department Head	Department Name: MANAGER
County Manager	Other Agency Review:

#### 9. Board Action:

[] Approved	[] Approved with Modification		
[ ] Denied	[] Continued		



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

4/12/2017 10:00 A.M.

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## **MINUTES**

MARSHALL MCBRIDE CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

JACK MCGUFFEY VICE-CHAIRMAN

LANCE GILMAN COMMISSIONER

VANESSA STEPHENS CLERK-TREASURER

**Roll Call:** Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, Clerk & Treasurer Vanessa Stephens, District Attorney Anne Langer, County Manager Pat Whitten, Sheriff Gerald Antinoro, and Administrative Officer/Planning Director Austin Osborne.

- 1. CALL TO ORDER REGULAR MEETING AT 10:00 A.M.
- 2. PLEDGE OF ALLEGIANCE
- 3. DISCUSSION/POSSIBLE ACTION:

County Manager Pat Whitten asked to remove Item 9 as it is not relevant to the meeting.

McGuffey, Gilman

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

None.

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

None.

6. DISCUSSION/POSSIBLE ACTION:

The Board of County Commissioners will canvass the results of the Special Recall Election held in and for Storey County, State of Nevada on April 11, 2017 and declare the results of the election.

Chairman McBride read the results into the record:

For Recall: 601

Against Recall: 883

Recall fails.

McGuffey, Gilman

#### 7. DISCUSSION/POSSIBLE ACTION:

The Board of County Commissioners, after the clerk has prepared an abstract of the votes cast, shall cause the County Clerk to certify the abstract. The Board will then consider the entry of an order in the minutes of the proceedings requiring that the County Clerk (1) make a copy of the certified abstract and (2) make a mechanized report of the abstract in compliance with the regulations of the Secretary of State, which will then be forthwith transmitted to the Secretary of State.

McGuffey, Gilman

#### 8. DISCUSSION/POSSIBLE ACTION:

Should the canvass results be against the recall the Board of County Commissioner will take no further action.

Nicole Barde, thanked Chairman McBride for not signing the recall petition.

#### 9. DISCUSSION/POSSIBLE ACTION:

Should the canvass result be in favor of the recall the Board of County Commissioners will appoint an interim Sheriff.

Item Removed.

#### 10. PUBLIC COMMENT (No Action)

Karen Woodmansee requested that the Commissioners speak louder and into the microphone.

## 11. ADJOURNMENT 10:08

By Vanessad Stephens

Vane	essa Stephens Cler	k-Treasurer			
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5.					
			**		
20					



[] Approved

[] Denied

### Storey County Board of County Commissioners Agenda Action Report

Meeting date:		Estimate of Time Required: 0 -5			
Agenda: Consent [x]	Regular	agenda []	Public hearing required []		
1. <u>Title:</u> Approval of minu	<del> </del>				
2. Recommended motion:	Recommended motion: Approve minutes as submitted.				
3. Prepared by: VANESS	Prepared by: VANESSA				
<b>Department:</b> MANAGE	ER <u>Telephone</u>	<u>:</u> 847-1111			
4. Staff Summary: Minute	Staff Summary: Minutes are attached.				
5. Supporting Materials:	Supporting Materials: See attached				
6. Fiscal Impact: 0					
7. <u>Legal review required:</u>	_No				
8. Reviewed by:					
Department Head		Department	Name: MANAGER		
County Manager		Other Agend	cy Review:		
9. Board Action:					

[] Approved with Modification

[] Continued



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, APRIL 18, 2017 10:00 A.M.

DISTRICT COURTROOM 26 SOUTH B STREET, VIRGINIA CITY, NEVADA

#### **MINUTES**

MARSHALL MCBRIDE CHAIRMAN

ANNE LANGER DISTRICT ATTORNEY

LANCE GILMAN VICE-CHAIRMAN

JACK MCGUFFEY COMMISSIONER

VANESSA STEPHENS CLERK-TREASURER

**ROLL CALL:** Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, Comptroller Hugh Gallagher, County Manager Pat Whitten, Deputy Clerk & Treasurer Wendy Bacus, Deputy District Attorney Keith Loomis, Sheriff Gerald Antinoro, Fire Chief Gary Hames, Director of Tourism Deny Dotson, Emergency Management Director Joe Curtis, Community Relations Director Cherie Nevin, Director of Security Melanie Keener, Public Works Director Jason VanHavel, Administrative Officer/Planning Director Austin Osborne, Fire Prevention/Life Safety Officer Frederick Klinger

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

Meeting was called to order by Chairman McBride at 10:00 A.M.

#### 2. PLEDGE OF ALLEGIANCE

Chairman McBride led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for April 18, 2017

#### **Public Comment:**

Mark Joseph Phillips, Virginia City Resident: To be clear, he is looking for a motion on Item #9 that Six Mile Canyon is open as of yesterday.

Chairman McBride: This will be addressed when Item #9 is heard.

**Motion:** Approve Agenda for April 18, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

4. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for March 21, 2017.

**Motion:** Approve Minutes for March 21, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3

#### 5. CONSENT AGENDA

I For possible action, approval of interlocal agreement between Storey County, Nevada and the State of Nevada Department of Transportation for the purpose of defining the maintenance responsibilities and repair service required for the landscaped island areas at the intersections of SR-439 (USA Parkway) and Electric Avenue SR-439 (USA Parkway) and Sydney Drive.

II For possible action, approval of the 3<sup>rd</sup> quarter Virginia Township Justice Court Report.

III For possible action, approval of the Treasurer Report for March 2017.

IV For possible action: Approval of payroll claims in the amount of \$732,057.16 and accounts payable claims in the amount of \$254,929.12.

V For possible action, approval of Business Licenses First Readings:

- A. SWISSLOG EVOMATIC GmbH Contractor / Gewerbepark Ost 6, 4621 Sipbachzel ~ AUSTRIA (equipment)
- B. AGILENT TECHNOLOGIES, INC. General / 5301 Stevens Creek ~ Santa Clara, CA (equipment)
- C. **H2MORGAN** Professional / 3008 NE 4<sup>th</sup> Place ~ Hillsboro, OR (consultant)
- D. NK AMERICA, INC. Contractor / 777 South Kutner Rd ~ Sydney, OH (millwright)
- E. **AERIAL IMAGING** General / 1160 Pineridge Dr ~ Reno (aerial photography)
- F. **FS-ELLIOTT CO., LLC** Contractor / 5710 Mellon Rd ~ Export, PA (equipment)
- G. VIATECHNIK, LLC Professional / 343 West Erie ~ Chicago (consultant)
- H. SONOSCAN, INC. Contractor / 2149 East Pratt Blvd ~ Elk Grove, IL (service provider)
- NICHOLAS & CO. RENO, LLC dba C & M Food Distributing General / 7935 Sugar Pine ~ Reno (food)
- J. ROBERT HALF NEVADA STAFF, INC. dba Accountemps General / 5190 Neil Rd ~ Reno (staffing)
- K. PEACHY FROG, LLC dba Nothing But Skulls General / 11 North C (retail)
- VC

VC

- L. GREG GRANT dba Silver Sadies Old Time Photos General / 116 South C (retail)
- M. SIERRA INDUSTRIAL, LLC Contractor / 858 Daniel Drive ~ Reno (rigging contractor)
- N. GLOBAL RETOOL AMERICA, LLC Contractor / 4793 Colt Rd ~ Rockford, IL (tooling company)
- O. BALANCE TECHNOLOGY, INC. Contractor / 7035 Jomar Dr ~ Whitmore Lake, MI (equipment)
- P. SYNCREON TECHNOLOGY (AMERICA), INC. General / 2555 USA Parkway (logistics) TRI
- Q. ENGINUITY CONTROLS, LLC Contractor / 1691 West Hamlin ~ Rochester Hills, MI (equipment)
- R. THYSSENKRUPP SYSTEM ENG., INC. Contractor / 901 Doris Rd ~ Auburn Hills, MI (equipment)
- S. BIZLINK TECHNOLOGY, INC. Contractor / 47211 Bayside Parkway ~ Fremont, CA (equipment)
- T. ITC SERVICE GROUP General / 7777 Greenback Ln ~ Citrus Heights, CA (staffing)
- U. COMSTOCK PHOTOGRAPHY Home Business / 1880 Empire Rd ~ VC Highlands (photo sales)
- V. ODAWARA ENGINEERING CO., LTD. Contractor / 4805 S County Rd ~ Tipp City, OH (equipment)
- W. ODAWARA AUTOMATION NAGAOKA CO., LTD Contractor / 4805 S Co. Rd ~ Tipp City, OH (equip)
- X. TEKLUS, LLC Contractor / 1 East First Street ~ Reno (construction)
- Y. ECLIPSE AUTOMATION SW, LLC Contractor / 4117 Clipper Ct ~ Fremont, CA (equipment)
- Z. ECLIPSE AUTOMATION, LLC Contractor / 4117 Clipper Ct ~ Fremont, CA (equipment)
- AA. CORE PERFORMANCE CENTER, LLC General / 2629 E. Rose Garden Ln ~ Phoenix (yoga instructor)

- BB. PROLOG AUTOMATION GMBH & CO, KG Professional / Neckar, GERMANY (consultant)
- CC. MARIA PILAR MARTIN RODRIGUEZ Contractor / Soria SPAIN (equipment)
- DD. **DURR ECOCLEAN, GMBH** Contractor / Filderstadt, GERMANY (equipment)
- EE. STATE GROUP INDUSTRIAL (USA) LTD. Contractor / 13800 N Hwy 57 ~ Evansville, IN (contractor)
- FF. SHIN TECH LLC Contractor / Nakahara, JAPAN (equipment)
- GG. SEIYU, LIMITED- Contractor/Chigasaki City, JAPAN (equipment)
- HH. KIMUDEN COMPANY, LTD. -Contractor/Hiraisuka City, JAPAN (equipment)
- II. ASCO POWER SERVICES, INC.- Contractor/'60 Park Ave Fiorham Park, NJ (equipment)
- JJ. NEMASYSTEMS AUTOMATION GMBH, LLC Contractor/Bretzfeld GERMANY (equipment)
- KK. SELWAY MACHINE TOOL CO., INC. Contractor/29250 Union City Blvd Union City, CA (equip)

#### **Public Comment:**

None

**Motion:** Approve Consent Agenda for April 18, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

# **6. DISCUSSION ONLY (No Action - No Public Comment):** Committee/Staff Reports **Tourism Director Deny Dotson:**

- May 11<sup>th</sup> has been designated Ambassadors Day in Virginia City, coordinating with the
  museum and other attractions to provide an opportunity for people who live and work here to
  visit these properties and be informed so that this information can be passed on to visitors.
  Admission will be free on that day. Many exhibits have been updated.
- USA Today has a contest for the "Most Popular Town in the Southwest". Virginia City is currently 3<sup>rd</sup> place. Go online to vote.
- Everything is ready for the Grand Prix motorcycle races. Notifications will be sent out regarding street closures, no parking areas, and such.

#### **Community Relations Director Cherie Nevin:**

- Waste Management and Storey County host the annual residential clean-up days, Thursday May 4<sup>th</sup> through Saturday May 6<sup>th</sup>. Open 8am to 4pm. Items that can be accepted are listed on the Storey County website.
- Work continues with FEMA on the disaster process progress is being made. This is a long process, taking a lot of hands to get through it.
- Working with St. Mary's Art Center and the Comstock Cemetery Foundation to secure grant funds for those organizations for needed improvements. This is a grant through the State Historic Preservation Office.
- Kudos to Shaun Griffin and the Community Chest for an excellent concert Friday night. This
  event featured Rodney Crowell and was sold out.
- May 31st, 5PM to 7PM an Open House will be held for the County Museum. Light snacks and refreshments will be served.

#### IT Director James Deane:

 As of yesterday all County network links that were down have been fully replaced with 100% service restoration and significant speed increases. This was a major accomplishment.

#### Fire Chief Appointee Jeff Nevin:

• There was a minor spill at Tesla facility yesterday. The problem was mitigated and posed no threat to public health.

#### Public Works Director Jason VanHavel:

- Six Mile Canyon is open with several areas of gravel still in need of pavement.
- Federal Highways has requested more information regarding a permanent fix of the canyon.
- Work is being done to fix flood damage issues on Lousetown Road and Cartwright, including shoulder reconstruction.
- Summer roads program will be focused in Mark Twain this year.
- Work is set to begin in dismantling the remainder of the Black & Howell building.
- The sewer project is out to bid. This project is the comprehensive new sewer lines in Virginia City and Gold Hill.
- Groundbreaking of the sewer project should take place this summer. There will be adverse impact on roads during this project. Contractors will be instructed to "button up" during events.
- Looking at a small chlorine system for the water system near Silver City in order to meet Federal regulations. The current system contains higher chlorine levels for Virginia City so when the water reaches Silver City the level meets the Federal regulations.
- Issues with the pond and culvert off of Lousetown Road are being addressed to see if there is a way to get the culvert lower.
- Bids are being obtained for the repair of chimneys.

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

- Planning Commission meets Thursday at the Courthouse. The agenda includes updates to Title 17 Zoning, Sub-division and Development Standards, and multi-family complexes. This is a workshop only.
- New health benefits for employees are in place and become effective May 1<sup>st</sup>.
- Over the last year or so, claim experiences have impacted income for insurance companies and they are losing money, resulting in a claim increase for the County of approximately 30%
- A committee was put together to review the insurance to create a competitive health benefit for the County. A package was put together and presented to the insurance carrier to work on getting the premium down.
- A new plan was developed after long negotiation still in the Hometown Health Insurance Company.
- In order to get premiums down, employees will have to participate more in the plan.
- The County previously had PPO and HSA plans. The HSA is more of a self-management plan, money can be added, there are tax deferments, and a lot of involvement by employee.
- The County has created the HSA as the base plan. Every employee will be on a high deductible plan and there will be an HSA account that the employee can have with the County contributing money to that account. The County will also match up to \$100 per month for a family to put money into that account.
- If an employee wants a more lucrative PPO or HSA plan, the employee must "buy up" to that plan paying a portion of the premium so that it is "cost neutral" to the County.
- This plan resulted in a 6.7% increase rather than 30%. A substantial savings to the County, a very reasonable health benefits plan for employees, and being fiscally responsible to the budget and taxpayers.

#### Comptroller Hugh Gallagher:

- Department Heads have been working to address the budget deficit and the budget committee will be meeting to see where adjustments can be made.
- A very different budget will be presented on May 16th.
- Looking at the Department of Taxation figures received after the last meeting, abatements for the County are approximately \$5 million. A great amount for a county this size.
- Working with the Assessor to see what makes up the \$5 million.
- Selections for the new auditor will be made May 8th.
- 3<sup>rd</sup> quarter budget review will be May 2<sup>nd</sup>.

#### **Deputy District Attorney Keith Loomis:**

- Litigation has been filed regarding the Sutro Springs Road issue. The complaint asks the Federal Court to declare that roadway be part of Mrs. Thomas' property rather than public property.
- Supreme Court argument was heard on the Malfitano case last week. A decision is expected within six months.

Chairman McBride: On Sutro Springs Road, with the court filing, does that stay any order to Public Works to clear that road?

Mr. Loomis: A temporary restraining order and preliminary injunction has been requested to prevent the County from taking any action towards the roadway. This has not yet been ruled on. At this point there is nothing preventing action clearing the roadway. It is expected there will be a hearing on this pretty quickly.

#### County Manager Pat Whitten:

- Brian Staples, Post Commander of the local VFW, has obtained a 12-passenger bus from Fred Dutton. The County is going to work with Brian and Stacey Gilbert, Senior Center manager, to use the van to get vets to and from appointments as well as for the Senior Center, where it will be parked. There will be some sponsorships involved in the bus. The County along with other businesses have signed up as sponsors.
- Dean Haymore would report that things are hopping at TRI. Within the last 10 days, over 18 plan submittals have been made. The team out there has done a great job keeping up under inundated conditions.

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

**8. DISCUSSION ONLY (No Action):** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chairman or the Board to be of critical significance to Storey County. Specific bills will include SB 57 which staff has expressed full support and bills SB176, SB244, SB314, AB289, SB271, AB290, SB356, SB469, and AB384.

County Manager Whitten reviewed the following bills:

• SB57: Work session has been completed. This bill was heard, amended, recommended and passed the Assembly and is on its way to the Senate.

- SB438: 5 cent diesel fuel tax bill is still under consideration. Concern has been expressed by some residents. Note, this bill is not to pass this tax, but to enable local government to consider an "up to" 5 cent tax. It could be, 1, 2, or 3 cents. Further, this tax impacts diesel fuel sales only. In Storey County the bulk of diesel fuel is sold in the Tahoe Reno Industrial Center. Washoe and Clark Counties have already established a diesel fuel tax.
- AB153: Economic impact study is "dead", and hopefully stays.
- SB244: Addresses digging in historic/pre-historic areas. Problematic wording has been taken out.
- SB314: Windmills and wind farms. There were significant concerns in Virginia City and Gold Hill relative to windmills being visible to the view-shed. An amendment by Clark County saying, "so long as they conform to the area" is now in the bill.
- A number of bills continued to be tracked, including one regarding voting machines. The current machines are 17 years old it's time to change machines, but it is also very expensive to change on a statewide basis. Who pays and what changes are being looked at.
- There are two or three bills regarding body cameras. These are a foregone conclusion, the questions are: will this be effective and how will it be paid for.

#### Mr. Osborne reviewed:

- AB211: Triple pay. If a mistake is made in overtime, the payback would be triple. This is for willful violation only and has passed committee.
- AB267: Workers Compensation Bill. The County would award legal fees, costs, and other items, to a person winning a worker's compensation case. This has moved on.
- AB271: Fact finder-binding bill. This would make it where the "Fact Finder" was the ruling party, nothing else. This is a huge concern and has passed out of committee. This bill has been amended to general employees only, no police/fire.
- AB384: Criminal history bill. The box indicating criminal history background is banned on employment application. The bill would require that all applicants be heard and at the final stage, or at a job offer letter, that person then has opportunity to state criminal history, leaving it up to HR whether the crime was nexus to the job or not. The biggest problem with this bill is if that person is not hired, an attachment is necessary stating why the person was not hired, why the criminal history is a nexus to the job, and other supplementary materials. The person also has the right to an appeal process. This is a very litigious position from an HR standpoint. This has passed out of committee and applies to general employees only, not public safety positions.
- SB289: Out-of-network bill. This would make counties to have to allow employees to go to out-of-network doctors and subsidize the difference. This has passed out of committee. More fiscal analysis is being done on this bill.
- SB477: Residential care bill. This removes a county's ability to deny a special use permit in a residential zone and to define these uses as residential uses for single family use, halfway houses, drug and alcohol centers, and such, as well as disabled homes. This bill is for counties of 100,000 or more. There have been changes to the number of persons in the homes and fire sprinkler requirements.
- Water bills. A number of these bills have died and are being "morphed" into other bills. More information should be available at the next meeting.

