



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, OCTOBER 17, 2017 10:00 A.M.

DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

MARSHALL MCBRIDE  
CHAIRMAN  
ATTORNEY

ANNE LANGER  
DISTRICT

JACK MCGUFFEY  
VICE-CHAIRMAN

LANCE GILMAN  
COMMISSIONER  
TREASURER

VANESSA STEPHENS  
CLERK-

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**Roll Call:** Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, Clerk & Treasurer Vanessa Stephens, County Manager Pat Whitten, Planning Director/Administrative Officer Austin Osborne, Fire Chief Jeff Nevin, Director of Security Melanie Keener, Comptroller Hugh Gallagher, Deputy District Attorney Keith Loomis, Outside Counsel Robert Morris, IT Director James Deane, Tourism Director Deny Dotson, Community Outreach Director Cherie Nevin, Virginia City Senior Center Director Stacey Gilbert, Justice of the Peace Eileen Herrington, Community Chest Executive Director Erik Schoen, Recorder Jen Chapman, and Sergeant Eric Kern.

1. **CALL TO ORDER REGULAR MEETING AT 10:00 A.M.**  
The meeting was called to order by the Chair at 10:00am.
2. **PLEDGE OF ALLEGIANCE**  
The Chair led those present in the Pledge of Allegiance
3. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for October 17, 2017

Chairman McBride stated he has been asked to move item #15 to follow the Consent Agenda. Mr. Osborne asked that item #25 be continued to December 19<sup>th</sup> or January 2<sup>nd</sup> if the December 19<sup>th</sup> meeting should be canceled due to the holidays.

Public Comment:  
None

**Motion:** Approve Agenda for October 17, 2017 with changes indicated, **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 the Minutes for September 5, 2017.

Public Comment:  
None

**Motion:** Approve Minutes for September 5, 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 payroll claims in the amount of \$692,763.13 and accounts payable claims in the amount of \$5,063,677.80.

II For possible action, approval of the Treasurer Report for September 2017.

III For possible action, approval of the Justice Court Quarterly Report.

IV For possible action, approval of Update to Storey County Administrative Policies and Procedures including: Policies 301 Personnel Role in Hiring, 302 Candidates and Recruiting, 303 Job Announcements, 304 Applicant Eligibility, 305 Examinations and Interviews, 306 Reference Checks, 307 Applicant Investigations, 308 Selection and Screening, 309 Orientation, 310 Probation, 311 Rehire, 312 License and Certs, 313 Casual Employment, 314 Volunteer Program, and 1002 Definitions.

V For possible action, approval of Interlocal Agreement between Storey County and Washoe County for the River District Lunch Program.

VI For possible action, approval of Business License First Readings:

A. ATLAS CONSULTING GROUP,LLC - General / 71 W Main St. Freehold NJ

B. FULCRUM, LLC-General / 1105 Williamsburg Dr ~ Mobile, AL

C. MOTAN, INC. - General / 320 N Acorn Street ~ Plainwell, MI

D. RENO CARSON MESSENGER SERVICE. - General/ 185 Martin St. ~ Reno, NV

E. TSS TECHNOLOGIES, INC. - General / 8800 Global Way- W. Chester, OH

F. VWR INTERNATIONAL, LLC General / 738 Space Island Rd. Sparks, NV

G. ZEPHYR COMMUNICATIONSOF NV - General / 2187 Main Street Gold Hill

Public Comment:  
None

**Motion:** Approve Consent Agenda for October 17, 2017, **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 474 FIRE DISTRICT BOARD**

15. **DISCUSSION/POSSIBLE ACTION:** Payment of retirement claim for one year of service up to \$41,346.59 based on PERS estimate, as requested by Rob DuFresne.

Deputy District Attorney Anne Langer joined the meeting via teleconference.

Chairman McBride stated that a couple of weeks ago he was contacted by Rob DuFresne with a request to purchase him a year of retirement. Chairman McBride asked him if he was short in years of retirement. Mr. DuFresne explained that he is not short - he is fully vested in the system; it is his understanding that years have been purchased for other employees in the past. Chair McBride advised him that neither staff nor the Chair had authority to give additional retirement benefits and this would be an item to be taken to the Board.

Marie DuFresne was present on behalf of her husband. She stated that her husband was unable to be present today due to a prior commitment. She explained that he is not asking for anything out of the ordinary as three other individuals received similar buyouts this year.