**9. DISCUSSION/POSSIBLE ACTION:** Regarding Six Mile Canyon Road action on actual opening date, moneys borrowed to date, and ownership. Item requested by Mark Joseph Phillips.

County Manager Whitten stated this item request was submitted on April 10<sup>th</sup>, the same day Six Mile Canyon Road was reopened later in the day, with advance warnings of some gravel areas.

- The amount of work done is stunning.
- The road will remain open until such time as the asphalt is done, when it will be closed for a short time.
- Moneys borrowed: Zero. Work was funded through the roads budget. The County is hoping for some relief from the Federal Highway Administration.
- Ownership: The County has "presumed" ownership saying the County will maintain responsibility for the road by practice, if not necessarily by legal ownership at this stage. Research is being conducted regarding legal ownership.
- Mr. Whitten is happy to answer any other questions Mr. Phillips, or anyone else, may have.

Chairman McBride: Any follow-up Mr. Phillips?

Mark Joseph Phillips: Everyone is happy. No further comment.

#### **Public Comment:**

Mark Joseph Phillips, Virginia City Resident: Looking for a motion and a second that Six Mile Canyon is open effective a week ago Monday. We're proceeding as if it were still closed.

Chairman McBride: There was no motion to close the road – don't understand why a motion is needed to open the road.

Mr. Phillips: You all can't just agree that Six Mile – ah, you can't put that on record? There's nothing on record that Six Mile is open. In fact, there's nothing on record that Six Mile is closed.

Chairman McBride: Agrees that Six Mile is open, it's been posted that it's open. It was posted on the County website.

**10. DISCUSSION/POSSIBLE ACTION:** Opportunity to be added to Presidential Disaster Declaration issued for the February 2017 winter storm and the potential Declaration of Emergency.

Emergency Management Director, Joe Curtis, presented this item and reviewed the issues and problems in Storey County, as well as others, created by recent, significant storms.

- Mr. Curtis has attended a number of briefings which included persons from different agencies dealing with all aspects of emergencies.
- A Declaration of Emergency for Storey County was issued, including the period in January where there were significant losses to County infrastructure.
- In February, Storey County was able to get a little ahead in getting back to order. Other counties did not and had to declare additional emergencies.
- Dry lake beds are filling.
- The concern now is spring runoff with the 250% of normal in water content in the snow pack and is focused on the Truckee, Carson, and Walker river areas. The rivers are already high.
- The briefings are being conducted by State National Guard planning personnel.

- If Lahontan Lake was dry, the runoff could be expected to fill it three times over.
- Fallon is digging 3 canals for the runoff and has the potential of homes being inundated. Carson City is preparing for water to cover golf courses. Douglas County is looking at Highway 395 between Carson and Gardnerville being covered for up to 2 to 3 weeks likely between May 1st and July.
- Lyon County has declared a third emergency related to Wilson Canyon and Smith Valley as it will be underwater.
- Churchill County has declare another emergency in dealing with Lahanton.
- Douglas County is, or has declared another emergency.
- There is potential (flooding) for Highways 580 in Washoe Lake, 95 in Fallon, and 395 in Carson Valley and Gardnerville, along with other roads, that could isolate Northern Nevada.
- Storey County's biggest concern would be Truckee River runoff in the Lockwood area. In addition, with roads closed, there could be significant traffic in this area (Virginia City).
- The State is looking to Storey County as the last county in the group, to make a Declaration for potentially anything that may happen along the Truckee or any other runoff problems.
- The impact of a Declaration of Emergency has to do with whether or not the County can get funding from the Federal government to recoup help expenses.
- The Declaration gives Nevada the capability of obtaining a third Presidential Declaration bringing more resources to the area.
- The County may want to declare another emergency, possibly in early May, so that everything is in place. The County cannot get Federal funding or resources for anything that occurs prior to declaring the emergency.
- This is not something that has to be done today but will be watched very closely. The State is actually requesting the County to do this fairly soon so that the County is not the one left out of a Presidential Declaration.

Vice Chairman McGuffey: Would this include private properties?

Mr. Curtis: Yes. Similar to what happened in January. Review of properties would be made and information gathered to present to FEMA for the time, effort and cost of the County helping people survive.

Mr. Whitten: Without the Declaration, the County cannot go in and assist private property owners. The Declaration in January is what allowed the County to go in and help in the Highlands.

Mr. Curtis: Essentially this states that the County may be facing a potential problem that it may not be able to handle alone.

Vice Chair McGuffey: Would this cover re-establishment of a washed-out, private road?

Mr. Curtis: Not a private road/driveway. There are State laws stating the County cannot take County equipment onto or benefit the private property. It does help private property owners by providing the ability to obtain assistance through FEMA. The individual in the Highlands stated he was evacuated. Only the Governor can declare evacuation – which was not done. The individual in the Highlands requested evacuation.

Commissioner Gilman: The roads that are in question were repaired by TRI and its consultants within the last month.

Mr. Curtis: Believes it was Commissioner Gilman that actually made this possible – helping this gentleman out. There are very few resources up there and it is private property. The County has no responsibility or legal standing to be of assistance.

Commissioner Gilman: The other road, the extension of Lousetown, TRI repaired as well.

Mr. Curtis: With this gentleman, Mr. Crouch, the decision was made that it was a "life safety" issue and that's why the County went in and got him.

After meeting with State Emergency Management, the County may be requested to do the Declaration now. This information will be provided shortly.

Mr. Whitten: There is a proposed motion on the Staff Report to declare a State of Emergency for the time period of February 5 through 22 – is that needed?

Cherie Nevin: This has been a confusing process – looking at three Presidential Declarations. The County was on the first one – the one being dealt with now. The second, in February, was basically for Washoe, Humbolt, and Elko counties. The State has come back to counties not included asking if the counties had any damages during that time to be added to the Declaration. Basically, the County is being added in after the fact. Emergency Management does not believe the County has met the threshold in damages during that time. Everything is running together. Ms. Nevin feels that being added to the February Declaration is "off". The County needs to go with the potential spring runoff (Declaration).

Mr. Whitten: Would a Declaration for the February period help residents, specifically Steve Musser, that had significant runoff issues qualify for subsidized loans.

Ms. Nevin: It would - SBA. Probably because of all the snow during the January event. There is a deadline to apply. It is a process.

Mr. Curtis: As a County, the damages suffered were below the dollar threshold for the County to receive anything (under the February Declaration). A Declaration can be made for the February period in the event damages are found that would exceed the threshold. There is no penalty for approving a Declaration.

Mr. Curtis suggests approving the February Declaration and entering into the Presidential Declaration, even though it may not do anything for the County.

Mr. Whitten: "In the day" being indiscriminate in a declaration was viewed negatively. Is there any potential for that in this case?

Mr. Curtis: The State is coming to the County asking to do this as an option after the fact.

Mr. Whitten: If the State is asking, the County should oblige.

**Public Comment:** 

None

**Motion:** I move to declare a State of Emergency in Storey County due to a severe weather event for the time period of February 5 through the 22, 2017, and the potential of additional flooding due to the projected Spring 2017 snowmelt runoff, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**11. DISCUSSION/POSSIBLE ACTION:** Approval of Resolution #17-454 declaring May 2017 as Wildfire Awareness Month in Storey County.

Fritz Klingler, Storey County Fire Marshal, introduced Jamie Roice-Gomes from UNR Cooperative Extension-Community Outreach Program, and Patty Blakely, Storey County Fire. With all of the rain this year, there will be an increase in cheat grass and flammable materials. Along with Cooperative Extension with its funding and materials, declaring Wildfire Awareness Month and educating the public provides information for reducing risk on properties.

Fire Marshal Klingler reminded Storey County residents of the Fire Department's "you call, we haul" program. Residents call and the Fire Department will drop the trailer off and pick it up when it's full. This program is for disposal of vegetation, not trash.

Patty Blakely read the Resolution:

Whereas, wildfire significantly impacts Nevada's environmental, economic and social well-being, and

Whereas, homeowners should ensure proper management of vegetation surrounding the home and appropriate home construction and maintenance to resist ignition; and

Whereas, residents can save precious time in an evacuation by preparing a to-go bag and family evacuation plan ahead of time; and

Whereas, communities should create well designed fuel breaks, ensure good access for emergency vehicles and consider multiple evacuation routes; and

Whereas, residents should evacuate immediately when asked by emergency responders.

Therefore be it proclaimed, that the Storey County Board of County Commissioners supports the month of May, 2017 as Nevada Wildfire Awareness Month and this year's theme:

#### WILDFIRE!

#### Prepare, Anticipate, Evacuate

as a means for education and a call for residents of Storey County to take action to reduce the wildfire threat and prepare their homes, families and community for wildfire, anticipate a possible evacuation and to evacuate their homes when asked.

Ms. Roice-Gomes reviewed the theme for this May.

- Residents can prepare by creating defensible space, using fire resistant building materials, a family evacuation plan, and provide access for emergency personnel.
- In anticipation, residents should have "to-go" bags and disaster supply kits.
- Residents should evacuate quickly and safely when asked.
- Along with Storey County Fire, Cooperative Extension will be at Hillside Elementary on May 17th and Hugh Gallagher Elementary on May 25th.

**Public Comment:** 

None

**Motion:** I move to approve Resolution #17-454 declaring May 2017 as Wildfire Awareness Month in Storey County, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**12. DISCUSSION/POSSIBLE ACTION:** Amendment to the General Business License for Richard Connell from Fire House Creamery to Fire House BBQ. Business is located at 171 South C Street, Virginia City, Nevada.

Sheriff Gerald Antinoro presented this item. This is a re-structuring of Mr. Connell's current business license from Fire House Creamery to Fire House BBQ.

**Public Comment:** 

None

**Motion:** I move to approve amendment to the General Business License for Richard Connell, 171 S C St., Virginia City, NV, from Fire House Creamery to Fire House BBQ, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**13. DISCUSSION/POSSIBLE ACTION:** Approve second reading for the general license for the Gold Hill Hotel & Crown Point Restaurant, 1540 Main St., Gold Hill, Nevada.

Sheriff Antinoro said this is a standard general license for the Gold Hill Hotel & Crown Point Restaurant.

**Public Comment:** 

None

Motion: I move to approve Patrick McNamee, business owner, second reading of the General Business License for the Gold Hill Hotel & Crown Point Restaurant, 1540 Main St., Gold Hill, Nevada, Action: Approve, Moved by: Vice Chairman McGuffey, Seconded by: Commissioner Gilman, Vote: Motion carried by unanimous vote, (Summary: Yes=3)

#### 14. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD

**15. DISCUSSION/POSSIBLE ACTION:** Amendment to the Liquor License for Richard Connell, from Fire House Creamery to Fire House BBQ. Business is located at 171 South C Street, Virginia City, Nevada.

Sheriff Antinoro stated there is no real change to this license, other than name and location

**Public Comment:** 

None

**Motion:** I move to approve amendment to the Liquor License for Richard Connell, 171 S C St., Virginia City, NV, from Fire House Creamery to Fire House BBQ, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**16. DISCUSSION/POSSIBLE ACTION:** Approve second reading for the liquor on-sale license & cabaret license for the Gold Hill Hotel & Crown Point Restaurant, 1540 Main St., Gold Hill, Nevada.

Sheriff Antinoro: A background investigation of applicants has been completed. The background is in business. Applicants seem to be interested in the community and will be living on-site. The business will be operated under a lease of premises from Comstock Realty. There is nothing in the background that would preclude applicants from having a business or liquor license. Approval is recommended.

**Public Comment:** 

None

**Motion:** I move to approve Patrick McNamee, business owner, second reading of the liquor on-sale license and cabaret license for the Gold Hill Hotel & Crown Point Restaurant, 1540 Main St., Gold Hill, Nevada, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

#### 17. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

**18. DISCUSSION/POSSIBLE ACTION:** Possible action for first reading ordinance 17-274 to repeal chapter 8.32 of Storey County Code addressing materials and toxic substances.

Deputy District Attorney Keith Loomis presented this item. This is a continuation from the last Board meeting. At that time, Emergency Management Director Joe Curtis and Fire Chief Gary Hames, concurred that this was an appropriate way of addressing chapter 8.32.

Mr. Loomis read the Title:

An ordinance deleting chapter 8.32 to the Storey County Code which addresses the presence and use of hazardous and toxic materials in Storey County and providing for other matters properly related thereto.

**Public Comment:** 

None

**Motion:** I move to hear the first reading of Ordinance 17-274, and to require publishing and hearing of the ordinance as required by statute, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

- 19. DISCUSSION/POSSIBLE ACTION: Licensing Board Second Readings:
- **A. SOUL HOSPITALITY, LLC (THE) dba The Soul from Seoul –** General / 2325 Kietzke ~ Reno (food)
- **B. BAXTER & SON MECHANICAL CO., INC.** Contractor / 35 Stokes Dr ~ Moundhouse (contractor)
- C. DOS CO., LTD Contractor / 1-15-27 Nishi-ku, Osaka City JAPAN (contractor)
- D. SQUAW VALLEY SKI CORP General / 1901 Chamonix Place ~ Olympic Valley, CA (promos)
- E. REP PLUMBING, LLC Contractor / 2528 Business Pkwy ~ Minden (contractor)
- **F. MINO AUTOMATION USA, INC.** Professional / 1670 Harmon Rd ~ Auburn Hills, MI (consulting)
- **G. PHOENIX INSTALL. & MGMT CO, INC.** Contractor / 347 Have a Hill Rd ~ Shelbyville, KY (equip)
- H. NIKON METROLOGY, INC. Professional / 12701 Grand River Rd ~ Brighton, MI (consulting)
- I. CARDINAL CONTRACTING, LLC Contractor / 2300 S Tibbs Ave ~ Indianapolis, IN (contractor)
- J. EAST FORK ROOFING, LLC Contractor / 260 Freeport Blvd ~ Sparks (contractor)
- **K. VARIATION REDUCTION SOLUTIONS** Professional / 14901 Galleon Ct ~ Plymouth, MI (engineer)
- L. JSJ VENTURES, INC. Contractor / 1111 S Roop ~ Carson City (septic system cleaning)
- M. MERCIER ELECT & MECHANICAL, INC. Contractor / 115 Mayhew St ~ W Point, MS (contractor)
- N. CSC SERVICEWORKS, INC. General / 303 Sunnyside Blvd ~ Plainview, NY (coin oper. machinery)
- **O. TEAMTECHNIK MASCHINEN UND ANLAGEN GMBH, LLC -** Prof. / Planckstr 40, GERMANY

(consult)

- **P. ODAWARA AUTOMATION, INC. -** Contractor / 4805 S County Rd ~ Tipp City, OH (machinery)
- Q. RSI INSTALLATIONS, INC. General / 13524 Vintage Place ~ Chino, CA (staffing)
- R. DERIK JONATHAN MURILLO-VAZQUEZ Contractor / 1850 Selmi Dr ~ Reno (contractor)
- S. FULL OF HEART SPIRITUAL HEALING General / 164A South C St (life coach) VC\*
- T. SILVER SPOON EATERY, LLC dba Silver Spoon Eatery General / 171 South C St (restaurant) VC
- **U. PACIFIC INTEGRATED HANDLING, INC. -** Contractor / 10215 Portland Ave ~ Tacoma, WA (cont)
- V. IMES GROUP, LLC Professional / 6601 Vaught Ranch Rd ~ Austin, TX (engineer)
- W. PENTA BUILDING GROUP, LLC (THE) Contractor / 181 East Warm Springs ~ Las Vegas (cont)
- X. KING BEE CONSTRUCTION, INC. Contractor / 804 Mill Street ~ Reno (contractor)
- Y. TEAMTECHNIK PRODUCTION TECHNOLOGY, LLC Contractor / UL ZA GORÁ 23, PL 32-040 POLAND (contractor)

On behalf of Community Development, Pat Whitten requested that items A. through Y. be approved.

Public Comment:

None

**Motion:** Approve all items A. through Y., **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote,

(Summary: Yes=3)

#### 20. CORRESPONDENCE

I Agenda Request from Bobby Kittle.

Mr. Whitten: This was addressed in Item 9 regarding Six Mile Canyon closure. Mr. Kittle has been advised that the road is open.

#### 21. PUBLIC COMMENT (No Action)

Sheriff Antinoro: To clarify the record, under Item 16, Gold Hill is actually operating under lease from Comstock Realty, Inc.

Nicole Barde, Storey County Resident: Asked when details on the Google purchase would be public.

County Manager Whitten: From a County perspective, it cannot be confirmed that it is Google. Joe Hart from Channel 4 is reporting that a representative from Google did say it was. Mr. Whitten understands it would seem that what is in the press is somewhat accurate. There was a transaction done in the Recorder's office on Friday – there is a process for the Recorder to release those documents. Whether it's Google or not, we'll see.

Ms. Barde: Whether Google or any other company – when do the abatements and deals go public from the Governor's Office?

Mr. Whitten: Whenever there is application or ability. If an EDD is created, that legislation is already there. Again, it is speculative because it is not known what they're going to do or what products or processes might be eligible.

Ms. Barde: As of today, based on what is known, there is no abatement?

Mr. Whitten: Correct.

Commissioner Gilman: The sellers, and all associated consultants – including Storey County, are under a non-disclosure agreement specifically requested by the buyers. All notifications are on hold pending formal announcements from the Corporate Chair through the Governor's Office. Until that time there can be no discussion regarding the transaction.

Ms. Barde: Once it is announced, abatements given will be public record - right?

Commissioner Gilman: The transaction will be a private transaction between seller and buyer. All transactional documents are in a "non-disclosed folder". Items that will be available will be public items that are recorded on behalf of the transaction. That will be the status of the transaction up to

and until the time of a formal announcement by the company. At this point there are no packages submitted to the State, the buyer has asked for no offsets of any kind. The transaction at this point is "on hold" from information in the public realm. It is a private transaction between buyer and seller with the County. All public documents are available – there is no other information. Except for an article written by RGJ, reportedly from an announcement by the Governor. The Governor's Office confirmed there had been no request for tax abatements.

#### 22. ADJOURNMENT

The meeting was adjourned by the Chair at 11:45 AM

#### 23. CLOSED SESSION

Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with County management and legal counsel regarding labor negotiations with the Storey County Firefighters Association IAFF Local 4277 and Storey County Sheriff's Office Employees Association NAPSO Local 9110. This meeting will commence immediately following the regular commission meeting.