Vice-Chairman McGuffey explained that he has recently become aware of this issue. He feels that it is an excessive amount for a bonus and shouldn't be given to employees.

Commissioner Gilman stated that it appears does not believe that any money should be spent outside of the purview of the Board - this is the Commission's responsibility under NRS. Previous "buy outs" did not come before this Board - Commissioner Gilman was not aware of this. This gentleman is entitled to a lot of benefits from the union retirement plan. These types of issues could come before the Commission and should be a line item if going to be allowed along with a procedure to be followed.

Mr. Loomis added that the agenda item is specific to the request for PERS claim and not changing or creating policy. This is relevant but cannot be discussed today.

Chairman McBride said currently there is no policy to give a bonus or buy additional retirement years for employees. It has been perceived by past practice that there should be some entitlement. It was explained that in the past the County has bought service for employees, get them into the PERS system and off County payroll which was cost effective due to high salaries and then bring in someone at the "bottom of the ladder". Storey County employees are entitled to a 100% tax-payer funded retirement with benefits.

Public Comment:

**Marie DuFresne** : In talking about excess, isn't it excess to give one employee an \$80,000 bonus on top of a year at the end of their term. She asked the Board if they approve the Treasurer's report monthly, and if they approve that report shouldn't you know about the previous purchases. How do you not know when the Board approved the previous Treasurer reports?

Nicole Barde: The possibility of "misappropriation of funds" has been brought up as well as the fact that in order for money to be paid out of the County it would be on the Treasurer's Report. When the investigation into how this could have happened without (the Commission's) knowledge, will a report come back to the Board and made public? Agenda items regarding (bonuses) have been approved in the past.

Chairman McBride: This agenda item is regarding Mr. DuFresne's request and not past practice. The Board will only speak on Mr. DuFresne's request.

Outside Counsel Robert Morris stated he was asked by District Attorney Langer to be here should issues about policy or past practices come up and agrees this Item is solely for Mr. DuFresne's request. Staff can be directed to come back with an item regarding past practices. There is a retirement incentive program - this is different than a bonus which is being requested in this item.

Chairman McBride: Commissioner Gilman has requested that past practice regarding this be looked into with a report brought to the Board. What does the Board feel regarding this item?

Commissioner Gilman: Does not believe it would be appropriate to establish precedent at this Board to enter into programs after the fact.

Vice-Chairman McGuffey: Prefers not to make a decision without coming up with a policy. Right now his decision is no - if there was a policy in place that could sway his opinion.

District Attorney Anne Langer added that a policy would be after the fact and not retroactive.

Commissioner Gilman: Is not aware of a precedent that indicates the Board should entertain further retirement benefits for employees. Staff and the legal department should provide feedback.

**Motion:** I make a motion to deny the application for \$41,349.56 based on PERS estimate presented by Rob DuFresne, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

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

#### Community Chest & Library Director Erik Schoen :

- Construction of the new building continues on track for completion in February.
- Go to ccnevada.net for information regarding the October 27<sup>th</sup> fundraiser at Pipers.
- Thank you to Commissioner McGuffey for organizing TRI businesses to come to Virginia City to visit non-profits, which are being run very well.

#### IT Director James Deane :

- Hardware has been purchased for the new system replacing the AS400 at a cost \$100,000. Currently \$88,000 has been spent, which is under budget.
- December 1<sup>st</sup> is the estimated date for hardware to be up and running and development testing with Tyler and Devnet.
- Has attended presentations with Harris, Tyler, and Devnet. Devnet is opening a support center in Carson City.

#### Justice of the Peace Eileen Herrington:

- The number of citations coming is an indication of growth in the County and the opening of USA Parkway.
- This brings an increase in fines with over \$40,000 for the first quarter.
- Traffic citations were up to 1,300 for the last quarter of the fiscal year.
- All of this has an impact on the Court. Costs are offset by use of special funds.

Mr. Whitten: This is an indication of more volume of people and cars in the TRI area, not that the Sheriff's Office is becoming more aggressive.

#### Tourism Director Deny Dotson :

- V&T Rail Commission Board met last Friday. New Chairs will be set next week. Looking forward to great changes for next year. The Polar Express team is in place.
- The Red Run Event was held last week. It came out pretty well. A lot of history was learned through this event.
- Thomas Train will be held the next two weekends.

- Upcoming events will be the Halloween and Veterans Day parades.

**Fire Chief Jeff Nevin :**

- Drop box collections have been set up at all fire stations in response to the devastating fires in California. Items needed: gift cards, dry goods, clothing, pet supplies.
- This week is high school homecoming. Friday night will be the annual bon fire held at the Ice House. This will only take place pending weather conditions. The bon fire will be monitored by the Fire Department.

**Community Outreach Director Cherie Nevin :**

- The Lockwood Community Senior Center Open house is October 24<sup>th</sup> at 12:30 PM. Call the day before for reservations.
- There is a lot of information on the County website and facebook regarding the sewer project. A letter will go out to all residents with all information. This will be an 18 month project.
- There will be street closures with the sewer project. This is a very complex project and there will be unexpected situations.
- Attending a mass-fatality planning workshop in Washington state along with other quad-county representatives.

**Director of Planning/Human Resources Austin Osborne :**

- Work is finishing up on Title 16 and 17 updates, along with other items dealing with Planning.
- The latest updates are on the website.
- Up-coming Planning Commission meetings to discuss updates are: October 19 in Lockwood; November 2, Mark Twain; November 16, Virginia City.
- The Lands Bill is moving forward.

**Deputy District Attorney Keith Loomis :**

- Update on Sutro Springs Road litigation: the plaintiff has requested to stipulate to dismissing the lawsuit. There is an opportunity to recover costs and some attorney's fees.

**County Manager Pat Whitten :**

- There will be and are impacts with the sewer project. Interruptions, including water service, can be planned or unexpected - this is going to happen.
- Congratulations to Deny Dotson and Katie Demuth in hosting a successful meeting with the Reno-Tahoe Territory tourism group in the County Slammer Museum.
- The County has hired Martin Azevedo as full-time Fire Marshal.
- The Commission meetings of November 21<sup>st</sup> and December 19<sup>th</sup> may be dismissed. There is opportunity for special meetings if necessary.

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

**Vice Chairman McGuffey :**

- The V&T Rail Commission elected Deny Dotson as Chair.
- T-Mobile is close to signing agreement for cell service on the Highlands tower - possibly by the end of the year.
- Great turnout last weekend at St.Mary's Art Center for the fall gallery.
- The Back in Time fundraiser at the Fourth Ward School was big success.

**12. DISCUSSION/POSSIBLE ACTION:** Consideration and Possible Action to approve contract to purchase Pipers Opera House from the Storey County School District for \$300,500.00 and other consideration.

District Attorney Keith Loomis presented this item. In order to sell School District property, the District must obtain two appraisals - property cannot be sold for less than appraised value. The County will meet the \$300,500 and provide other consideration. An Interlocal Contract will provide that the School District will have use of Pipers for up to 30 days per year at no charge.

The School District will have to approve a Resolution proposing the sale and the publish the Resolution twice. Any objections must be heard prior to the sale.

Commissioner Gilman asked if a structural report was available on the building. Any structural damage should be known up front.

Mr. Whitten: The County has a historic structures report. This will need to be updated. The County Engineer has identified issues which appear to be issues the County can better address than the School District. The County has already fixed some issues identified this year. Mr. Whitten would also like to protect the Opera House from falling into private hands.

Public Comment:

**Kris Thompson , TRI Project Manager:** This is a great move by the County to protect the Opera House for posterity. He suggested that the County has an infrastructure fund and perhaps those funds can be used to improve the structure.

**Sam Toll, Gold Hill Resident:** Is it the position of the County or Mr. Whitten to protect the Opera House from falling into private hands.

Mr. Whitten: It's mine.

Mr. Toll: Concerned that estimates he has heard could be up to \$2 to 3 million to renovate the property. There is also concern with the County owning and maintaining historical properties which may suggest to owners of other (historical) properties that this is a direction the County wants to go. Is it appropriate for the County to purchase properties with or without plans for future use? More money may be received if the property was put on the open market.

**Nicole Barde , Storey County Resident:** Thank you for considering this purchase. What is the County's plan for Pipers? Is the County willing to put money behind and into it? What will make a difference in preserving this building?

**Todd Hess, Storey County School District Superintendent :** Thank you to Mr. Loomis for the great direction. Per NRS two appraisals were obtained. The School District purchased the Opera House for \$282,310 in 2014 with the intention to not own it forever. The County was not in a position at the time to purchase. The School District does not have the resources to maintain it.