Respectfully submitted,

ga:

Vanessa Stephens Clerk-Treasurer



## Storey County Board of County Commissioners Agenda Action Report

Y Y Y Y			
Meeting date:			timate of Time Required: 0 -5
Agenda: Consent [x]	Regular a	agenda []	Public hearing required []
1. <u>Title:</u> For possible actio accounts payable claims		•	the amount of \$695,362.68 and
2. Recommended motions the Consent Agenda.	: Approve claims	as submitted in	conjunction with approval of
3. Prepared by: VANESS	SA		
<b>Department:</b> MANAGI	ER <u>Telephone</u>	<u>:</u> 847-1111	
4. Staff Summary: A list of	of all claims is at	ached.	
5. Supporting Materials:	See attached		
6. Fiscal Impact: 0			
7. Legal review required:	No		
8. Reviewed by:			
Department Head		Department	Name: MANAGER
County Manager	29	Other Agend	cy Review:
9. Board Action:	OK		
[] Approved			d with Modification
[] Denied		[] Continue	d

STOREY COUNTY PAYROLL SYSTEM Check Register Rèpt: PR0510A Run: 04/28/17 08:40:39

Page 2 FINAL

Check Date: 04/28/17

Payroll Type: Deductor

Check/ Emp #/ DD # Ded # Payee

Total User Transfer for EFTPS:

Amount

Total Deductor Checks:

134,753.08

0 0

Approved by the Storey County Board of Commissioners:

COMMISSIONER CHAIRMAN

COMMISSIONER

COMPTROLLER

TREASURER

STOREY COUNTY PAYROLL SYSTEM Check Register Kept: PR0510A Run: 04/28/17 08:46:06

Payroll Type: Deductor

Check Date: 04/28/17

Check/ Emp #/ DD # Ded # Payee

Total User Transfer for EFTPS:

Total Deductor Checks:

Amount

74,487.25

00.

Approved by the Storey County Board of Commissioners:

COMMISSIONER COMMISSIONER CHAIRMAN

COMPTROLLER

TREASURER

Page 2 FINAL

Rept: PR0510A Run: 05/03/17 09:38:30

STOREY COUNTY PAYROLL SYSTEM Check Register

Period-end Date: 04/30/17

 Payroll Type: Regular
 Check Date: 05/05/17

 Payroll Groups: 1 2 3 4 5 6 7 8 9

Check/ Emp #/ DD # Ded # Payee

Amount

54,484.11 Total User Transfer for EFTPS:

899.88 116,072.40 Total Deductor Checks: Total Employee Checks:

264,100.43 14,821.25 Total Employee Deds Xferd on Dir Dep File: Total Employee Direct Deposit:

35,744.28 Total User Transfer to Deductor:

Total Disbursed:

Approved by the Storey County Board of Commissioners:

486,122.35

COMMISSIONER COMMISSIONER CHAIRMAN

COMPTROLLER

TREASURER

Page 5 FINAL

S	/17

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	TRANS#		80383	80390	80323 80323	80444 80444 80444 80444 80321	80321 80321 80321	8032T	80334	80350	80366	80322	80402	80464	86398	80409	80394	80335 80335	80433	80356	8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8
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Report No: PB1315 Run Date : 04/26/17	VENDOR	ALL CLEAR FIRE TRAINING &	ALLISON, MACKENZIE, LID	ALPINE LOCK INC	ALSCO INC			ARCADIA PUBLISHING INC	ASEM DISTRIBUTING INC	AT&T TELECONFERENCE SERVI	AUTO & TRUCK ELECTRIC, INC	BERRY ENTERPRISES	BISBEE, PATTY	BOUVIER, SHARA BIRD	BROWNWELL, KELLY	BURNET, SARAH JUNE	BURRELL, SCOTT LEWIS	BUSINESS & PROFESSIONAL	SHAW, BRIAN	CAPITAL CITY AUTO PARTS	
Report No: PB1315 Run Date : 04/26/	CHECK	88570	88571	88572	88573			88574	88575	88576	88577	88578	88579	88580	88581	88582	88583	88584	88585	88586	

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0 00 0 00 0 00	CASELLE INC	V&T INTEREST (5002-4010) V&T INTEREST (5002-4011)	4/28/17 4/28/17	80367	25,920.00 15,875.00	41,795.00	
0 00	OELLICO PARTNERSHITE	MAY SUPPORT 1/2	4/28/17	80325	202.00	202.00	
	CELLIC FARTNERSHIP	INV #9783392653 APRIL WIF ACT 942037802-00001 ACCT 942057617-00001 772263062-00001 IPAD PLANT IT IPADS TIM JAMES 775 443-5802 P.WHITTEN IPAD DATA HUGHS PHONE	4/28/17 4/28/17 4/28/17 4/28/17 4/28/17 4/28/17 4/28/17		40.01 40.01 400.10 222.81 20.03 80.02 40.01 40.01		
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88591	COMMUNITY CHEST INC	VSU STOPS1 GRANT FEB 2017	4/28/17	80434 80435	284.20	284.20	
88592	COMSTOCK CEMETERY FOUNDAT	STOP51 GRANT	4/28/17 4/28/17		11,833,33	4 4	
88593	COMSTOCK CHRONICLE (VC)	DONATION PER BOIT SCIAL MEETING	4/28/17	ao ao	236.00	236.00	
88594	COSTCO HSBC BUS SOLUTIONS	SR FF, P/T, AD ASST II SUPPLIES 4/22/17 HAZMAT	4/28/17		227.50	1,306.50	
88596	COSTCO WHOLESALE MEMBERSH DAY, ELIZABETH ANN	COUNTY CARDS	4/28/17	80477	120.00	120.00	
88597	DISH DBS CORPORATION	POLL WORKER	4/28/17		135.00	135.00	
88 6	DIXON, SHARON	BOUFERI KANCH LOCKWOOD TEAM LEADER	4/28/17	80380	82.03	82.03	
n n n n n n n n n n n n n n n n n n n	ELLIOTT AUTO SUPPLY INC	SO66023 DEL 34PG IT54258 SENSOR, MANI SET IT54258 - ALITERNATOR COMDEVG5585 - TRANS PARTS VCSC-STARTER CREDITS SO62214 - BRK PADS SO62214 TRANS FLUID SO66025-BRK PADS SO66025-BRK PADS SO66025 - BRK PADS SO66021 TRANS FLUIRS SO66021 TRANS FLUIRS SO66024 FW HUB SHOP- FILITERS	4/28/17 4/28/17 4/28/17 4/28/17 4/28/17 4/28/17 4/28/17 4/28/17 4/28/17 4/28/17	80327 80327 80327 80327 80327 80327 80327 80327 80327 80327	101.00 99.63 168.70 211.10 202.92- 36.06 42.50 38.23 48.51 55.95 121.34		

PB1315	04/26/17
Report No:	Run Date :

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Report No: PB1315 Run Date : 04/26/17 CHECK NUMBER VENDOR

STOREY COUNTY CHECK REGISTER 4/28/17

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VENDOR	JAMES C MCLENNAN MDPC	JBP LIG		JUDGE EDWARD R JOHNSON KEKULE. LAURA L	KIMBALL, MIDWEST	LANGUAGE LINE SERVICES IN	LIFE-ASSIST INC	LINCOLN NATIONAL LIFE	LIOUID BLUE EVENTS LLC	LIQUID BLUE EVENTS LLC	LOCAL GOV MANAGERS ASSOC	LYON CO COMPTROLLER	MACKAY MANSION MUSEUM				TANDET CONTRACTOR	MARK TWAIN COMMINITY CITS	MCCREARY, JON	METRO OFFICE SOLUTIONS IN	
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o: PB1315 :: 04/26/17	VENDOR	OMI SMOTHOMOGU EXITETSOG	DOWEDDIAN	DITE A CENTRAL CONTRACTOR	PIBLIC REPLY PRITIBENEUM	PIRCELL TIRE & PIRBER CO	CONTRACTOR AND	CHICLEY VARIENCE	STATE OF MADERN O.		ALL CAMPIES	KEFUSE, INC	ABRICALION DEFI	MT ONIGED ONG MANAGED ONG	NEWO GREEN LANDSCAFING IN	RIMETER INC		KUPPCO INC	SAINT MARYS ARTCENTER INC	SBC GLOBAL SERVICES IN LD											¥

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PLER IVEN   CONTINUES   CONTINUE   CONTINUES   CONTI	CHECK	VENDOR			DATE	TRANS#	AMOUNT	CHECK TOTAL	
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STREAM ALLEN					4/28/17	80336	875.00	875.00	
SIERRA CHEMICAL COMPANY  SIERRA CHEMICAL COMPANY  CHICAG  SIERRA CONTROL SYSTEMS  SIERRA PACIFIC POWER  COUNTROL SYSTEMS  SIER	88679	SESMA, RAY	REIMBURSEMENT		4/28/17	80453	275.00	275.00	
SIERRA CONTROL COMPANY  SIERRA CONTROL COMPANY  SIERRA CONTROL SYSTEMS  SIERRA PROTECTION LA  ANNUAL EXTINGUISHER MAINT  SIERRA PACIFIC POWER CONTROL SYSTEMS  SIERR	88680	SHOAF, BRIAN ALLEN			4/28/17	80344	19.50	19.50	
SIERRA CONTROL SYSTEMS  SIERRA PACIFIC FOWER CONTROL SYSTEMS  SIERRA PACIFIC FOWER CO  VINCINIA CITY ST LIGHT  SIERRA PACIFIC FOWER CO  VINCINIA CITY ST LIGHT  4/28/17 80337 2,350.00 2,350.00  VINCINIA CITY ST LIGHT  4/28/17 80337 105.09  SC CONTROL ST	88681	SIERRA CHEMICAL COMPANY	DEPOSIT DEPOSIT CHLOR		4/28/17 4/28/17 4/28/17	80371 80371 80371	80.00- 120.00- 1,063.52	0	
SIERRA PIRE PROTECTION LL  NORTHERN NV BUSINESS WILY SUBCRIPTION RENEWAL  SIERRA PACIFIC POWER CO  VERGINIA CITY ST LIGHT  GIC COMPISSIONERS ST LIGHT  4/28/17 80387 782 4  4/28/17 80387 782 5  261 COARTHEST WILL ST LIGHT  4/28/17 80387 782 5  261 COARTHEST WILL RD BEAG  110 TOLL RD BEAC  110 TOLL RD BEAG  110 TOLL RD	88682	SIERRA CONTROL SYSTEMS	MILE RES POWER		4/28/17	80372		2,350.00	
SIERRA PACIFIC POWER CO  SIERRA PACIFIC POWER CO  VERGINIA CITY ST LIGHTS  4 / 28 / 17 80387 843.92  2 COMMINISTERMENT BY A SECRET ST LIGHT  2 COMMINISTERMENT BY A SECRET ST LIGHT  2 COMMINISTER TO WAY ST THE SECRET ST LIGHT  2 CALL CANTWINISH TO RESE 4 / 28 / 17 80387 78 83.83  110 TOLL RD BLDG  110 TOLL RD BLDG  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.13  111 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.13  112 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.13  113 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.13  114 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.13  115 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.13  116 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.13  117 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.13  118 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  119 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 4 / 28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 TOLER SHOP 1/28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 TOLER SHOP 1/28 / 17 80387 69.14  110 TOLL RD SHOP 1/2 TOLER SHOP 1/28 / 17 80387 69.14  110 TOLER SHOP 1/2 TOLER SHOP 1/28 / 17 80387 69.14  110 TOLER SHOP 1/28 / 1/	88683	SIERRA FIRE PROTECTION LL	ANNUAL EXTINQUISHER MAINT		4/28/17	80422	116	116.00	
VIRGINIA CITY ST LIGHT  261 CARTWRAGHT PUMPSE  4/28/17 80387  2610 CARTWRAGHT PUMPSE  4/28/17 80387  4/28/17 80387  4/28/17 80387  4/28/17 80387  4/28/17 80387  4/28/17 80387  110 TOLL RD BLDG  4/28/17 80387  110 TOLL RD BLDG  4/28/17 80387  110 TOLL RD SHOP 1/2  201 S C ST DA  202 S C ST DA  203 S C ST DA  204 S ST SC  205 S C ST DA  4/28/17 80387  5 C ST UNIT VC/372 C ST 4/28/17 80387  5 C ST UNIT CAPACH  C ST FREHS  4/28/17 80387  4/2	88684 88684	NORTHERN NV BUSINESS WKLY	SUBSCRIPTION RENEWAL		4/28/17	80440	75.00	75.00	
			VIRGINIA CITY ST LIGHTS SC COMMISSIONERS ST LIGHT 2610 CARTWRIGHT PUMPHSE 431 CANYON WAY ST 4 2612 CARTWRIGHT RD RES 145 N C ST UNIT 100 TOLL RD BLDG 110 TOLL RD BLDG 110 TOLL RD SHOP 1/2 201 S C ST DA 203 S C ST DA 203 S C ST SO 205 S C ST SO 205 S C ST SO 201 S C ST GASLMO 201 US HWY 341 JAIL 490 SAM CLEMENS PARK 110W SOUTH ST WIR PLNT 21 S C ST GASLMO 500 SPANIAL RAVINE RD "V" 501 S T UNIT VC/372 C ST 502 ST UNIT VC/372 C ST 503 S C ST UNIT VC/372 C ST 504 S ST UNIT VC/372 C ST 505 N B ST GARAGE 505 S T UNIT VC/372 C ST 506 ST UNIT VC/372 C ST 507 UNIT VC/372 C ST 508 S T UNIT GANYON 508 ST RALLEAR 509 S S T UNIT GANYON 509 S S S T LIGHTS 509 S S T LIGHTS 509 S S S T LIGHTS 509 S S S S T LIGHTS 509 S S S S S S S S S S S S S S S S S S S		4 4 7 28 8 1 1 1 2 8 8 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 1 1 1 2 8 8 8 1 1 1 2 8 8 8 8	80387 80387 803387	843.92 105.09 78.85 68.38 78.85 2018.87 69.33 101.11 244.86 67.38 80.42 18.43 18.63 18.63 18.63 18.63 18.63 18.63 18.63 18.63 18.63 19.74 19.83 10.83		

STOREY COUNTY CHECK REGISTER 4/28/17 Report No: PB1315 Run Date: 04/26/17 CHECK NUMBER VENDOR

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: 04/26/17	VENDOR			SLICK INDUSTRIES LLC DBA	[V]	SOUTHERN GLAZERS WINE & S	ST CO SCHOOL DISTRICT	8		SUN PEAK ENTERPRISES		SUPERIOR POOL PRODUCTS	THE ROASTING HOUSE	THOMAS PETROLEUM LLC		THROWER-VICTORINE, DENISE	UNIFORMITY OF NEVADA LLC	UNITED FINANCE INDUSTRIAL	UNITEDHEALTHCARE INS CO	V & T ROCK, INC	VCTC		VIRGINIA CITY TOURS INC
te.	CHECK			88686	88687	6 6 8 9 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	88690	88691		88692		88693	88694	88695		88696	88697	88698	88699	00288	88701		88702

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	Page	CHECK	1,092.00	225.64	2,428.00	1,327.04	783.04	395.00	368.85	321,031.80
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	/28/17	DATE	4/28/17	4/28/17	4/28/17 4/28/17	4/28/17	4/28/17 4/28/17	4/28/17 4/28/17	4/28/17	
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	Report No: PB1315 Run Date: 04/26/17	VENDOR	VISION SERVICE PLAN, INC	WALKER & ASSOCIATES		WASHOE COUNTY SENIOR SERV WEDCO INC	WESTERN ENVIRONMENTAL LAB	3D CONCRETE INC		
œ.	Report No	CHECK	88703	88704	1	88705	88707	88708		

# ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

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	COMPTROLLER	TREASURER	CHAIRMAN	COMMISSIONER	COMMISSIONER
321,031.80	, 0				
CHECKS TOTAL					

# STOREY COUNTY PURCHASE CARD REGISTER

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Ω	INVOICE #	ADKINISH HOME DEPOT ADERINE, #052593 BALLARD C. NEVIN-#052593 C. NEVIN-TRUEVALUE CONIF #9968203 COVIE BEDOT CW SUCURI VESELOWGUR GAVENDA - 21701460 GIURLANI GOLD DUGT GREEN CONGTHERE TERE HOME DEPOT JEFFH-HOME JEFH
	FUND-DEPT INVOICE	CARD
Report No: PB5480ST Run Date : 04/26/17	VENDOR	WELLS ONE COMMERCIAL
Report No Run Date	PC NUMBER	106

No: PB5480ST e : 04/26/17

VENDOR

RUSSELL AMAZON SKRETTA- HOME DEPOT SKRETTA- OREILLY SPELTZ HOME DEPOT

1116.19 1339.85 88.95 86.50 6.59 95.38 1299.00 197.95 95.76 95.76

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER

ST 75 SHREDDER 4/28/17
TOOL BAGS

W66894- PAINT
F 74 REPAIRS
POSTAGE CERT LTR NUISA 4/28/17
POSTAGE CERT LTR NUISA 4/28/17
ST 75 LAMINATOR
CC STORAGE IT DEPT
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FLANS EXAMINER TEST FE 4/28/17
PRINTED MATERIALS ICC 4/28/17
COMDEV DSL
KEITH LOOMIS, DDA 1912 4/28/17
TRIPPLITE APC BATTERIE 4/28/17

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\*Card Total\*

USPS3192000440 YOHEY OFFICE DEPOT USPS 3192000440

DATE STOREY COUNTY PURCHASE CARD REGISTER

DESCRIPTION

CARD

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Repoart No: PB1390 Run Date: 05/01/17 CHECK FISCAL NUMBER YEAR RECORD# VENDOR NAME

GAUNT, DANIEL 2017 8770

88709

AMOUNT

STOREY COUNTY
TYPED CHECKS REGISTER
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111.00 4/27/17

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DESCRIPTION

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COMMISSIONER COMMISSIONER

DATE

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

111.00

TYPED CHECKS TOTAL

COMPTROLLER

TREASURER

CHAIRMAN

GAUNT TASER CLASS



### Storey County Board of County Commissioners Agenda Action Report

Meeting date:	I I	Estimate of Time Required: 0 -5			
Agenda: Consent [x]	Regular agenda []	Public hearing required []			

- 1. <u>Title:</u> For possible action: Approval of the Treasurer's Report for April 2017.
- 2. Recommended motion: Approve as part of the Consent Agenda.
- 3. Prepared by: VANESSA

**Department:** MANAGER **Telephone:** 847-1111

- 4. Staff Summary: Report is attached.
- 5. Supporting Materials: See attached
- 6. Fiscal Impact: 0
- 7. Legal review required: No
- 8. Reviewed by:

Department Head	Department Name: MANAGER
County Manager	Other Agency Review:

#### 9. Board Action:

[] Approved	[] Approved with Modification
[] Denied	[] Continued

April 2017

TOTAL	300.00	¥	931.16 1,231.1 <b>6</b>	1,445.02 <b>2,676.18</b> 50,578.23	50,578.23	Æ	53,254.44	क्षेट एक एकए कर नक एक	140.92 140.92 318.07	458.99	41,100.98	843,151.82	937,507.24
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## Storey County Board of County Commissioners Agenda Action Report

Meeting date:	Estimate of time required:	
Agenda: Consent [ X	[] Regular agenda []	Public hearing required [ ]
	the Intrastate Interloc effective upon approv	al Contract between DMV and the Storey County Assessor, the al to June 30, 2019.
2. Recommended mo	otion: Approve	
3. Prepared by:		
Department:	Telep	hone:
Motor Vehicle order to avoid	es and the Storey Cour an interruption of DN	Interlocal Contract between the State of Nevada/Department of inty Assessor for providing DMV services expires June 30, 2017. In MV services provided by the Storey County Assessor's Office, the signed before the expiration of the current contract.
5. Supporting mater	ials: Amendment to a	and original contract attached.
6. Fiscal impact: Unl	known	
Funds Availab	ole: Fun	d: Comptroller
7. Legal review requ	ired: District Attorne	ey
8. Reviewed by: Departm County M		Department Name: Commissioner's Office  Other agency review:
9. <b>Board action:</b> [ ] Approv [ ] Denied		Approved with Modifications Continued

Agenda Item No. 7-III

#### INTRASTATE INTERLOCAL CONTRACT BETWEEN PUBLIC AGENCIES

A Contract Between the State of Nevada
Acting By and Through Its
Department of Motor Vehicles
("Department")
555 Wright Way
Carson City, NV 89711
and
Storey County Assessor
("County")
P.O. Box 494
Virginia City, NV 89440
(775) 847-0961 / (775) 847-0904

WHEREAS, NRS 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, it is deemed that the services hereinafter set forth are both necessary and in the best interests of the State of Nevada;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

- 1. <u>REQUIRED APPROVAL</u>. This Contract shall not become effective until and unless approved by appropriate official action of the governing body of each party.
- 2. <u>DEFINITIONS</u>. "State" means the State of Nevada and any state agency identified herein, its officers, employees and immune contractors as defined in NRS 41.0307.
- 3. <u>CONTRACT TERM</u>. This Contract shall be effective upon approval to <u>June 30, 2019</u>, unless sooner terminated by either party as set forth in this Contract.
- 4. <u>TERMINATION</u>. This Contract may be terminated by either party prior to the date set forth in paragraph (3), provided that a termination shall not be effective until <u>30</u> days after a party has served written notice upon the other party. This Contract may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Contract shall be terminated immediately if for any reason State and/or federal funding ability to satisfy this Contract is withdrawn, limited, or impaired.
- 5. <u>NOTICE</u>. All notices or other communications required or permitted to be given under this Contract shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth above.
- 6. <u>INCORPORATED DOCUMENTS</u>. The parties agree that the services to be performed shall be specifically described; this Contract incorporates the following attachments in descending order of constructive precedence:

ATTACHMENT AA: SCOPE OF WORK

Page 1 of 5 Rev. 12/2015

- 7. <u>CONSIDERATION</u>. The County agrees to provide the services set forth in paragraph (6) at a cost of two dollars (\$2.00) per <u>registration transaction</u> with the total Contract or installments payable not to exceed fifty thousand dollars and no/100 (\$50,000.00) per fiscal year, with the total not to exceed one hundred thousand dollars and no/100 (\$100,000.00). In addition NRS 482.180 (6) states in pertinent part: "From the amount of governmental service tax collected by a County Assessor the State Controller shall credit 1 percent to the Department as a commission and remit 5 percent to the County for credit to its general fund as commission for the services of the County Assessor." Any intervening end to an annual or biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the results of legislative appropriation may require.
- 8. <u>ASSENT</u>. The parties agree that the terms and conditions listed on incorporated attachments of this Contract are also specifically a part of this Contract and are limited only by their respective order of precedence and any limitations expressly provided.

#### 9. INSPECTION & AUDIT.

- a. <u>Books and Records</u>. Each party agrees to keep and maintain under general accepted accounting principles full, true and complete records, agreements, books, and documents as are necessary to fully disclose to the other party, the State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with any applicable regulations and statutes.
- b. <u>Inspection & Audit</u>. Each party agrees that the relevant books, records (written, electronic, computer related or otherwise), including but not limited to relevant accounting procedures and practices of the party, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location where such records may be found, with or without notice by the other party, the State Auditor, Employment Security, the Department of Administration, Budget Division, the Nevada State Attorney General's Office or its Fraud Control Units, the State Legislative Auditor, and with regard to any federal funding, the relevant federal agency, the Comptroller General, the General Accounting Office, the Office of the Inspector General, or any of their authorized representatives.
- c. <u>Period of Retention</u>. All books, records, reports, and statements relevant to this Contract must be retained by each party for a minimum of three years and for five years if any federal funds are used in this Contract. The retention period runs from the date of termination of this Contract. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.
- 10. BREACH; REMEDIES. Failure of either party to perform any obligation of this Contract shall be deemed a breach. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including but not limited to actual damages, and to a prevailing party reasonable attorneys' fees and costs.
- 11. <u>LIMITED LIABILITY</u>. The parties will not waive and intend to assert available NRS chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. To the extent applicable, actual contract damages for any breach shall be limited by NRS 353.260 and NRS 354.626.
- 12. <u>FORCE MAJEURE</u>. Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds, or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Contract after the intervening cause ceases.
- 13. <u>INDEMNIFICATION</u>. Neither party waives any right or defense to indemnification that may exist in law or equity.

- 14. INDEPENDENT PUBLIC AGENCIES. The parties are associated with each other only for the purposes and to the extent set forth in this Contract, and in respect to performance of services pursuant to this Contract, each party is and shall be a public agency separate and distinct from the other party and, subject only to the terms of this Contract, shall have the sole right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Contract. Nothing contained in this Contract shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.
- 15. <u>WAIVER OF BREACH</u>. Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.
- 16. <u>SEVERABILITY</u>. If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the nonenforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.
- 17. <u>ASSIGNMENT</u>. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Contract without the prior written consent of the other party.
- 18. <u>OWNERSHIP OF PROPRIETARY INFORMATION</u>. Unless otherwise provided by law or this Contract, any reports, histories, studies, tests, manuals, instructions, photographs, negatives, blue prints, plans, maps, data, system designs, computer code (which is intended to be consideration under this Contract), or any other documents or drawings, prepared or in the course of preparation by either party in performance of its obligations under this Contract shall be the joint property of both parties.
- 19. <u>PUBLIC RECORDS</u>. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.
- 20. <u>CONFIDENTIALITY</u>. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Contract. To the extent the Contractor observes, receives or possesses "personal information" from the files and records of the Department of Motor Vehicles, the Contractor shall keep this information confidential and shall not disclose or use this information except as permitted by law. It is unlawful to knowingly obtain or disclose any "personal information" from the files and records of the Department of Motor Vehicles for a use not permitted by NRS 481.063. There are criminal and civil penalties attached to the unlawful use and/or disclosure of this information. "Personal information" is information that reveals the identity of a person, including, without limitation, a photograph, social security number, individual taxpayer identification number, driver's license number, identification card number, name, address, telephone number or information regarding a medical condition or disability. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Contract.
- 21. <u>PROPER AUTHORITY</u>. The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract and that the parties are authorized by law to perform the services set forth in paragraph (6).
- 22. <u>GOVERNING LAW; JURISDICTION</u>. This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the jurisdiction of the Nevada district courts for enforcement of this Contract.

23. ENTIRE AGREEMENT AND MODIFICATION. This Contract and its integrated attachment(s) constitute the entire agreement of the parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto, approved by the State of Nevada Office of the Attorney General.

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IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed and intend to be legally bound thereby.

## STATE OF NEVADA DEPARTMENT OF MOTOR VEHICLES

Ву:		_
	Date	
Title:		_
STOREY COUNTY ASSESSOR	-1-1	
By:	5/8/17 Date	
Title: ASSESSCE		_
BOARD OF COUNTY COMMISSIONERS, STOREY COUNTY		
Ву:	Date	
Title:		-
Signature – Nevada State Board of Examiners	APPROVED BY BOA	ARD OF EXAMINERS
	On	Date
Approved as to form by:		
Deputy Attorney General for Attorney General, State of Nevada	On	Date
Deputy Attorney General for Attorney General, State of Inevada		Date

#### SCOPE OF WORK

- 1. PROVIDED SERVICES. The County Assessor, County Recorder, or County Clerk hereinafter referred to as "County" agree to provide all services relating to the registration and titling of motor vehicles, with the exception of vehicle appraisals, for the Department of Motor Vehicles hereinafter referred to as "Department". This includes but is not limited to the registration and titling of motor vehicles, offering of all Department issued license plates, personalized license plate ordering, vehicle movement permits, insurance verification, and vehicle identification inspections, pursuant to NRS 482.160.
- 2. <u>PUBLIC FACILITY</u>. The County will provide a suitable facility and suitable hours of operation in the County Seat or such other locations within the County as deemed necessary to carry out registration functions.
- 3. <u>TRAINING</u>. The Department will provide such technical training in Reno and/or Las Vegas, Nevada and administrative support as needed. The travel expense for the County staff to travel to Reno or Las Vegas for training will be the sole responsibility of the County.
- 4. EQUIPMENT & SUPPLIES. The Department will provide all forms, decals, computer hardware, computer software, and printers necessary to conduct Department transaction processing. This will include all scheduled maintenance and replacement. At the discretion of the Department on a limited basis; copy paper, staples, and customer pens may be supplied. All supplies must be ordered through the Reno office manager or designated representative.
- 5. <u>METHOD OF PAYMENT</u>. The County shall agree to accept all forms of payment types accepted by the Department, as applicable. Such forms include but are not limited to cash, check, credit card, debit card, etc.
- 6. <u>DMV POLICIES AND PROCEDURES.</u> The Department will provide the County with shared global drive access to ensure that all standardized procedures are followed. Notice of amendments and updates will be issued as necessary. It is the responsibility of the County to ensure their respective staff receives notification of the policies, procedures, and updates in a timely manner, as they are held accountable for following said policies and procedures in the manner proscribed.
- 7. CHANGE FUND AND OPERATING BANKS. The County is responsible for providing an adequate change fund, of not less than \$100.00 and have at least one operating fund of not less than \$30.00 available for each staff member performing Department services. More information regarding the change fund and operating banks is located on the DMV shared global drive under Procedures and Programs-Administrative Services-Chapter ASD J-17.

- 8. <u>SEPARATION AND SECURITY OF FUNDS.</u> The County is responsible for the security of all state funds. State funds must be kept separate from any other funds and deposited to an established state account, as per contract. If possible, state funds should be deposited daily. When this is not possible, all monies and negotiable instruments must be secured in a safe, vault or other safekeeping device intended for cash or valuable documents. State funds are not to be exchanged for personal checks, or other negotiable instruments. State funds are to remain secure at all times during daily operations.
- 9. <u>DAILY RECONCILLIATION OF FUNDS.</u> State funds are to be reconciled <u>daily.</u> The County is required to notify the Department immediately in writing, via facsimile or e-mail, of any shortages, overages, missing or unexplained accounting errors.
- 10. <u>DECALS</u>. The County is responsible for the security of new and used decal ribbons. Used printer ribbons should be kept in a secured location awaiting pickup from ITI. All decal reprints should be logged, and a monthly copy e-mailed to the Reno office manager or designee. More information on decal accountability is located on the DMV shared global drive under Procedures and Programs Chapter VP-B35.05 and ASD M-1.01 Decal Accountability.
- 11. <u>RECORD RETENTION.</u> The County is required to adhere to all Department policies and procedures regarding retention of records located on the DMV shared global drive under Policies DMV-New-Chapter 2 Management Practices DMV 2.41.1.
- 12. <u>NOTIFICATION OF CHANGE IN STAFFING.</u> The County is required to notify the Department immediately of any staffing changes relating to Department processing authorization. This notification must be in writing, via facsimile or e-mail, and contain the user/id of the staff, as well as the date of separation.
- 13. <u>E-MAIL NOTIFICATION AND USAGE</u>. The Department readily utilizes e-mail as a means of formal notification to all staff, including the County. The Department provides such access to all County locations, and the e-mail account should be checked no less than once daily for every standard operating day. The e-mail is to be utilized strictly for Department business, and violations can result in the revocation of said access.
- 14. <u>DMV APPLICATION ACCESS AND AUTHORIZATION</u>. The County is issued an individual DMV network and application identification for each approved Department processing staff member. These individual identification accounts are not to be shared by staff for any reason. Such sharing can result in the revocation of said accounts immediately upon knowledge of said sharing. At no time is any screen shot of DMV information to be released to a customer.
- 15. <u>SITE INSPECTION</u>. The County shall afford the Department immediate and unscheduled access to all records, supplies, equipment, and funds which are deemed property of the Department, during normal operating hours. The County shall have at least one Department processing approved staff available during said inspections.

- 16. The Department maintains personal identifying information of a sensitive nature as stated in NRS 481.063. The Department staff are required to pass a security check for purposes of fulfilling their duties. Therefore all county personnel authorized to access and use the same information must pass the same security check. Any other use or access by someone not having passed the authorized security check is strictly prohibited.
- 17. The County agrees to implement policies and procedures to protect all information obtained through the Department from unauthorized access. County agrees to limit the use of all information obtained through the Department to the authorized use for which it was intended and to securely destroy the information when it is no longer needed. County agrees that it will not disclose any data to a third party unless provided for by statute and necessary to carry out a County function required of County by law. Misuse of any information obtained via the Department may be grounds for the imposition of sanctions including, but not limited to, discontinuance of service through the Department upon confirmation of misuse.
- 18. County shall ensure that a thorough background screening of County personnel is conducted prior to initial employment or assignment for all personnel having access to information from the Department. The background/security check should at a minimum include a check of the Nevada Records of Criminal History and a National Federal Bureau of Investigation fingerprint based criminal history record check. The County shall be responsible for maintaining these records, which must be available for Department audit. Records must be maintained from one Department audit until the next Department audit. If the applicant is found to have any felony conviction within the last five (5) years or any felony or gross misdemeanor conviction of a financial nature contained in NRS Chapter 205 within the last five (5) years, the applicant shall not be considered for employment in a position that has any dealing with the contract between the Department and the County. Any felony conviction for non-financial offenses within seven (7) years of hire or any felony conviction within ten (10) or more years of hire shall be evaluated and weighed by the County based upon the age of the conviction and on behavior relative to arrests and convictions.
- 19. Background checks are the responsibility of those county offices or individuals involved and do not guarantee access to Department information.
- 20. Disclaimer: While all attempts are made to provide accurate, current and reliable information we recognize the possibility of human and/or mechanical error. Therefore, the Department, its employees, officers and divisions expressly deny any warranty of the accuracy; reliability or timeliness of any information provided by this system and shall not be held liable for any losses caused by reliance upon the accuracy, reliability or timeliness of such information. Any person who relies upon such information obtained from this system does so at their own risk.



## Storey County Board of County Commissioners Agenda Action Report

Meeting date: 5-16-17		<b>Estimate of time required:</b> 0 - 5			
Agenda: Consent [X] Regular age	enda: Consent [X] Regular agenda [] Public hearing required []				
1. <u>Title</u> : Business License First Re	eadings Ap	proval			
		proved as part of the Consent Agenda) I move to m consent agenda by request).			
3. Prepared by: Stacey Bucchiane	ri				
<b><u>Department</u></b> : Community Devel	lopment	<b>Telephone:</b> 847-0966			
	enda. The ap	pusiness license applications are normally plications are then submitted at the next			
5. Supporting materials: See atta	ched Agenda	Letter			
6. Fiscal impact:					
Funds Available:	Fund:	Comptroller			
7. Legal review required:	Distr	ct Attorney			
8. Reviewed by: _x Department years	De	partment Name:			
County Manager	Oth	er agency review:			
9. Board action: Approved Denied		proved with Modifications attinued			

## Storey County Community Bevelopment

## Business Dicensing

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

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

May 8, 2017 Via email

Fr: Stacey Bucchianeri

Please add the following item(s) to the May 16, 2017, COMMISSIONERS Consent Agenda:

## LICENSING BOARD FIRST READINGS:

- A. ALL THINGS ELECTRIC Contractor / 4632 Sommerville Way ~ Reno (Contractor)
- B. TUFF WRAP INSTALLATIONS, INC. Contractor / 2080 Detwiler Road ~ Harleysville, PA (Contractor)
- C. SUPREME CONCRETE, LLC Contractor / 5295 Coggins Road ~ Reno (Contractor)
- D. SOUTH ATLANTIC CONTROLS, INC. Contractor / 10226 Governor Blvd ~ Williamsport, MD (Cont.)
- E. ROCKWELL AUTOMATION Contractor / 3000 Executive Pkwy ~ San Ramon, CA (Professional)
- F. PRO-BEAM USA, INC. Contractor / 3909 75th Street ~ Aurora, IL (Contractor)
- G. HAS CONSULTING, LLC Professional / 3450 Madison Road ~ Cincinnati, OH (Software Developer)
- H. ROSENBERGER HFT GMBH & CO KG Contractor / PO Box 1260 Tittmoning, Germany (Contractor)
- I. LJS SOLUTIONS Contractor / PO Box 969 ~ Sumter, SC (Contractor)
- J. CC CLEANING SERVICE, LLC General / 9115 Hummer Drive ~ Reno (General)
- K. MEMORY LANE JEWELRY Home Business / 340 Cartwright Rd ~ Reno (online sales)
- L. PALETTI USA, LLC Contractor / 145 Keystone Drive ~ Montgomeryville, PA (Contractor)
- M. BAYSIDE INTERIORS, INC. Contractor / 3220 Darby Common ~ Fremont, CA (Contractor)
- N. JAPAN SYSTEMS CO., LTD Professional / 1-5-17 Dojima, Kita-ku, Osaka JAPAN (Professional)
- O. HERO CO., LTD Professional / 6-6-6 Nishinakajima Yodogawa-ku, Osaka JAPAN (Professional)
- P. PROMTEC INDUSTRIEMONTAGE GMBH Contractor / Benzstrasse 2, GERMANY (installer)
- Q. GO GREEN CONSTRUCTION, INC. Contractor / PO Box 956 ~ Crystal Bay, NV (roofing contractor)
- R. TK SYSTEMS, INC. Contractor / 6949 Buckeye Street ~ Chino, CA (Contractor-pallet racking)
- S. BBS AUTOMATION PENANG SDN.BHD Contractor / Plot 313 Pulau Pinang, Malaysia (Contractor)
- T. STERICYCLE ENVIRONMENTAL SOLUTIONS, INC. General / 28161 N Keith ~ Lake Forest, IL (labor)
- U. CENTIMARK CORPORATION Contractor / 5380 South Watt ~ Sacramento (roofing contractor)
- V. BRIDGE CRANE SPECIALISTS, LLC Contractor / PO Box 940 ~ Kiefer, OK (Contractor)
- W. PLAN B CONSULTANCY, INC. Professional / 696 McVey Avenue ~ Lake Oswego, OR (consultant)
- X. AUTOMATION NTH, LLC Professional / 491 Waldron ~ Lavergne, TN (Engineer)
- Y. EATON CORPORATION Professional / 1000 Moon Township, PA (Engineer)
- Z. AMADOR STATELINES, INC. Transportation / 1331 C Street ~ Sacramento, CA (bus transportation)
- AA. ATS ASSEMBLY AND TEST, INC. Contractor / One ATS Drive ~ Nixom, MI (Contractor)
- BB. KYZEN CORPORATION Contractor / 430 Harding Industries ~ Nashville, TN (Contractor)
- CC. MEI RIGGING & CRATING, LLC Contractor / 3838 Western Way NE ~ Albany, OR (Contractor)
- DD. INNOVATIVE MANAGEMENT SOLUTIONS, INC. Professional / 825 Watters Creek ~ Allen, TX (prof)

ec: Community Development Assessor's Office Tourism Office Planning Department Fire Department Comptroller's Office Sheriff's Office Commissioners' Office Dispatch



[] Denied

## Storey County Board of County Commissioners Agenda Action Report

Meeting date:		Estimate of Time Required: 0 -5			
A	genda: Consent [x]	Regular a	igenda	]	Public hearing required []
1.	submit bill draft requests the Board to be of critical	or by other entitie s, or such legislated al significance to ssed full support	s permitive issu Storey and bill	tted by t es as ma County.	ion or legislative issues the Nevada State Legislature to the State State Chairman or Specific bills will include SB 5, SB244, SB314, AB289,
2.	Recommended motion:	None			
3.	Prepared by: VANESS	A			
	<b>Department:</b> Commissi	oners Telephone	847-1	111	
4.	Staff Summary: None				
5.	5. Supporting Materials: See attached				
6.	5. Fiscal Impact: 0				
7.	7. <u>Legal review required:</u> No				
8.	Reviewed by:				
	Department Head		Dep	artmen	t Name: Commissioners
	County Manager		Oth	er Agen	acy Review:
9.	<b>Board Action:</b>				
	[] Approved			Approve	ed with Modification

[] Continued



Meeting date: May 16, 2017

## Storey County Board of County Commissioners Agenda Action Report

Estimate of time required: 10 min.