Chairman McBride: Commended the School District for taking on this building in 2014. Chair McBride reviewed the history of the Opera House while on the non-profit Board. Several million dollars have been put into the building and foundation, in structural support, and other areas. The County has access to apply for grants for assistance. We have a responsibility and moral obligation to look after the history of Virginia City. Chair McBride said he is in total support of the County taking over this building.

Vice-Chairman McGuffey: Feels the goal is to get a Board in place and apply for grants to assist with repairs. When it was in private hands, the people meant well but were unable to generate enough funds to maintain it.

Commissioner Gilman: Industry here is driven by tourist dollars - properly done, Pipers could be a major draw.

Mr. Whitten: Does not doubt the figure of \$2 - 3 million worth of work, but probably does not need to be done immediately. We will work down the list. There are a number of options for funding of this work. Purchase funds will come from two areas. One, Toys R Us had a 50% abatement on personal property tax with agreement that if they left sooner than the 10 year commitment - which they did - they would pay back to Storey County approximately \$250,000, with limited parameters on what it could be used for. This would be the "lions share" of funding.

**Sam Toll:** It was suggested that a plan would be to create a 50C3 entity to take over - is that the plan?

Mr. Whitten: The uses have to be looked at. There are four County "treasures" being operated by 501C3 groups - which might even be here without these groups. This would be at the top of the list for Pipers.

Mr. Toll: With the investment in this building, it is in everyone's best interest to have a more solid, defined plan than we may do this or that.

Chairman McBride: The Eureka Opera House just had a windfall of funds from mining taxes. Mr. Loomis explained this is an offer to the School Board and they can accept or reject the offer.

**Motion:** I, Commissioner Jack McGuffey, moved to approve the contract for the purchase of the Pipers Opera House from the Storey County School District and authorize the Chairman to sign,  
**Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman,  
**Vote:** Motion carried by unanimous vote, (**Summary:** Yes=3)

8. **DISCUSSION ONLY (No Action):** Review of the 1<sup>st</sup> Quarter 2017 Unaudited Budget to Actual Review

Comptroller Hugh Gallagher discussed and reviewed the 2017 1<sup>st</sup> Quarter Unaudited Budget. At 25% of the year, revenues are up and expenses are low, continuing with the way things were during the 4<sup>th</sup> quarter of last year. The General Fund is currently at 35% of revenue and 21% expenses.

Community Development has requested to hire a licensed building inspector with electrical background.

Mr. Gallagher reviewed the few departments that are over in percentages. Overall Mr. Gallagher feels very good about the first quarter.

9. **DISCUSSION/POSSIBLE ACTION:** Approval of Cooperative (Local Public Agency) Agreement between the State of Nevada Department of Transportation and Storey County for the Six Mile Canyon Emergency Repair Project.

Cherie Nevin stated that as a result of the winter storms Six Mile Canyon sustained severe damage and was closed for several months for emergency repairs. Six Mile Canyon is considered a major

collector to a State Highway allowing the County to seek reimbursement from Federal Highways, through NDOT, for some of the costs. This Agreement allows for reimbursement of approximately \$255,113 once funding is made available through Federal Highways.

Chairman McBride: Is the total amount were entitled to?

Ms. Nevin: This is 100% total amount for repairs. For the permanent repairs later, the County will receive 95%. It is unknown when the funds will come.

Public Comment:  
None

**Motion:** I move to approve the Cooperative (Local Public Agency) Agreement between the State of Nevada Department of Transportation and Storey County for the Six Mile Canyon Emergency Repair Project, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**10. DISCUSSION/POSSIBLE ACTION:** Accept receipt of two motorcycles from Washoe County, free of charge, through a Department of Homeland Security grant for response and use in back country operations.

Mr. Whitten presented this item on behalf of the Sheriff. Washoe County had two motorcycles available to the first agency that wanted them. The intended use would be in the back roads only. The motorcycles are street legal and free, and will save wear and tear on vehicles. The County has at least four qualified deputies to operate these motorcycles.

Sergeant Eric Kern: These are BMW motorcycles with fairly low mileage. The Sheriff indicated that deputies will be doing some training with Carson City Sheriff. Some of the back roads are very rough on vehicles.