Agenda: Consent [] Regular agenda [X]	Public hearing required [ ]				
1. <u>Title</u> : Authorize the County Manager to execute contract(s) as needed with jba Consulting Engineers to provide engineering, general consulting and 3 <sup>rd</sup> party review services in an amount not to exceed \$50,000.00.					
<ol> <li>Recommended motion: I move to approcontract(s) with jba Consulting Engi 3<sup>rd</sup> party review services in an amou</li> </ol>	ove and authorize the County Manager to execute neers to provide engineering, general consulting and nt not to exceed \$50,000.00.				
3. Prepared by: Pat Whitten					
<b>Department:</b> Commissioner's Office	<b>Telephone</b> : 847-0968				
4. Staff summary: In most cases, proposed industrial projects within the County fall well within the expertise and certifications of our internal team. However, on occasion we experience projects which have more complex processes that, in the interests of public safety and responsible governance dictate that we need to engage outside experts to assist and guide us. We are currently working with a small number of proposed projects where such expertise may substantially help staff make informed recommendations to the Planning Commission and/or the County Commission. (see below for continued comments)					
<ul><li>5. <u>Supporting materials</u>: Draft Contract and</li><li>6. <u>Fiscal impact</u>: Yes up to \$50,000. See standard</li></ul>	aff summary comments regarding reimbursement				
possibilities.	,				
Funds Available: Yes if necessary	Fund: TBD Comptroller				
. <u>Legal review required</u> : Yes District Attorney					
8. Reviewed by:					
Department Head	Department Name: Commissioner's Office				
County Manager	Other agency review:				
P. Board action:  [ ] Approved [ ]  [ ] Denied [ ]	Approved with Modifications Continued  Agenda Item No				

<u>Staff summary (continued)</u>: In this specific request for professional services, jba Consulting would provide expertise and consultation in the areas of:

- Fire Protection Engineering
- Industrial Hygienist
- Chemical Engineering

jba Consulting is the company staff is recommending after evaluating 3 RFQ's (Request for Qualifications) which were submitted. Based on initial utilization results, we may also choose to engage them as a 3<sup>rd</sup> party service during peak overload periods. It is important to note that while we have structured contract costs to not exceed \$50,000, staff is currently in discussions with one potential applicant regarding a provision in International Fire Code (IFC [A] 104.7.2) which requires the owners (project proponents) to provide a technical opinion and report prepared by a qualified specialty organization that is acceptable to the fire code official. It is staff's intent that the contract will only be executed conditioned upon written confirmation acknowledging that the applicants agree to reimburse our costs.

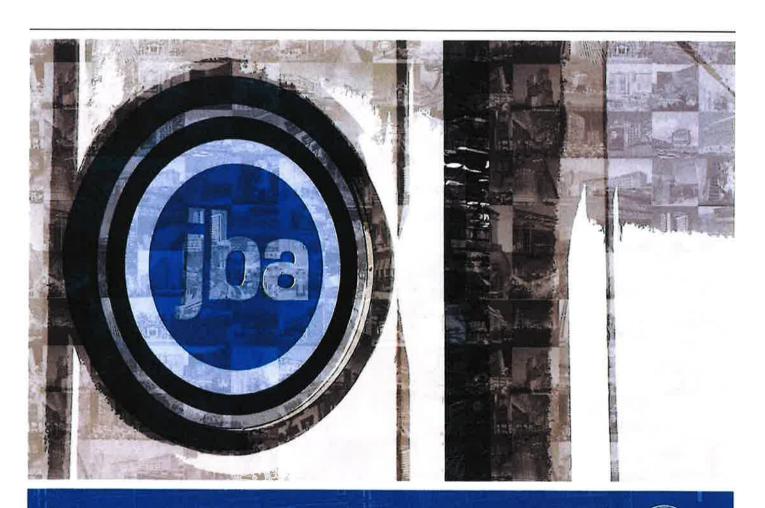
**APRIL 13, 2017** 

### STOREY COUNTY - GENERAL CONSULTING & 3RD PARTY REVIEW

P17.0252.000

Prepared for:

STOREY COUNTY
Pat Whitten, County Manager
26. S. B St.
PO Box 176
Virginia City, NV 89440
775.847.0968









April 11, 2017

Storey County 26. S. B St. PO Box 176 Virginia City, NV 89440

Attention:

Mr. Pat Whitten, County Manager

Subject:

Storey County - General Consulting & 3rd Party Review

Fire Protection Engineering Services JBA Proposal No. P17.0252.000

Mr. Whitten:

We are pleased to provide the following proposal for engineering and consulting services for the Storey County - General Consulting & 3rd Party Review project. In accordance with our conversation on April 11, 2017, this proposal is intended to cover not only the new development adjacent to the Tahoe Reno Industrial Park (TRI), but also for as needed consulting on other projects within the district.

#### **Project Scope**

Our understanding of the project scope is as follows:

#### Proposed Scope of Engineering and Consulting Services

Following is a summary of our proposed fire/life safety engineering services:

#### **Fire Protection Services**

- Perform a one day site visit to the site to gain an understanding of the building and surrounding area, as well as to determine the location and amounts of hazardous materials within the building.
- 2. Review documents regarding the hazardous materials proposed to be stored and used on the facility. This includes any Material Safety Data Sheets (MSDS) and drawings of the facility.
- Classify hazardous materials in accordance with the 2012 International Fire Code. Based on information provided, we have budgeted for approximately 25 material classifications.
- Review applicable Building and Fire Codes for determination of code requirements for storage and use of the hazardous materials.

#### **Industrial Hygienist Services**

- 1. Perform a one day site visit to the site to gain an understanding of the building and surrounding area, as well as to determine the location and amounts of hazardous materials within the building.
- Plum modeling for chemical release.
- 3. Chemical compatibility assessment.



4. Emergency response actions and drill support.

#### **Excluded Services**

The following are not a part of our scope of services:

- 1. Alternate Methods of Construction.
- 2. Preparation of Master Egress Plans.
- 3. Printing of bid and building department submittal documents. Our services do not include printing of review documents for coordination between disciplines.
- 4. Plotting of architectural drawings from electronic media. We will require full size drawings (prints or reproducibles) from each discipline throughout the design phase for use in the design process. We require an electronic background of the project in AutoCAD format in addition to an electronic set of drawings in PDF format.
- 5. Travel outside of Las Vegas will be considered as a direct reimbursable expense with no mark-up.
- 6. Our services do not include full time on-site representation.

#### SUMMARY OF PROPOSED FEES

The Time and Materials fee for services is estimated as follows:

DISCIPLINE	FEES	
Consulting and Engineering Services	-	\$ 50,000.00
	TOTAL (USD)	\$ 50,000.00

Please note that these fees are based upon providing the engineering services noted and having the necessary design information available for completing documents. Should we approach the above estimated fee, we will request a budget modification to complete the assessment. Fees do not account for multiple submissions based upon redesign during permit review or construction, nor do they include unforeseen existing conditions which result in redesign or reconfiguration of the original design concept. Please refer to the Standard Terms and Conditions.

This proposal is valid for 30 days. Fees accepted after this time are subject to review and/or adjustment. If the project does not start within 60 days from authorization, the proposal is subject to review and/or adjustment. In the event that the project is delayed after commencement of services, and the project is reinstated, JBA reserves the right to secure remobilization fees as necessary due to an extension of the project schedule.



If all is in order please indicate your approval in the space provided below.

The terms and conditions within this proposal will remain in effect until an executed contract has been mutually negotiated between JBA and the Client. Payment for work will not be withheld due to the lack of an executed contract.

Should there be any questions regarding the above, or if additional clarification regarding our anticipated scope of services and associated fee is desired, please do not hesitate to call.

Regards,

jba consulting engineers, an NV5 company

Nicholas A Moriarty, PE

nelitat

**Executive Director of Fire Protection** 

Accepted by:

Pat Whitten Date
Storey County

Attachments: 2017 Hourly Rate Schedule

Standard Terms and Conditions

NAM\lmf

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#### **2017 HOURLY RATE SCHEDULE**

For Acoustical, Audiovisual, Electrical, Fire Protection, Mechanical, Plumbing, Security and Surveillance, and Telecommunication consulting engineering services.

Effective January 1, 2017

Sr. Principals	\$300.00
Principals/Director	\$250.00
Associate Director/Sr. Manager	\$200.00
Sr. Engineer/Manager	\$175.00
Senior Project Manager/Sr. Consultant	\$160.00
Project Manager / Engineer/Consultant	\$130.00
Sr. Designer/Sr. Engineer Assistant	\$100.00
Designers / Engineer Assistant	\$ 90.00
Sr. Drafter / CADD Operator	\$ 85.00
Drafter/CADD Operator	\$ 65.00
Administrative	\$ 65.00

<sup>\*\*</sup> The above rates are applicable to the 2017 calendar year. Rates may be adjusted for escalation beyond 2017.



#### **STANDARD TERMS AND CONDITIONS**

- 1. JBA Consulting Engineers (hereinafter "Consultant") will provide services for this Part of the Project as defined in the attached proposal. Consultant shall not have any duties or responsibilities for any other part of the Project. The attached proposal and these terms and conditions together shall be referred to as the "Agreement." Acceptance of Consultant's services as outlined under this Agreement, coupled with payment by Client therefore, shall constitute the Client's acceptance of these Standard Terms and Conditions.
- Consultant shall not be responsible for the acts or omissions of the Client, Client's other consultants, Contractor, subcontractors, their agents or employees, or other persons performing any other portion of the Project.
- 3. Consultant shall recommend to Client that appropriate investigations, surveys, tests, analyses and reports be obtained as necessary for the proper execution of the Consultant's services.
- 4. Additional Services of the Consultant, not specifically included as part of the Scope of Services defined in the attached proposal, and compensation for requested Additional Services, shall be mutually agreed upon in writing by the Client and Consultant prior to commencement of such Additional Services. If any of the following circumstances affect Consultant's services, Consultant shall be entitled to an appropriate adjustment in Consultant's schedule and compensation:
  - Investigation of existing conditions or facilities and provision of field verification of existing components related to the Project to be used in the preparation of measured drawings; verification of the accuracy of existing drawings furnished by Client; and detailed quantity surveys.
  - b. Services relative to future facilities, systems and equipment; planning surveys, site evaluations or comparative studies of prospective sites.
  - c. Making revision in drawings, specifications or other documents when such revisions are:
    - Inconsistent with approvals or instructions previously given by the Client, including revisions made necessary by adjustments in the Client's program, budget or schedule.
    - Required by the enactment, interpretation or revisions of codes, laws or regulations subsequent to the preparation of such documents.
    - Due to changes required as a result of the Client's failure to render decisions in a timely manner.
    - 4) Required due to changes in the Project, including but not limited to, construction budget, size, quality, complexity, schedule, or the method of bidding or negotiating and contracting for construction.
    - Required to prepare drawings, specifications and other documentation for value engineering recommendations or providing other services in connection with Change Orders and Construction Change Directives.
    - Required to provide services in connection with evaluating substitutions and making subsequent revisions to Instruments of Service and other documentation therefrom.



- Required to provide consultation concerning replacement of Work damaged by fire or other cause during construction, and furnishing services required in connection with the replacement of such Work.
- 8) Required to provide services made necessary by the default or termination of the Contractor, by defects or deficiencies in the Work of the Contractor, or by the failure of performance of the Client, Contractor or others performing services on the Project.
- 9) Required to provide services in connection with claims submitted by the Contractor or others.
- 10) Required to provide services in connection with an arbitration proceeding or legal proceeding.
- 11) Required to provide documents for alternate, fast track, separate or sequential bids and permits or providing services in connection with bidding, negotiation or construction prior to the completion of the Construction Documents Phase.
- 12) Due to a change in the Client's authorized representative.
- 13) Contract Administration Service provided 60 days after the date of Substantial Completion.
- d. Preparing a set of reproducible record drawings showing significant changes in the Work made during construction based on marked-up prints, drawings and Owner data furnished by the Contractor or Client. The following disclaimer will be placed on each sheet of such record drawings and on the cover page of any corrected specifications: "These record documents (or corrected specifications) have been prepared based on information submitted in part by others. Although this information is believed to be reliable, neither the Client nor the Consultant is responsible for their accuracy, nor for errors or omissions that may have been incorporated into these documents as a result."
- 5. Consultant shall perform services in a manner consistent with the level of care and skill ordinarily exercised by members of Consultant's profession currently practicing in the same locality under similar conditions standard of care.
- 6. Consistent with the Consultant's standard of care, the Consultant's services shall respond to applicable laws, rules, codes, regulations and orders of applicable governmental or public authority having jurisdiction over the Project in force at time of issuance of the Construction Documents for building permit. Furthermore, Client and Consultant are aware that many factors outside Consultant's control may affect Consultant's ability to complete the services to be provided under this Agreement. Consultant will perform these services with reasonable diligence and expediency consistent with sound professional practices.
- 7. Irrespective of any other provision in any Agreement, nothing contained herein shall be construed:
  - a. to constitute a guarantee, warranty or assurance, either express or implied, that the Consultant's services will yield or accomplish a perfect outcome for the Project; or
  - b. to obligate the Consultant to exercise professional skill or judgment greater than that which can reasonably be expected from other consultants under similar conditions; or
  - as an assumption by the Consultant of the liability of any other party.



- 8. On the Consultant's request, if reasonably necessary for the performance of Consultant's services, the Client shall furnish services of other consultants, information, surveys and reports required by law or the Construction Documents. The services, information, surveys, and reports requested shall be furnished at no expense to the Consultant and Consultant shall be entitled to rely upon the accuracy and completeness thereof.
- 9. Indemnifications Consultant and Client agree to indemnify, and hold each other and their officers, employees and consultants harmless from and against all claims, liabilities, suits, demands, losses, costs and expenses, accruing or resulting to any and all persons, firms, or any other legal entities, on account of any damages or losses to property or persons, including injuries or death, or economic losses, caused by the other party's negligent acts, errors or omissions, but only to the extent that such party or its officers, employees or consultants are found to be legally liable as determined by a court or forum of competent jurisdiction. Neither party shall have any duty to defend the other but shall reimburse reasonably incurred defense fees and costs to the extent of its indemnity obligation herein.
- 10. Hazardous Materials Client hereby acknowledges that Consultant has no experience in and is not being retained for the purposes of discovery, presence, handling, removal or disposal of, or exposure of persons to any hazardous materials in any form at the Project site, including but not limited to, asbestos, asbestos related materials or products, polychlorinated biphenyl (PCB's) or other hazardous substances as defined by the Environmental Protection Agency or any other public authority.

#### 11. Instruments of Service

- a. Drawings, specifications, and other documents, including those in electronic form, prepared by Consultant are Instruments of Service for use solely with respect to this Project. Consultant shall be deemed the author and owner of the Consultant's Instruments of Service and shall retain all common law, statutory and other reserved rights, including copyrights.
- b. Upon execution of this Agreement Consultant grants to Client a nonexclusive license to reproduce the Consultant's Instruments of Service for purposes of designing, administering, using and maintaining the Project, providing the Client shall comply with all obligations, including prompt payment of all sums when due, under this Agreement. Such license shall permit the Client to include the Consultant's Instruments of Service in a similar nonexclusive license to an Owner in a Prime Agreement, authorizing an Owner or an Owner's contractors or consultants to reproduce applicable portions of the Consultant's Instruments of Service solely for the purposes of constructing, using and maintaining this Project. Any termination of this Agreement prior to completion of the Project shall terminate this license.
- c. Except for the license granted above, no other license or right shall be deemed granted or implied. Client shall not assign, delegate, sublicense, pledge or otherwise transfer any license granted herein to another party without the prior written agreement of Consultant.
- d. Client shall not use the Instruments of Service for future additions or alterations to this Project or for other projects, unless Client obtains the prior written agreement of the Consultant. Any unauthorized use, reuse or modifications of the Instruments of Service shall be at the Client's sole risk and without liability to Consultant, and Client agrees to defend, indemnify and hold harmless Consultant from all claims and damages arising out of or purported to arise out of the use, reuse, or modification of the Instruments of Service.
- 12. Waiver of Consequential Damages Notwithstanding any other provision in this Agreement, and to the fullest extent permitted by law, neither the Consultant nor the Client, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other for, or shall make, any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income,



damage to reputation or any other consequential damages either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty.