Public Comment:  
None

**Motion:** I motion to accept receipt of two motorcycles from Washoe County, free of charge, through a Department of Homeland Security grant for response and use in back country operations, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**11. DISCUSSION/POSSIBLE ACTION:** Consideration and possible action regarding Resolution 17-475 setting Storey County Sheriff's Office Jail parking lot as location for transaction of internet sales as required by AB 297.

Deputy District Attorney Loomis stated that the Legislature passed AB297 stating that a location for internet transactions must be designated. The Sheriff has requested that the parking lot at the jail be the designated place.

Mr. Whitten: The parking lot is well lit and has cameras - it is the logical place for this.

Public Comment:



None

**Motion:** I make a motion to approve Resolution 17-475 and authorize the chairman to sign, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

13. **DISCUSSION/POSSIBLE ACTION:** Consideration and Possible Action on approval of contract to purchase real property from Kimberly Neal located at 10 South B Street adjacent to the County Courthouse for approximately \$355,000.00.

Deputy District Attorney Loomis: This is a proposed contract for purchase of the property north and adjacent to the Courthouse for use as additional office space and parking. An appraisal was done in August 2017 with a value of \$355,000. The seller, Ms. Neal, has requested changing the date of closing from December 15 to November 1, 2017. The Preliminary Title Report has not yet been received. Mr. Loomis would like to review this Report before closing and is recommending the contract be amended to state escrow shall close on or about November 1, 2017, and in no event prior to the County's opportunity to review the Preliminary Title Report.

Mr. Whitten: This property has been on the County's radar for years. Most of the land north of the Courthouse is owned by this property. Ms. Neal leased this area to the County when there were parking issues last winter. This area is prime for parking. There is a need for space for the Justice Court and other departments can also make use of this property.

Commissioner Gilman: Feels this is an appropriate purchase and logical move in order to obtain more space.

Chairman McBride: This property slipped through the County's fingers years ago. This will play nicely into the acquisition of the Opera House, when approved. Access will be easier through the Union Street side entrance.

Public Comment:  
None

**Motion:** I make a motion to approve the entry into the contract for the purchase of real property belonging to Kimberly Neal and authorize the Chairman to sign, paragraph 5 will be amended to provide that escrow will close on or about November 1, 2017, but in no event prior to the County opportunity to review the Preliminary Title Report, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

17. **DISCUSSION/POSSIBLE ACTION:** Modification to the Tahoe-Reno Industrial Center, LLC - Storey County Development Agreement by amending the development agreement master site plan to include certain parcels located within an area previously transferred from Washoe County to Storey County in 2014. The subject parcels include APNs 005-121-01, 005-121-02, 005-121-03, 005-121-04, and 005-121-05.

Commissioner Gilman recused himself from discussion and vote on this item.

Austin Osborne presented this item - request to modify the development agreement between Tahoe-Reno Industrial Center and Storey County to include parcels totaling approximately 2,500 acres, zoned commercial/industrial. This was land transferred from Washoe County to Storey County in

2014. Only the portions owned by TRI Center and zoned IC are subject to this request. Mr. Osborne reviewed all conditions agreed to by TRI, including agreement not to allow medical marijuana uses on this land and to include that restriction to all of the Industrial Center.

Public Comment:

**Nicole Barde** : Is the Master Plan being altered to accommodate this annexation?

Mr. Osborne: There are no changes to the Master Plan. This is an area in and around TRI Center that the Master Plan states this land should be used for industrial, commercial - those sort of uses.

**Karen Woodmansee, Comstock Chronicle**: Is this land owned by Storey County, now going to be owned by TRI? Would the “infrastructure agreement” apply to this property?

Chairman McBride: This is privately owned land transferred from Washoe County into Storey County.

Mr. Whitten: Yes - the (infrastructure) agreement will apply.

**Kris Thompson**: Appreciates Storey County’s efforts getting this property moved into Storey County. This property will generate a lot of retail business.

Mr. Whitten: During the process, Washoe County has been very cooperative and supportive.

Vice Chairman McGuffey: His biggest concern is the river and does not want to see companies backed up to the river. He would like to see this as a green-belt area.

Mr. Osborne: These river-front properties have been acquired and are managed by the Nature Conservancy just for that purpose.