- 13. Sole Corporate Remedy It is intended by the parties to this Agreement that the Consultant's services in connection with the Project shall not subject the Consultant's individual shareholders, officers, directors, members, managers or employees to any personal legal exposure for the risks associated with this Project. Therefore, and notwithstanding anything to the contrary contained herein, the Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against Consultant and not against any of the individual shareholders, officers, directors, members, managers or employees.
- 14. Limitation of Liability In recognition of the relative risks and benefits of the Project to both the Client and the Consultant relating to Consultant's provision of services in accordance with this Agreement, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of the Consultant to the Client for any and all claims, losses, costs, damage of any nature whatsoever or claims expenses from any cause or causes, including attorneys' fees and costs and expert witness fees and costs, so that the total aggregate liability of the Consultant to the Client shall not exceed the sum of Consultant's available insurance coverage at the time of settlement or judgment regardless of theories of liability or causes of action asserted against Consultant unless otherwise prohibited by law.
- 15. Payment Payments on account of services rendered and for Reimbursable Expenses shall be made monthly upon presentation of the Consultant's statement of services. Payments are due within thirty (30) days of receipt of Consultant's statement of services. No deductions shall be made from the Consultant's compensation on account of penalty, liquidated damages or other sums withheld from payments to contractors, or on account of the cost of changes in the Work other than those for which the Consultant has been adjudged to be liable. Inquiries and questions regarding any statement of services shall be made within ten (10) working days of receipt of the statement of services. Failure to notify Consultant within the specified period will constitute a waiver to any claim with respect to the content or accuracy of the statement of services, as well as acceptance of the services provided.
- Termination This Agreement may be terminated by the Client upon not less than seven (7) days' written notice to Consultant for the Client's convenience and without cause. This Agreement may be terminated by either party upon not less than seven (7) days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination. In addition, if the Client fails to make payments when due or otherwise is in breach of this Agreement, Consultant may, at its option, terminate this Agreement for material breach or suspend performance of services upon five (5) calendar days' notice to the Client. Consultant shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by any breach of this Agreement by the Client. Upon payment in full by the Client under a suspension, Consultant shall resume services under this Agreement, and the time schedule and compensation shall be equitably adjusted to compensate for the period of suspension. If the Client still fails to make payment or otherwise cure the breach following a suspension of services, Consultant may terminate this Agreement upon an additional seven (7) days' notice.
- 17. The Client shall not transfer, subject, or assign the rights under or interest in this Agreement (including but not limited to payments that are due or that may be due) to any other party without the prior written consent of Consultant.
- 18. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant.
- 19. Consultant shall have the right to include photographic or artistic representations of the Project among the Consultant's promotional and professional materials, including but not limited to its website and tradeshow booths. The Consultant shall be given reasonable access to the completed Project to make such representations. Consultant's materials shall not include the Client's or Owner's confidential or proprietary information if the Client has previously



advised the Consultant in writing of the specific information considered by the Client or Owner to be confidential or proprietary.

- 20. Dispute Resolution The parties agree to first try in good faith to settle any dispute arising out of or related to this Agreement by mediation pursuant to the Construction Industry Mediation Rules of the American Arbitration Association. If the claim or controversy is not settled by mediation, the claim or controversy may be resolved by final and binding arbitration, if the parties so agree, or by civil litigation.
- 21. This Agreement shall be venued in the State of Nevada and otherwise governed by the law of the State of Nevada.
- This Agreement represents the entire and integrated agreement between Client and Consultant and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended or modified only by written instrument signed by both Client and Consultant. If any term, condition, or covenant of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall be valid and binding on Client and Consultant.

By executing this Agreement both parties acknowledge and agree that this Agreement has been freely negotiated by both parties, and that, in any dispute over the meaning, interpretation, validity or enforceability of this Agreement or any of its terms or conditions, there shall be no presumption whatsoever against either party by virtue of that party having drafted this Agreement or any portion thereof.

This Agreement entered into by:

Alex tun		
Consultant (signature)	Client (signature)	_
Allyn J Vaughn, PE, FSFPE, LEED AP President		
(Printed name and title)	(Printed name and title)	-
(Date)	(Date)	



#### CONTACT INFORMATION

#### **DOMESTIC**

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#### **HONG KONG**

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#### **MACAU**

Alm. Dr. Carlos D' Assumpcao No. 180 Tong Nam Ah Central Comercio, 13 Andar D. Macau, CN P 853,2875,7330

#### **SHANGHAI**

Unit 1740, 17 F, Shanghai CCIG International Plaza, No. 331 North Caoxi Road, Shanghai Xuhui, China 200030 P 86.21.2422.5340

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#### **MUTUAL CONFIDENTIALITY AGREEMENT**

THIS MUTUAL CONFIDENTIALITY AGREEMENT (the "Agreement") is entered into as of this \_\_\_day of \_\_\_\_\_\_, 2017, by and between JBA Consulting Engineers, located at 5155 W. Patrick Lane, Las Vegas, NV 89118 ("JBA") and Storey County, 26 S. B St., PO Box 176, Virginia City, NV 89440, (all parties hereto being individually referred to herein as a "Party" and collectively referred to herein as the "Parties").

#### **RECITALS**

WHEREAS, JBA is considering entering into a business-professional relationship with Storey County, whereby Storey County JBA would provide certain professional services and/or products (the "Services"); and

WHEREAS, in connection with exploring the possibility of entering into such <u>business\_a\_relationship\_and during the</u> <u>course of the relationship if one is entered into</u>, the Parties intend to divulge to one another information that is confidential and/or proprietary to the disclosing Party ("Confidential Information"); and

WHEREAS, the Parties intend that this Agreement shall protect each Party's interest in its respective Confidential Information, and any and all other services or information of whatsoever nature which might have value.

**NOW, THEREFORE**, in consideration of the assertions, promises and covenants herein set forth, the acts and the deeds performed pursuant hereto, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties intending to be legally bound agree as follows:

#### **ARTICLE I**

#### CONFIDENTIAL AND PROPRIETARY INFORMATION

#### 1.1 Confidentiality

- (a) From and after the date hereof, each Party shall hold in strict confidence, and shall not discuss, communicate, transmit, disclose or permit the disclosure, directly or indirectly, of any Confidential Information, divulged or delivered to it by the other Party unless required by applicable law or as agreed to in writing between the Parties. It is understood that the Parties may disclose Confidential Information to its employees, legal counsel, accountants and business advisors (collectively, the Representatives") who (i) require the material for the purpose of evaluating the possible business relationship and/or performing the Services, and (ii) are informed by the receiving Party of the confidential nature of the Confidential Information and the obligations of this Agreement. The Parties further agree that they will not use any of the Confidential Information to engage in unfair competition, identify and recruit key employees, or for any reason or purpose other than evaluating a possible business relationship and/orsolely for the purpose -providing Services as referenced above.
- (b) For purposes of this Agreement, the term "Confidential Information" shall include trade secrets; client lists and related data; fee schedules and pricing practices; contracts; financial information and tax returns; marketing plans or proposals; strategic and business plans; staff and compensation data; information concerning services presently offered by the Parties; plans, photographs, and drawings; research and development; work product; and any and all proprietary materials, tools, methodologies, processes and technologies, or



analytical/information systems; and all discussions and information conveyed or exchanged preliminary to Storey County making a final decision as to how to proceed once it has received services from JBA.

(c) The Parties further agree that if either Party receives a request or demand by any person, or by any judicial or administrative proceedings for access to trade secrets or other Confidential Information disclosed by the other Party, the Party receiving the request or demand shall promptly notify the other Party so that the other Party may, at its own expense, exercise any rights as it may have under law to prevent or limit disclosure of its trade secrets or other Confidential Information and to obtain assurance that compelled disclosures will receive confidential treatment.

#### 1.2 Exceptions

The obligations contained above shall not apply to any Confidential Information including, but not limited to, ideas, know-how, concepts, plans and methodologies, which:

- (a) is public knowledge at the time of disclosure;
- (b) is approved for release by written authorization of the disclosing Party;
- (c) is independently developed by or for a Party hereto without the aid, application, or use of the Confidential Information;
- (d) is disclosed by a Party hereto with the other Party's prior written approval; or
- (e) is disclosed to a Party from a source other than one which such Party knows to be bound by a confidentiality agreement with the other Party.

#### **ARTICLE II**

#### **GENERAL MATTERS**

#### 2.1 Remedies

This Agreement shall not be construed to grant either Party any licenses or similar rights to Confidential Information disclosed or delivered to it by the other Party. The Parties acknowledge that the restrictions contained in this Agreement are reasonable and necessary to protect the legitimate business and/or governmental interests of the Parties, and that any breach by a receiving Party of its obligation under this Agreement would result in irreparable injury to the disclosing Party for which monetary damages may be inadequate. In seeking enforcement of any of these obligations, the disclosing Party shall be entitled to temporary and permanent injunctions and any other equitable relief to prevent or restrain the breach of this Agreement, as well as any other relief provided at law or in equity, under this Agreement or otherwise.

#### 2.2 Governing Law; Severability

This Agreement shall be governed by and construed in accordance with the laws of the State of Nevada, disregarding any rules relating to choice or conflict of laws, and any dispute arising out of or relating to this Agreement shall be adjudicated exclusively in state or federal court in Las Vegas, Nevada. If any provision or part of this Agreement or any provision or part of any modification to this Agreement is found to be illegal or unenforceable in any respect, the illegality or unenforceability shall not affect any other provision or part hereof, but this Agreement shall be construed as



if the provision had never been contained herein, or in the alternative, the provision or part hereof shall be modified to correct any illegality or unenforceability consistent with the intent and meaning of this Agreement.

#### 2.3 Nondisclosure of Possible Transaction

Principal parties and advisors of JBA and Storey County shall keep the existence of this Agreement and its contents, and the negotiations or discussions concerning a possible business relationship confidential, except as may be necessary for either Party to comply with applicable laws after reasonable notice to the other Party.

#### 2.34 Return of Confidential Information

At the conclusion of the Services being performed on the Project, or if it is determined that one of the Parties does not wish to proceed with a business-relationship, then each Party will promptly deliver all Confidential Information furnished by the other party, together with all copies and summaries thereof in its possession or under its control, without retaining a copy of any such material.

#### 2.5 No Obligation to Execute a Definitive Services Agreement

Nothing in this Agreement requires either Party or its respective shareholders to enter into a business relationship or to negotiate or execute a definitive agreement setting forth the terms and conditions governing the provision of Services.

#### 2.6 Binding Effect

The terms, provisions, covenants and conditions contained in this Agreement shall apply to and inure to the benefit of, and be binding upon the respective Parties hereto, and their respective successors in interest, legal representatives, agents and assigns, except as otherwise herein expressly provided.

#### 2.7 Assignment

This Agreement is personal to the Parties, and may not be assigned to any other parties without express prior written consent of all the Parties.

#### 2.8 Entire Agreement

This Agreement contains all the promises of the Parties and cannot be amended or modified except by another agreement in writing signed by the Party sought to be charged therewith or by its duly authorized agent. All prior understandings between the Parties relating to the subject matter of this Agreement are hereby rescinded. No waiver of any clause or provision shall constitute a continuing waiver. No waiver shall be binding unless executed in writing by the Party making the waiver.

#### 2.9 Term

This Agreement shall be effective as of the date first written above, and shall continue in force and effect for as long as either Party is in possession of Confidential Information of the other Party.



#### 2.10 Disclaimer of Warranty

Neither the disclosing Party nor its Representatives has made or makes any representation or warranty regarding the accuracy or completeness of the Confidential Information. The Parties agree that neither the disclosing Party nor its Representatives shall have any liability to the receiving Party or any of its Representatives resulting from the receiving Party's use of the Confidential Information, except as may be expressly set forth in a definitive written agreement between the Parties hereto with respect to a business relationship for the provision of Services, in accordance with the terms thereof.

#### 2.11 No License

Nothing contained herein shall be construed as granting a license or any other right under any patent, copyright, trade secret or other intellectual property right. This Agreement shall not grant either Party any rights in or to the Confidential Information of the other Party except as expressly set forth herein.

#### 2.12 Attorneys' Fees

In the event of any action or proceeding to compel compliance with, or with respect to any breach of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs incurred in connection therewith regardless of whether such fees and costs are incurred at or in connection with trial or appellate proceedings.

#### 2.12 Counterparts

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement. A facsimile version will be considered as an original.

The Parties acknowledge that this Agreement is being made voluntarily by each Party and without inducement offered in any way to that Party other than that expressly stated in this Agreement.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the date first set forth above.

JBA CONSULTING ENGINEERS	Storey County
Ву:	Ву:
Name: Allyn Vaughn	Name: Pat Whitten
Title: President	Title: County Manager
Date:	Date:



Meeting date: April 16, 2017

## Storey County Board of County Commissioners Agenda Action Report

Estimate of time required: 1 hours

Agenda: Consent [] Regular age	nda [X]	Public hearing	ng req	uired [ ]
Title: Review and possible appr submission to the Department			Gene	ral Fund Final Budget for
2. Recommended motion: I appr the Department of Taxati		filing of the 2	2017-2	018 General Fund Final Budget to
3. Prepared by: Hugh Gallagher a	nd Staff			
Department: Comptroller				Telephone: 775-847-1006
4. Staff summary: Annual approv	val of all	Funds and De	epartn	nent Budget Requests
5. Supporting materials: Budget	Package	e – Requested	Rever	nue and Expense Reports
6. Fiscal impact: Yes				
Funds Available:	Fun	d: ALI		26 Comptroller
7. Legal review required:		District Attor	ney	
8. Reviewed by:  Department Head		Department	: Name	e: Commissioner's Office
County Manager		Other agence	y revi	ew:
9. <b>Board action:</b> [] Approved [] Denied	[] []	Approved w	vith M	odifications



## Storey County Board of County Commissioners Agenda Action Report

wieeting date: April 16, 2017		E	stimate of time required: I hours
Agenda: Consent [] Regular agend	da [X]	Public hearing re	quired [ ]
Title: Review and possible appro- submission to the Department			ter-Sewer Final Budget for
2. Recommended motion: I approve the Department of Taxation		filing of the 2017-	2018 Water-Sewer Final Budget to
3. Prepared by: Hugh Gallagher and	d Staff		
Department: Comptroller			Telephone: 775-847-1006
4. <b>Staff summary:</b> Annual approva	l of all	Funds and Depart	ment Budget Requests
5. Supporting materials: Budget P	ackage	- Requested Reve	enue and Expense Reports
6. Fiscal impact: Yes			
Funds Available:	Fun	d: ALL	22 Comptroller
7. Legal review required:		District Attorney	
B. Reviewed by: Department Head		-	ne: Commissioner's Office
County Manager		Other agency rev	/iew:
P. Board action:  [ ] Approved [ ] Denied		Approved with M Continued	Modifications



## Storey County Board of County Commissioners Agenda Action Report

Meeting date: April 16, 2017			Estimate of time required: 1 hour
Agenda: Consent [] Regular agen	da [X]	Public hearing r	equired []
Title: Review and possible approsubmission to the Department			4 Fire District Final Budget for
2. Recommended motion: I appro to the Department of Taxa		filing of the 2017	7-2018 474 Fire District Final Budget
3. Prepared by: Hugh Gallagher an	nd Staff		
Department: Comptroller		,	Геlephone: 775-847-1006
4. Staff summary: Annual approva	al of all	Funds and Depar	tment Budget Requests
5. Supporting materials: Budget F	Package	- Requested Rev	venue and Expense Reports
6. Fiscal impact: Yes			
Funds Available:	Fun	d: ALL	22. Comptroller
7. Legal review required:		District Attorney	
8. Reviewed by: Department Head		Department Na	me: Commissioner's Office
County Manager		Other agency re	eview:
9. Board action:			
[] Approved [] Denied	[]	Approved with Continued	Modifications

# Storey County Board of County Commissioners Agenda Action Report LIQUOR BOARD

5/16/17

Meeting date: 5/2/17

Estimate of time required:

Agenda: Consent	[] Regular agen	da [x]	Public hearing required [ ]
	ent to the Liquor ght Lounge to Vi		e for Lance Gilman, from Mustang Ranch Steakhouse City Bar & Grill.
2. Recommended	motion: None.		
3. Prepared by: B	Brandy Gavenda, A	Admin.	Asst. 8
Department: Storey County Sheriff's Off			ffice <u>Telephone</u> : 775-847-0959
C St., Virg			amendment to the Liquor License for Lance Gilman, 5 ang Ranch Steakhouse and Red Light Lounge to
5. Supporting ma	terials:		
6. Fiscal impact:	None		
Funds Ava	ilable:	Func	d: Comptroller
7. <u>Legal review ro</u>	equired:		District Attorney
8. <u>Reviewed by</u> : _X Depa	ortment Head		Department Name: Sheriff, Gerald Antinoro
Coun	ty Manager		Other agency review:
9. Board action: [ ] App	proved nied	[]	Approved with Modifications Continued



## Storey County Board of County Commissioners Agenda Action Report

Estimate of time required: 20 min.

Meeting date: May 16, 2017	Estimate of time required: 20 min.			
Agenda: Consent [] Regular agenda	[x] Public hearing required [x]			
	Parcel Map 2017-011 by Nancy Krushke. The Applicant requests parcel into two parcels located at 20 South N Street, Virginia City, cel Number (APN): 001-246-11).			
6.1 of this Staff Report and other Find in compliance with all Conditions of A for Parcel Map Application Number 2	ance with the recommendation by Staff, the Findings under section ings deemed appropriate by the Board of County Commissioners, and Approval, I [commissioner] hereby motion to approve with conditions 017-011 to approve the Applicant's request to create a Parcel Map ocated at 20 South N Street, Virginia City, Storey County, Nevada).			
3. Prepared by: Kathy Canfield				
4. <b>Department</b> : Planning	<b>Telephone:</b> 775.847.1144			
5. Staff summary: See enclosed Staf	f Report No. 2017-011			
6. Supporting materials: Enclosed S	staff Report No. 2017-011			
7. Fiscal impact: None on local gover	nment.			
Funds Available:	Fund: Comptroller			
8. <u>Legal review required</u> :	District Attorney			
9. Reviewed by: Department Head				
County Manager  10. Board action:  [] Approved [] Denied	Other agency review:			
	[] Approved with Modifications [] Continued			
	Agenda Item No. 24			



# Storey County Board of County Commissioners Staff Report

To:

Storey County Board of County Commissioners

From:

Storey County Planning Department

**Meeting Date:** 

May 16, 2017 at 10:00 a.m.

**Meeting Location:** 

Storey County Courthouse, 26 S. B Street, Virginia City, Nevada 89440

**Staff Contact:** 

Kathy Canfield

File:

2017-011

Applicant:

Nancy Kruschke

**Property Owner:** 

Nancy Kruschke

**Property Location:** 

20 South N Street, Virginia City, Nevada, 89440, APN 001-246-11

Figures:

Figure 1: Vicinity Map; Figure 2: Parcel Map; Figure 3: Proposed Parcel Configuration; Figure 4: Abutting Land Use Compatibility

Appendix:

Appendix 1: Proposed Record of Survey; Appendix 2: NRS 278.461-

469

**Guiding Documents:** 

Storey County Code Section 17.16 R-1 Residential Zones; Storey

County Master Plan and Nevada Revised Statues 278.461 through

278.469

Request:

The Applicant requests approval of a Parcel Map dividing one parcel

into two parcels located at 20 South N Street, Virginia City, Storey

County, Nevada (Assessor Parcel Number: 001-246-11).