**Motion**: In accordance with recommendation by staff, I Commissioner McGuffey, motion to approve modification to the Tahoe-Reno Industrial Center, LLC - Storey County Development Agreement by amending the development agreement master site plan to include APNs 005-121-001, 005-121-02, 005-121-03, 005-121-04, and 005-121-05 as legally described in Exhibit A enclosed herewith,

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

**27. DISCUSSION/POSSIBLE ACTION**: Road Abandonment. The applicants are requesting an abandonment of a portion of “O” Street. The applicant requests that the eastern four feet of “O” Street along the property line of Lot 9A, Block 116 of Virginia City, for a distance of 75 linear feet be abandoned to accommodate proposed construction of a garage. The property is located at 97 South “O” Street, the northeast corner of “O” Street and Taylor Street, Virginia City, Storey County, Nevada and having Assessor’s Parcel Number (APN) 001-255-02.

Vice-Chairman McGuffey recused himself from discussion and vote on this item.

Planner Kathy Canfield presented this item. This application is made to correct an error when the permit was issued for construction of a two-car garage addition. It was discovered that the addition is 3 feet into the right-of-way. All required noticing was done and responses to objections were answered. Even with the abandonment, the general requirements for right-of-way are met. Property owner has agreed to an easement.

Mr. Osborne indicated changes have been made to work-flow and structure to insure this will not happen again.

Public Comment:  
None

Chairman McBride said errors were made by the County and applicant, and does not see any problem.

Ms. Canfield read the Findings of Fact:

The Applicant requests an abandonment of a portion of "O" Street. **The applicant requests** that the eastern four feet of "O" Street along the property line of Lot 9A, Block 116 of Virginia City, for a distance of 75 linear feet be abandoned to accommodate proposed construction of a **garage. The property is located** at 97 South "O" Street, the northeast corner of "O" Street and Taylor Street, Virginia City, Storey County, Nevada and having Assessor's Parcel Number (APN) 001-255-02.

The Abandonment complies with NRS 278.480 relating to Abandonment of a street or easement.

The Abandonment complies with all Federal, State, and County regulations pertaining to vacation or abandonment of streets or easements, including NRS 278.240.

The Abandonment will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.

The Abandonment will not cause the public to be materially injured by the proposed abandonment.

The conditions of approval for the requested Abandonment do not conflict with the minimum requirements in Storey County Code Chapters 17.12.090, General Provision - Access and Right-of-Ways, or any other Federal, State, or County regulations.

Public Comment:  
None

**Motion:** Approve In accordance with the recommendation by staff and the Planning Commission, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I, Commissioner Lance Gilman, move to approve an abandonment of the eastern four feet of "O" Street along the property line of Lot 9A, Block 116 of Virginia City, for a distance of 75 linear feet and the area of abandonment be combined with the property located at 97 South "O" Street, the northeast corner of "O" Street and Taylor Street, Virginia City, Storey County, Nevada and having Assessor's Parcel Number (APN) 001-255-02, (the following read by Chairman McBride): Additionally, the Final Map must delineate a four foot wide easement along the west boundary of the adjusted parcel (i.e., over the street abandonment area) which shall be exclusive for above-ground hanging fiber optic, telephone, cable, and television utilities. The portion of the residential/garage structure located within this easement area must not exceed 20 feet in height in order to not conflict with the overhanging utilities. The easement area must not allow utility poles, boxes, or other ground-mounted apparatus that would conflict with the residential structure built thereon,

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

**28. DISCUSSION/POSSIBLE ACTION:** Variance 2017-041. The applicants are requesting a variance to the side yard setback for the construction of a one-story garage attached to the existing residence. The applicants request the side yard setback be reduced from the required 10-feet to the proposed 1-foot. The property is located at 97 South "O" Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-255-02.

Vice-Chairman McGuffey recused himself discussion and vote on this item.

Planner Kathy Canfield presented this item. With the abandoned four feet, applicant is requesting a one foot setback from the property line which reflects the one foot garage over-hang into the right-of-way. The garage will be 13 feet from the pavement edge to garage wall.

Public Comment:

None

Mr. Osborne: Updates in zoning requirements will include "loosening restrictions" for building garages in Virginia City on 50x100 lots, rather than going through the variance process.

Ms. Canfield read the Findings of Fact:

The applicants are requesting a variance (Variance 2017-041) to the side yard setback for the construction of a one-story garage attached to the existing residence. The applicants are requesting the side yard setback be reduced from the required 10-feet to the proposed 1-foot. The property is located at 97 South "O" Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-255-02.

An abandonment of 4-feet by the 75-foot length of the west property line (Abandonment File 2017-040) has been approved for the applicant which permits this Variance application to proceed.