#### **Summary of Planning Commission Action:**

The Planning Commission at its April 20, 2017, meeting heard testimony from the applicant, county staff and the public regarding the subject Parcel Map. Questions were raised about how proposed development on the newly created parcel configurations would be placed on the parcels and if addresses from the parcels would be changed from N Street to Union Street. There was also a discussion on building setbacks for the parcels. The Planning Commission voted unanimously 4 to 0, with three absent, to recommend approval of the Parcel Map, with no changes to the conditions of approval with the exception of a typographical error being corrected as noted in the project presentation.

## 1. Background & Analysis

#### 1.1 Site Location and Characteristics

The subject property is located at the south east corner of N Street and Union Street in Virginia City. The corner lot property consists of Lots 1 and 2 of Block 114 as shown on the Official Map of Virginia City and a portion of abandoned right-of-way associated with M Street. The subject property is approximately 14,300 square feet and is owned by Nancy Kruschke. The subject property is zoned R-1, Single Family Residential.

The applicant has received a building permit to construct a single family residence on the parcel. The construction of the residence has commenced with excavation of the site and the installation of a foundation. The proposed residence will occupy the proposed eastern corner lot, shown as Parcel B on the proposed Parcel Map.

The parcel is located at the corner of N and Union Street. N Street is undeveloped at this time. M Street adjacent to this parcel was approved to be abandoned in 2002 by the County Commission. The east half of the M Street abandonment area has been incorporated into this parcel.



Figure 1 - Vicinity Map

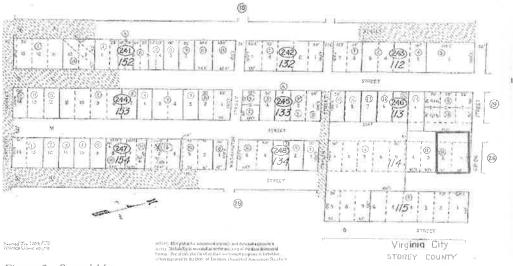


Figure 2 - Parcel Map

#### 1.2 Proposed Action

The applicant wishes to subdivide the subject parcel into two separate parcels. Where historically the former parcels faced N Street, the new configured parcels will face Union Street. Both parcels will be of equal size and be approximately 7,150 square feet, which is consistent with the R-1 zoning for parcel size.

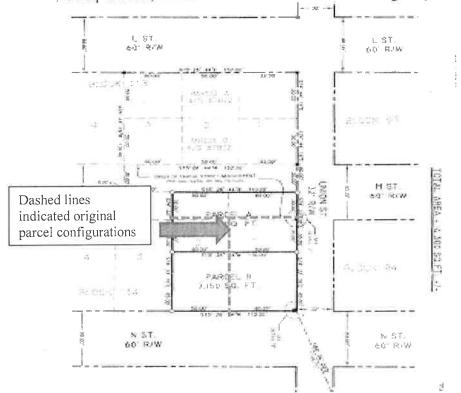


Figure 3 - Proposed Parcel Configuration

#### 1.3 Application for a Parcel Map

NRS 278.461 defines a "Parcel Map" as a division of land into four or less parcels. The proposed Parcel Map complies with NRS 278.461 through 278.469 regulating the division of land into four or less parcels.

Storey County Code (SCC) does not specifically require an Application for a Parcel Map. However, NRS does require a Parcel Map to go through the Application process.

NRS 278.464 Action on a Parcel Map by the Planning Commission to the governing body.

The Planning Commission shall:

In a county whose population is less than 700,000, within 60 days, after accepting a complete application for a Parcel Map, recommend approval, conditional approval or disapproval of the map in a written report. The Planning Commission shall submit the Parcel Map and the written report to the governing body.

The Applicant requests dividing one parcel of land into two parcels of land. Consequently, this request is within the perimeters of a Parcel Map per the NRS definition. Therefore, the Storey County Planning Department (the Planning Department) requested the Applicant submit an application for a Parcel Map.

(See Appendix 2: Nevada Revised Statues 278.461 - 278.469)

#### 1.4 Adjacent Properties Existing Land Uses

Surrounding land uses to this property include an existing residence to the west, an existing residence with accessory structures (garage, barn, corrals) to the north, and vacant land to the south and east. The property and all of the surrounding properties are zoned R-1.

# 2. General Compliance with Storey County's Guiding Documents

The following table shows land uses, Storey County Master Plan (Master Plan) designations and zoning for the land surrounding the subject property. There appears to be no conflict between the proposed and the surrounding land use and Master Plan.

Figure 4: Abutting Land Use Compatibility					
Land	Existing Land Use	Master Plan	Zonin		
Applicant's Land	Vacant/Single Family	Single Family Residential	R-1		
Land to the north	Single Family Residential	Single Family Residential	R-1		
Land to the west	Single Family Residential	Single Family Residential	R-1		
Land to the south	Vacant	Single Family Residential	R-1		
Land to the east	Vacant	Single Family Residential	R-1		

# 3. Compliance with the Storey County Code

The subject parcel is located within land zoned as R-1 within Virginia City.

- 3.1 Storey County Code 17.16 R-1 Residential Zones
  The following standards apply to the R-1 Zone:
  - 3.1.1 Storey County Code 17.16.050 Minimum Parcel Area

    The minimum parcel areas required in the R-1 zone is as follows:

		Minimum Width
	Minimum Lot Area	From Street
Zone and Suffix	(square feet)	(feet)
R1-5	5,000	50
R1-6	6,000	50
R1-8	8,000	60
R1-10	10,000	60
R1-15	15,000	80
R1-20	20,000	100

The proposed parcel map identifies two parcels of equal area, approximately 7,150 square feet, and widths of 65 linear feet each along Union Street, which is consistent with the above requirements.

#### 3.1.2 Store County Code 17.16.060 Setback Requirements

The required distance between the building and the property line is shown in the following table. Setback requirements for accessory structures must comply with section 17.12.045.

Zone and Suffix and Lot	Front Setback	Side Setback	Rear Setback	
Configuration				
R1-5, R1-6, and R1-8	20 feet	8 feet	20 feet	
R1-10 and R1-15	30 feet	8 feet	20 feet	
R1-20	40 feet	8 feet	20 feet	
Corner lot facing two streets	Same as above	10 feet street side; 8 feet	Same as above	
		non-street side		

The parcel configurations are of adequate size to construct residences on the property while meeting the required setbacks. The eastern parcel is a corner lot and requires a 10-foot setback along N Street. The eastern parcel has a residential foundation footprint. The original building permit documented a 17-foot setback from the property line along N Street. As constructed, the foundation appears to be closer to N Street than the stated setback on the plans. As construction has been halted on the project, a new permit will be needed to continue construction activities on the parcel. As a part of the new permit, a revised site plan documenting that the residence meets the required setbacks will be required. It should be noted that this setback is required even if the parcel map project does not get approved or is no longer desired/pursued, as the original unsubdivided parcel is also a corner lot and subject to a 10-foot N Street setback.

## 3.1.3 Storey County Code 17.16.065 Height of Buildings and Structures

Buildings, manufactured homes or structures may not exceed a height of 3 stories or 35 feet, whichever is higher, except as may be allowed by a variance.

The proposed Parcel Map does not include authorization to construct any buildings on the parcels. The Building Department would review plans for any structures proposed on the property for consistency with this height requirement.

## 3.1.4 Storey County Code 17.16.070 Home Enterprises

Home enterprises are regulated under Chapter 17.12, General Provisions.

This proposed Parcel Map does not include authorization for any Home Enterprise, therefore, the Application conforms to this standard.

# 3.1.5 Storey County Code 17.16.080 Distance Between Buildings on the Same Lot

There must be a minimum distance of 10 feet between a building used for a dwelling purposes and an accessory building. There must be a minimum distance of 6 feet between accessory buildings.

The proposed Parcel Map does not authorize any construction on the property. All setbacks shall be reviewed and approved by the Building Department upon application for construction on the parcels.

# 4. Compliance with the Storey County Master Plan

The proposed Parcel Map conforms to the goals and objectives of the Storey County Master Plan including "allowing moderate growth enhances access to housing for diverse populations while also promoting economic vitality in the community" (Chapter 3, Section 3.4.2), "direct and manage orderly, efficient, and sustainable development" (Chapter 3, Goal 1)," maintaining compact communities by encouraging infill residential development within existing population centers in the county" and "ensuring that land use permits are compatible with the zoning map, master plan, and previous planning decisions" (Chapter 9, Goal 1, Objective 1.1).

#### 5. Public Comment

As of posting date, Staff had not received any written public comment for this file. A neighboring property owner spoke at the Planning Commission meeting with a question about placement of the residences and setbacks.

## 6. Findings

#### 6.1 Motion for Approval

The following Findings are evident with regard to the requested Parcel Map when the recommended conditions in Section 7: Recommended Conditions of Approval, are applied:

- 6.1.1 The Parcel Map must comply with NRS 278.461 through 278.469 relating to the division of land into four or less parcels; and
- 6.1.2 The Parcel Map complies with all Federal, Nevada State, and County regulations pertaining to Parcel Maps and allowed land uses; and
- 6.1.3 The Parcel Map will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity; and
- 6.1.4 The conditions under this Parcel Map do not conflict with the minimum requirements in Storey County Code Chapters 17.16 R-1 Residential Zones or any other Federal, Nevada State, or County regulations.
- 6.1.5 The Parcel Map conforms to the 2016 Storey County Master Plan for the Virginia City planning area in which the subject property is located. A discussion supporting this finding for the special use permit is provided in Section 2 of this staff report.

#### 6.2 Motion for Denial

Should a motion be made to deny the Parcel Map request, the following Findings with explanation of why should be included in that motion.

- 6.2.1 Substantial evidence shows that the Parcel Map conflicts with the purpose, intent, and other specific requirement of Storey County Code Chapter 17.16 R-1 Zoning or any other Federal, Nevada State, or County regulations.
- 6.2.2 The conditions under the Parcel Map do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding uses.

## 7. Recommended Conditions of Approval

All conditions must be met to the satisfaction of each applicable Storey County Department.

- 1. General requirements. The Parcel Map must comply with Nevada Revised Statues (NRS) 278.461 through 278.469 relating to the division of land into four or less parcels. The Parcel Map must comply with Federal, State, and County regulations pertaining to Parcel Maps and allowed land uses.
- 2. Record of Survey. The Applicant must submit to the Storey County Planning Department a Record of Survey within six months. The Final Map must show all parcel boundaries, easements, and right-of-ways and be recorded with the Storey County Recorder's Office.
- 3. Access and Easements. All existing streets, easements, and utility easements, whether public or private, must remain in effect and be delineated clearly on the Final Map. No existing easements will be affected by the approval of this Parcel Map.
- 4. Taxes Paid. Prior to the recording of the proposed Parcel Map, the Applicant shall show valid evidence to the Planning Department that all property taxes on the land have been paid for the fiscal year.
- 5. Payment of Tax Imposed. Prior to the recording of the Final Map, the Applicant shall submit to the Planning Department an affidavit stating that the Applicant will make provision for the payment of the tax imposed by NRS Chapter 375 and for compliance with the disclosure and recording requirements of NRS 598.0923 subsection (5), if applicable, by the person who proposes to divide the land or any successor in interest.
- **6. Will Serve Letter.** The Applicant shall submit a copy of a will-serve letter from the Storey County Public Works Department (Public Works) for the proposed parcels.
- 7. Separate Water and Sewer Connections for Each Parcel. The property owner is required to obtain a will-serve letter from Public Works and separate water and sewer connections for each parcel. Connections must be paid in-full prior to any building permits being issued.
- 8. Requirements by the County. Pursuant to NRS 278.462, the County may require street grading, drainage provisions and lot designs that are reasonably necessary. The Storey County Fire Protection District (SCFPD) and the Storey County Building Department (Building Department) may require off-site access, street alignment, surfacing and width, water quality, water supply and sewerage provisions only as reasonably necessary and consistent with the existing use of a land zoned for similar use which is within 660 feet of the proposed parcel. If the proposed parcels are less than one acre, the governing body or, if authorized by the governing body, the Planning Commission or other authorized person may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

- 9. Setbacks and Improvements. All proposed development shall be consistent with the required setbacks. No improvements, such as, but not limited to, retaining walls, driveway access or cut/fill or grading of public land, shall be constructed within the right-of-way of N Street and/or Union Street without Storey County approval.
- 10. Minimum Parcel Area. No parcel created by this Parcel Map will be less than 5,000 square feet in size or have less than 50-foot street frontage width as required by Storey County Code Section 17.16.050 Minimum Parcel Area and Width Requirements for the applicable R-1 Residential Zones.
- 11. Duties of the Parcel Map Preparer. The preparer of the proposed Parcel Map shall meet all requirements pursuant to NRS 278.468 through 278.469.
- **12. Final Map.** The Final Parcel Map must meet the form and contents pursuant to NRS 278.466.
- 13. Null and Void. The Final Parcel Map must be recorded with the Recorder within 12 months of the Board's approval. If the Final Parcel Map is not recorded by that time, this approval will become null and void.
- 14. Indemnify. The Applicant agrees to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this Parcel Map.

#### 8. Power of the Board

At the conclusion of the hearing, the Board of County Commissioners must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the Findings of the Board of County Commissioners upon which it bases its decision.

## 9. Proposed Motions

This section contains two options from which to choose. The motion for approval with the Conditions of Approval is recommended by Staff in accordance with the Findings under Section 6.1 of the Staff Report. These Findings should be made part of that motion. A motion to deny the Parcel Map may be made and that motion should cite one or more of the Findings shown in section 6.2. Other Findings determined appropriate by the Planning Commission should be made part of either motion.

#### 9.1 Recommended Motion (motion for approval)

In accordance with the recommendation by Staff, the Findings under section 6.1 of this Staff Report and other Findings deemed appropriate by the Board of County Commissioners, and in compliance with all Conditions of Approval, I [commissioner] hereby motion to approve with conditions for Parcel Map Application Number 2017-011 to approve the Applicant's request to create a Parcel Map dividing one parcel into two parcels located at 20 South N Street, Virginia City, Storey County, Nevada (Assessor Parcel Number: 001-246-11).

Summary: Approval parcel map with conditions.

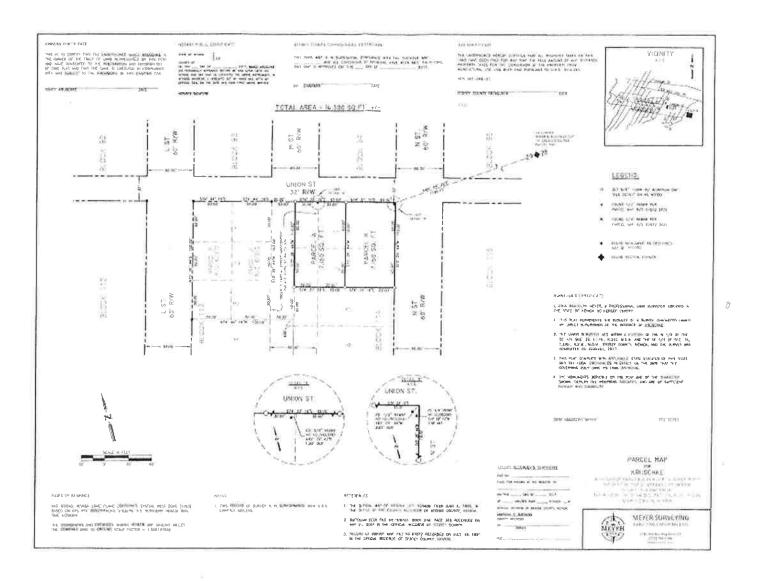
#### 9.2 Alternative Motion (motion for denial)

Not in accordance with recommendation by staff and the Storey County Planning Commission, but in accordance with the Findings under Section 6.2 of the Staff Report and other Findings deemed appropriate by the Board of County Commissioners, I [commissioner] hereby recommend denial for Parcel Map Application Number 2017-011 and to deny the Applicant's request to create a Parcel Map dividing one parcel into two parcels located at 20 South N Street, Virginia City, Storey County, Nevada (Assessor Parcel Number: 001-246-11).

Summary: Denial of parcel map.

# **APPENDIX 1**

### Record of Survey



# APPENDIX 2

NRS 278.461-469

#### Parcel Maps

NRS 278,461 General requirements; exemptions.

Except as otherwise provided in this section, a person who proposes to divide any land for transfer or development into four lots or less shall:

(a) Prepare a parcel map and file the number of copies, as required by local ordinance, of the parcel map with the planning commission or its designated representative or, if there is no planning commission, with the clerk of the governing

body; and

(b) Pay a filing fee in an amount determined by the governing body, unless those requirements are waived or the provisions of NRS 278.471 to 278.4725, inclusive, apply. The map must be accompanied by a written statement signed by the treasurer of the county in which the land to be divided is located indicating that all property taxes on the land for the fiscal year have been paid, and by the affidavit of the person who proposes to divide the land stating that the person will make provision for the payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the person who proposes to divide the land or any successor in interest.

In addition to any other requirement set forth in this section, a person who is required to prepare a parcel map pursuant to subsection 1 shall provide a copy of the parcel map to the Division of Water Resources of the State Department of Conservation and Natural Resources and obtain a certificate from the Division indicating that the parcel map is approved

as to the quantity of water available for use if:

(a) Any parcel included in the parcel map:

(1) Is within or partially within a basin designated by the State Engineer pursuant to NRS 534.120 for which the State Engineer has issued an order requiring the approval of the parcel map by the State Engineer, and

(2) Will be served by a domestic well; and

(b) The dedication of a right to appropriate water to ensure a sufficient supply of water is not required by an applicable local ordinance.

3. If the parcel map is submitted to the clerk of the governing body, the clerk shall submit the parcel map to the

governing body at its next regular meeting.

4. A common-interest community consisting of four units or less shall be deemed to be a division of land within the meaning of this section, but need only comply with this section and NRS 278.371. 278.373 to 278.378, inclusive, 278.462, 278.464 and 278.466.

5. A parcel map is not required when the division is for the express purpose of:

- (a) The creation or realignment of a public right-of-way by a public agency.

  (b) The creation or realignment of an easement.

  (c) An adjustment of the boundary line between two abutting parcels or the transfer of land between two owners of abutting parcels, which does not result in the creation of any additional parcels, if such an adjustment is approved pursuant to NRS 278.5692 and is made in compliance with the provisions of NRS 278.5693.
  - (d) The purchase, transfer or development of space within an apartment building or an industrial or commercial building.

(e) Carrying out an order of any court or dividing land as a result of an operation of law.
 A parcel map is not required for any of the following transactions involving land:

(a) The creation of a lien, mortgage, deed of trust or any other security instrument

(b) The creation of a security or unit of interest in any investment trust regulated under the laws of this State or any other interest in an investment entity.

(c) Conveying an interest in oil, gas, minerals or building materials, which is severed from the surface ownership of real

- (d) Conveying an interest in land acquired by the Department of Transportation pursuant to chapter 408 of NRS.

  (e) Filing a certificate of amendment pursuant to NRS 278.473.

  7. When two or more separate lots, parcels, sites, units or plots of land are purchased, they remain separate for the purposes of this section and NRS 278.468, 278.590 and 278.630. When the lots, parcels, sites, units or plots are resold or conveyed they are exempt from the provisions of NRS 278.010 to 278.630, inclusive, until further divided.
- Unless a method of dividing land is adopted for the purpose or would have the effect of evading this chapter, the provisions for the division of land by a parcel map do not apply to a transaction exempted by paragraph (c) of subsection 1 of NRS 278.320

9. As used in this section, "domestic well" has the meaning ascribed to it in NRS 534,350. [27,1:110:1941; added 1947, 834; 1943 NCL § 5063.26a]—(NRS A 1973, 453, 1338; 1975, 1564; 1977, 1508; 1979. 1499; 1983, 251; 1985, 709; 1989, 501; 1991, 583, 1383, 1387; 1993, 2569; 2007, 849; 2009, 1114)

NRS 278.462 Requirements which may be imposed by governing body. The governing body or, if authorized by

the governing body, the planning commission or other authorized person:

1. May require street grading, drainage provisions and lot designs as are reasonably necessary.

2. If it anticipates, based upon duly adopted ordinances and plans, that the parcels will be used for residential, commercial or industrial purposes, may require off-site access, street alignment, surfacing and width, water quality, water supply and sewerage provisions only as necessary and consistent with the existing use of any land zoned for similar use which is within 660 feet of the proposed parcel. If the proposed parcels are less than 1 acre, the governing body or, if authorized by the governing body, the planning commission or other authorized person may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

For a second or subsequent parcel map with respect to:

(a) A single parcel: or

- (b) A contiguous tract of land under the same ownership,
- inay require any reasonable improvement, but not more than would be required if the parcel were a subdivision.

(Added to NRS by 1977, 1509; A 1991, 624; 1993, 2570; 1995, 710; 2003, 656)

NRS 278.4625 Minimum size of mobile home lot. The governing body of a city or county may not require the minimum size of a mobile home lot that is individually owned to be larger than the minimum size of a mobile home lot that is leased to a tenant.

(Added to NRS by 1993, 1470)

NRS 278.463 Survey required; exception. Except as otherwise provided in this section, a parcel map must be based on a survey made for that purpose. The county surveyor, city surveyor or professional land surveyor appointed by the governing body, may pursuant to NRS 278.464 waive the requirement of a survey if, in his or her judgment, a survey is not required to accomplish the purposes of NRS 278.010 to 278.630, inclusive.

(Added to NRS by 1975, 1562; A 1993, 2571)

NRS 278.464 Action on parcel map by planning commission, governing body or other authorized person or agency; waiver of requirement for map and survey; consideration of certain criteria authorized in determining approval of certain parcel maps; appeals; certificate of approval of parcel map.

Except as otherwise provided in subsection 2, if there is a planning commission, it shall:

(a) In a county whose population is 700,000 or more, within 45 days; or (b) In a county whose population is less than 700,000, within 60 days,

after accepting as a complete application a parcel map, recommend approval, conditional approval or disapproval of the map in a written report. The planning commission shall submit the parcel map and the written report to the governing body.

2. If the governing body has authorized the planning commission to take final action on a parcel map, the planning

commission shall:

(a) In a county whose population is 700,000 or more, within 45 days; or

(b) In a county whose population is less than 700,000, within 60 days, after accepting as a complete application the parcel map, approve, conditionally approve or disapprove the map. The planning commission shall file its written decision with the governing body. Unless the time is extended by mutual agreement, if the planning commission is authorized to take final action and it fails to take action within the period specified in this subsection, the parcel map shall be deemed approved.

3. If there is no planning commission or if the governing body has not authorized the planning commission to take final action, the governing body or, by authorization of the governing body, the director of planning or other authorized person or

agency shall:

(a) In a county whose population is 700,000 or more, within 45 days; or

(b) In a county whose population is less than 700,000, within 60 days,

after acceptance of the parcel map as a complete application by the governing body pursuant to subsection 1 or pursuant

after acceptance of the parcel map as a complete application by the governing body pursuant to subsection 1 of pursuant to subsection 3 of NRS 278.461, review and approve, conditionally approve or disapprove the parcel map. Unless the time is extended by mutual agreement, if the governing body, the director of planning or other authorized person or agency fails to take action within the period specified in this subsection, the parcel map shall be deemed approved.

4. The planning commission and the governing body or director of planning or other authorized person or agency shall not approve the parcel map unless the person proposing to divide the land has submitted an affidavit stating that the person will make provision for the payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the person proposing to divide the land or any

successor in interest.

5. Except as otherwise provided in NRS 278.463, if unusual circumstances exist, a governing body or, if authorized by the governing body, the planning commission may waive the requirement for a parcel map, a determination must be made by the county surveyor, city surveyor or professional land surveyor appointed by the governing body that a survey is not required. Unless the time is extended by mutual agreement, a request for a waiver must be acted upon:

(a) In a county whose population is 700,000 or more, within 45 days; or
(b) In a county whose population is less than 700,000, within 60 days,

after the date of the request for the waiver or, in the absence of action, the waiver shall be deemed approved.

6. A governing body may consider or may, by ordinance, authorize the consideration of the criteria set forth in subsection 3 of NRS 278.349 in determining whether to approve, conditionally approve or disapprove a second or subsequent parcel map for land that has been divided by a parcel map which was recorded within the 5 years immediately preceding the acceptance of the second or subsequent parcel map as a complete application.

An applicant or other person aggreed by a decision of the governing body's authorized representative or by a final act of the planning commission may appeal the decision in accordance with the ordinance adopted pursuant to NRS

 8. If a parcel map and the associated division of land are approved or deemed approved pursuant to this section, the approval must be noted on the map in the form of a certificate attached thereto and executed by the clerk of the governing approval must be noted on the map in the form of a certificate attached thereto and executed by the clerk of the governing commission. A certificate attached to a body, the governing body's designated representative or the chair of the planning commission. A certificate attached to a parcel map pursuant to this subsection must indicate, if applicable, that the governing body or planning commission determined that a public street, easement or utility easement which will not remain in effect after a merger and resubdivision of parcels conducted pursuant to NRS 278.4925 has been vacated or abandoned in accordance with NRS 278.480.

(Added to NRS by 1977, 1510; A 1989, 792; 1993, 2571; 1997, 2427; 1999, 788, 893;2001, 64, 1969, 2811; 2007, 850; 2009, 1116; 2011, 1197)

NRS 278.466 Form and contents of parcel map; reference to parcel number and recording.

The parcel map must be legibly drawn in permanent black ink on tracing cloth or produced by the use of other materials of a permanent nature generally used for that purpose in the engineering profession. Affidavits, certificates and

acknowledgments must be legibly stamped or printed upon the map with permanent black ink. The size of each sheet must be 24 by 32 inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of 1 inch at the top, bottom and right edges, and of 2 inches at the left edge along the 24-inch dimension.

A parcel map must indicate the owner of any adjoining land, or any right-of-way if owned by the person dividing the land.

3. A parcel map must show:(a) The area of each parcel or lot and the total area of the land to be divided in the following manner: (1) In acres, calculated to the nearest one-hundredth of an acre, if the area is 2 acres or more; or

(2) In square feet if the area is less than 2 acres.

All monuments found, set, reset, replaced or removed, describing their kind, size and location and giving other data relating thereto.

(c) Bearing or witness monuments, the basis of bearings, bearing and length of lines and the scale of the map.(d) The name and legal designation of the tract or grant in which the survey is located and any ties to adjoining tracts.

(e) Any easements granted or dedications made.

(f) Any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and

A parcel map must include:

(a) The memorandum of oaths described in NRS 625,320.
(b) The certificate of the surveyor required pursuant to NRS 278,375.
(c) The certificate of the Division of Water Resources of the State Department of Conservation and Natural Resources issued pursuant to NRS 278,461, if any

(d) The signature of each owner of the land to be divided.

A governing body may by local ordinance require a parcel map to include:

(a) A report from a title company which lists the names of:

Each owner of record of the land to be divided; and
 Each holder of record of a security interest in the land to be divided.

if the security interest was created by a mortgage or a deed of trust.

(b) The written consent of each holder of record of a security interest listed pursuant to subparagraph (2) of paragraph (a) to the preparation and recordation of the parcel map. A holder of record of a security interest may consent by signing

(1) The parcel map; or (2) A separate document that is recorded with the parcel map and declares his or her consent to the division of land, if the map contains a notation that a separate document has been recorded to this effect.
 6. If the requirement for a parcel map is waived, the governing body may specify by local ordinance the type and extent

of information or mapping necessary for the division of land. 7. Reference to the parcel number and recording data of a recorded parcel map is a complete legal description of the

land contained in the parcel. [Part 27.2:110:1941; added 1947, 834; 1943 NCL § 5063,26b]—(NRS A 1960, 138; 1973, 1338; 1975, 1566; 1977, 1510; 1985, 897; 1989, 793; 1993, 2572; 1995, 198; 2007, 852)

NRS 278.467 Preparation, recordation and contents of document which may be required if parcel map waived;

statement indicating that property taxes have been paid; county recorder to provide copy of document or access to digital document to county assessor.

If the requirement for a parcel map is waived, the authority which granted the waiver may require the preparation and

recordation of a document which contains:

(a) A legal description of all parts based on a system of rectangular surveys;

A provision for the dedication or reservation of any road right-of-way or easement; and

(c) The approval of the authority which granted the waiver. 2. If a description by metes and bounds is necessary in describing the parcel division, it must be prepared by a professional land surveyor and bear his or her signature and stamp.

The person preparing the document may include the following statement:

This document was prepared from existing information (identifying it and stating where filed and recorded), and the undersigned assumes no responsibility for the existence of monuments or correctness of other information shown on or copied from any such prior documents.

A document recorded pursuant to this section must be accompanied by a written statement signed by the treasurer of the county in which the land to be divided is located indicating that all property taxes on the land for the fiscal year have been paid.

A county recorder who records a document pursuant to this section shall, within 7 working days after he or she

records the document, provide to the county assessor at no charge:

(a) A duplicate copy of the document; or

(b) Access to the digital document. The document must be in a form that is acceptable to the county recorder and the

(Added to NRS by 1977, 1511; A 1989, 501, 794; 1991, 1384; 1993, 2573; 2001, 1560; 2003, 2786)

NRS 278.468 Duties of preparer of parcel map upon approval; duties of county recorder.

. If a pancel map is approved or deemed approved pursuant to NRS 278.464, the preparer of the map shall:

(a) Except as otherwise provided in subsection 2, cause the approved map to be recorded in the office of the county recorder within 1 year after the date the map was approved or deemed approved, unless the governing body establishes by ordinance a longer period, not to exceed 2 years, for recording the map. The map must be accompanied by a written statement signed by the treasurer of the county in which the land to be divided is located indicating that all property taxes on the land for the fiscal year have been paid.

(b) Pay a fee of \$17 for the first sheet of the map plus \$10 for each additional sheet to the county recorder for filing and

indexing.

2. In a county whose population is less than 100,000, if the parcel map shows an area totaling 50 acres or more that is subject to a conservation easement, the preparer of the map shall cause the approved map to be recorded in the office of the county recorder within 3 years after the date the map was approved or deemed approved, unless the governing body grants an extension of time for recording the map, which may not exceed 1 year. As used in this subsection, "conservation easement" means an easement that permanently preserves or protects open space, a floodplain or agricultural land from being parceled, subdivided or otherwise developed in a manner incompatible with the preservation or protection of the open space, floodplain or agricultural land.

3. Upon receipt of a parcel map, the county recorder shall file the map in a suitable place. The county recorder shall keep proper indexes of parcel maps by the name of grant, tract, subdivision or United States subdivision.

A county recorder who records a parcel map pursuant to this section shall, within 7 working days after he or she

4. A county recorder who records a parcet map pursuant to this section shall, within 7 working days after he of she records the parcel map, provide to the county assessor at no charge:

(a) A duplicate copy of the parcel map and any supporting documents; or

(b) Access to the digital parcel map and any digital supporting documents. The map and supporting documents must be in a form that is acceptable to the county recorder and the county assessor.

[Part 27.2:110:1941; added 1947, 834; 1943 NCL § 5063.26b]—(NRS A 1969, 255; 1973, 1339; 1975, 757; 1981, 214; 1993, 1357, 2574; 1995, 710; 1997, 2428; 1999, 895; 2001, 1560,3217; 2003, 2786; 2011, 695)

NRS 278.469 Map to indicate record of survey not in conflict with planning and zoning requirements. If a record of survey contains two or more lots or parcels, the surveyor or a person for whom the record of survey is made shall place upon the map thereof a statement of the facts which will clearly show that such record of survey is not in conflict with the requirements of NRS 278.010 to 278.630, inclusive, and the regulations of transactions pertaining thereto shall be complied

[Part 27.2:110:1941; added 1947, 834; 1943 NCL § 5063,26b]—NRS A 1973, 1339; 1977, 1511)—(Substituted in revision for NRS 278.540)



# Storey County Board of County Commissioners Agenda Action Report

Meeting	date: 5-16-	17		Estimate of tir	ne required: 0 - 5
Agenda:	Consent []	Regular agend	la [X]	Public hearing required	[]
1. <u>Title</u> :	Business Lie	cense Second R	Leadings	s Approval	
2. Recon	nmended mo	otion: Approva	ıl		
3. Prepa	red by: Stac	ey Bucchianeri			
<b>Department:</b> Community Development			pment		<b>Telephone</b> : 847-0966
4. <u>Staff summary:</u> Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to the Commission Meeting. The business licenses are then printed and mailed to the new business license holder.					
5. Suppo	rting mater	ials: See attacl	ned Age	enda Letter	
6. Fiscal	impact:				
F	unds Availal	ole:	Fund	1:	Comptroller
7. <u>Legal review required</u> :  District Attorney					
8. Review	ved by://x Departm	ent lead		Department Name:	¥
_	County	Manager		Other agency review:	and the same of the same of
9. <u>Board</u>	action: Appro Denied		[]	Approved with Modification	ications

# Storey County Community Development

# Business Dicensing

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

To: Vanessa Stephens, Clerk's Office Pat Whitten, County Manager **April 24, 2017** 

Via email

Fr: Stacey Bucchianeri

Please add the following item(s) to the May 2, 2017, COMMISSIONERS Consent Agenda:

## LICENSING BOARD

#### **FIRST READINGS:**

- A. SUNBELT RENTALS, INC. General / 2341 Deerfield Dr ~ Fort Mill, SC (courier)
- **B.** MBP ENTERPRISES General / 631 Dunn Circle ~ Sparks (party rentals)
- C. JOANNE PANTALEO Professional / 16002 Legacy Rd ~ Tustin, CA (consulting)
- **D.** SIR AMERICA, LLC Contractor / 1300 Triad Blvd ~ Saginaw, TX (contractor)
- E. INDUSTRIAS REVIRIEGO Contractor / Torrejon de Ardoz SPAIN (contractor)
- F. BARN DOOR, LLC Home Business / 1910 Empire Road ~ Reno (handyman)
- G. ACCENT FOOD SERVICES, LLC General / 16209 Central Commerce ~ Pflugerville, TX (vending mach)
- H. BLACKBURN AND SON, LLC Contractor / 2301 West 4<sup>th</sup> Street ~ Reno (contractor)
- I. KRATOS PUBLIC SAFETY & SECURITY SOLUTIONS, INC. Contractor / 4820 Eastgate Mall ~ San Diego, CA (contractor)
- J. MCKINSTRY ESSENTION, LLC Contractor / 5005 3<sup>rd</sup> Ave ~ Seattle, WA (contractor)
- K. DYNAMIC CONTROLS SOLUTIONS, INC. Contractor / 46998 Magellan ~ Wixom, MI (contractor)
- L. WINSUPPLY RENO NV Contractor / 755 Timber Way ~ Reno (contractor)
- M. JABIL Contractor / 6375 San Ignacia Avenue ~ San Jose, CA (electronics manufacturing)
- N. EXECUTIVE TOWING AND RECOVERY, LLC Transportation / 20 Hwy 341 ~ Moundhouse (transp)
- O. DMG MORI USA, INC. Contractor / 2400 Huntington ~ Hoffman Estates, IL (contractor)
- P. VISTA SOLUTIONS (US), INC. Contractor / 440 Burroughs St ~ Detroit, MI (quality control)
- O. PENINGTON PAINTING COMPANY, LLC Contractor / 6313 W Commonwealth ~ Chandler, AZ (contr)
- R. BATTLE BORN CONSULTING SERVICES Home Business / 166 S Q St ~ VC (consulting)
- S. 3S, SAFFLE SERVICE SUPPORT AB Contractor / 5421 Kietzke Lane ~ Reno (contractor)
- T. JANSSONS ELEKTRO AKTIEBOLAG Contractor / Boxholm SWEDEN (contractor)
- U. SWISSLOG-ACCALON AB Contractor / Boxholm SWEDEN (contractor)
- V. ENZELBERGER INDUSTRIEMONTAGEN GMBH Contractor / Treuchtlingen GERMANY (contractor)
- W. ECLIPSE AUTOMATION SOUTHEAST, LLC Contractor / 401 Ryland ~ Reno (contractor)
- X. AKAL CONSTRUCTION, INC. dba Ace Design, LLC Cont. / 7455 Arroyo Crossing ~ Las Vegas (const)

Inspection Required

ec: Community Development Assessor's Office Tourism Office Planning Department Fire Department Comptroller's Office Sheriff's Office Commissioners' Office Dispatch



Meeting date:

05/16/17

# Storey County Board of County Commissioners Agenda Action Report

Estimate of time required: 60 min.

Agend	a: Consent [] Regular agen	da [ ]	Public hearing required [] (x Closed Session)
1. <u>Title</u> : Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding labor negotiations with the Storey County Firefighters Association IAFF Local 4227 and Storey County Sheriff's Office Employees Association NAPSO Local 9110. This meeting will commence immediately following the regular commission meeting.			
2. <u>Rec</u>	ommended motion. No action	n	
3. <u>Pre</u>	pared by: Austin Osborne		
Dep	artment: Human Resources		<b>Telephone:</b> 775.847.0968
4. <u>Staff summary:</u> Pursuant to NRS 288 and the existing 2014-2017 bargaining agreements between the Storey County Firefighters Association and the Storey County Board of Fire Commissioners, and the Storey County Sheriff's Office Employees Association and the Storey County Board of County Commissioners, the bargaining agreements are proposed to be modified separately as tentatively agreed between the parties.			
5. <u>Sup</u>	porting materials: Provided	at mee	eting.
6. <u>Fisc</u>	al impact:		
	Funds Available: n/a	Fui	nd: Comptroller
7. <u>Leg</u>	al review required:		District Attorney
8. <u>Rev</u>	iewed by:@' Department Head		Department Name: Commissioner's Office
	County Manager		Other agency review:
9. <u>Boa</u>	rd action: [ ] Approved [ ] Denied	[]	Approved with Modifications Continued