Because of errors made on submitted plans and measurements at the site, the granting of this Variance resolves the inadvertent construction of a garage foundation encroaching onto public right-of-way, without requiring the removal of the constructed foundation.

The subject property is located within R1 Residential zoning with an existing residence as a primary use and the proposed garage as attached allowed accessory use.

That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.

The Storey County Public Works Department reviewed the site and determined that no above-ground or below-ground public utilities exist in the area subject to the variance.

That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property.

The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations.

The proposed Variance is in compliance with Storey County Code 17.03.140 Variances and 17.16 R1 Residential Zones when all Conditions of Approval are met.

The proposed Variance is in compliance with and supports the goals, objectives and policies of the 2016 Storey County Master Plan.

Public Comment:  
None

**Motion:** In accordance with the recommendation by staff and the Planning Commission, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I Commissioner Lance Gilman), move to approve Variance 2017-041 to reduce the side yard setback from the required 10-feet to the proposed 1-foot. The property is located at 97 South “O” Street, Virginia City, Storey County, Nevada, Assessor’s Parcel Number (APN) 001-255-02, **Action:** Approve, **Moved by:** Commissioner Gilman, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

18. **DISCUSSION/POSSIBLE ACTION:** Modification to the Tahoe-Reno Industrial Center, LLC - Storey County Development Agreement, in accordance with Section 5.2, by accepting and approving the application of the amendments made to Title 17 of the Storey County Code set forth in Storey County Ordinance 17-275 (see Enclosure B) within the Tahoe-Reno Industrial Center, amendments which prohibit the use of land within the Tahoe-Reno Industrial Center as a marijuana cultivation facility, as a marijuana testing facility, as a marijuana manufacturing facility, as a marijuana distributor, as a retail marijuana store or as a facility from which a facility or organization from which a person may obtain marijuana and marijuana related products.

Commissioner Gilman recused himself discussion and vote on this item.

Planning Director Osborne presented this item - a request for TRI Center to accept the restrictions of the approved amendments to Ordinance 17-275 within Tahoe Reno Industrial Center.

Public Comment:

**Sam Toll:** Reviewed the background of marijuana in the 1900’s. This industry (marijuana) is subject to triple taxation. The County turning its back is contrary to what the intent of the voters of the State of Nevada, and Storey County, made clear in question 2. It is disappointing in light of the fact (the County) is not getting much in the way of tax revenue from TRI.

Chairman McBride: The Federal Government still deems marijuana a “schedule one” drug. The County has a good relationship with the Federal Government - receiving assistance in funding various projects. Would not like to see a revocation of funding because the County was disobeying Federal law. If the Federal Government relaxes prohibition in the future, the County can look at this again. I do not believe the companies in the Industrial Center want “pot shops” set up where they’re doing business.

**Louise Pena, River District resident :** Does not want to see the County pass something that would be so harmful to people in the River District. Allowing any part of marijuana distribution in that area is putting everyone at a disadvantage - especially with the current traffic issues. Does not want to see Storey County allow this in the Industrial Park.

Mr. Whitten: An agreement with the owners of the park states that subsequent laws passed don’t necessarily pertain (to the park) unless agreed to at the County level. There are 15 rural counties -

none have enacted recreational marijuana. Restrictive use of marijuana is allowed in this county - this cannot be eliminated.

**Kris Thompson** : It was agreed by all parties that the Industrial Park must comply with all Federal law. If allowed, it would seem - under the Development Agreement - that everyone could come after TRIC and the County. TRIC supports the County on this issue.

**Motion:** In accordance with the recommendation by staff, I, Commissioner Jack McGuffey, motion to approve modification to the Tahoe-Reno Industrial Center, LLC - Storey County Development Agreement in accordance with Section 5.2 by accepting and approving the application of the amendments made to Title 17 of the Storey County Code set forth in Storey County Ordinance 17-275 within the Tahoe-Reno Industrial Center, amendments prohibiting the use of land within the Tahoe-Reno Industrial Center as a marijuana cultivation facility, as a marijuana testing facility, as a marijuana manufacturing a facility, as a marijuana distributor, as a retail marijuana store or as a facility for which a facility or organization from which a person may obtain marijuana and marijuana related products, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

19. **DISCUSSION/POSSIBLE ACTION:** Workshop related to Property Tax Relief.

Comptroller Hugh Gallagher: The County is looking at what type of relief can be obtained - including real property tax reductions, rebates (both apply to ad valorem), utility fees (including tax gas), and anything that could provide relief for residents. The County must look at implementation, which starts Department of Taxation with discussions and others about what the procedures may be. Whether or not there are legal issues needs to be determined.

Commissioner Gilman: It sounds like the County is still researching and looking at how this may be accomplished.

Mr. Gallagher: Property tax relief will be on a percentage of what is originally put in. Businesses contribute about 65% and will get 65% back; centrally assessed is 22%; and residents and everyone else, would share about 12-15%. We continue looking for another way - nothing has been found yet. Once legality is established - will the Department of Taxation allow it?

Commissioner Gilman: This County is moving towards incredible prosperity. I want to see a vehicle that allows residents to participate in the County's financial successes and will be extremely disappointed if we do not come up with a way to reward (the residents).

Vice-Chairman McGuffey: There's been discussion that lowering taxes is hard to do and raising taxes is even harder. Once a year, Alaska sends out checks to every resident for the pipeline - maybe something like that can be considered. We want to fulfill promises made.

Mr. Whitten: The problem is finding meaningful relief. A lower tax rate will be seen by the "big boys". The rebate is sort of the same thing - big companies would benefit most, the average taxpayer would see minimal, to hardly any, relief. The idea of a check (as in Alaska) is fascinating and will be pursued further. The County is committed to find a way to get this done.

Commissioner Gilman: Believes the County spends about 85% of income in union support - for all of the community unions who share in the County's growth through automatic payroll increases and other guarantees. If the County is doing this, the most important faction is the residents - people who are paving the way.

Chairman McBride: That figure is not just the unions, all County employees are part of that figure. As the County gets closer to expiration of abatements, and new with new companies that do not have abatements, there will be a “windfall” of revenue. Tesla, paying the most taxes, will be the biggest winner of a tax rollback. Abatements do not last forever - everyone should get a benefit when the abatements expire.

Commissioner Gilman: Thinks some companies in TRI have received incentives, but only two have received abatements. There is a strong mix of income from TRI.

Chairman McBride: Before the growth in TRI, there were only volunteer fire departments in several areas where now there are paid, fully staffed fire stations - going from a small part of the budget to a good portion of it for these services. It’s a cost of doing business and the residents are well-taken care of. The County is not near its (tax rate) cap and has been able to maintain a moderate tax rate. Other counties continue to raise rates.

Commissioner Gilman: The County has done a great job. Excess revenues are growing and will be available - it would be nice to plan how to have everyone in the loop.

Mr. Whitten: No action was anticipated today.

Public Comment:

**Sam Toll:** Does the Comptroller have an abated tax figure the County has received for 2016-17?

Mr. Gallagher: The abated taxes for 17-18 are about \$10 million. It was \$6 million the year before. The more property Tesla builds on - the higher the assessed valuation.

Mr. Toll: The Department of Taxation has no way of quantifying where tax revenues are generated from. One problem is - if you can’t measure it, you can’t manage it. A lot of the taxes collected are “one time”, not recurring. What is it we’re dealing with, how to figure that out, can a check be written to every resident in the County? Without real numbers, making any decision is dangerous.

**Kris Thompson, TRI Project Manager :** Property values and sales data in the region are tracked by TRI. Property values since the Tesla deal, have gone up over 20%. It seems the increased property taxes based on increased valuations could be turned back to Storey County residents. A government that is succeeding should be able to turn some of that success over to its residents.

Chairman McBride: Even though values of companies have gone up in three years, it is based on a ten year, rolling average on the property tax cap. Property taxes may have actually gone down because of the convoluted Legislative action.

Mr. Whitten: The answers lie with the Legislature.

Mr. Thompson: Is there a point that property tax relief can be enacted - can it be defined? There has to be a point where taxes can be lowered or a rebate given to residents.

Keith Loomis: The Nevada Constitution states the rate of taxation shall be equal across all properties. This is one roadblock distinguishing between residential and commercial users.

Mr. Whitten: The Alaska pipeline probably is not a refunded tax. How can a “pot of money” not tied to taxes be distributed in a way acceptable to the Board and meaningful to the people of the County?

Mr. Loomis: The Alaska pipeline idea is a thought.

**20. DISCUSSION/POSSIBLE ACTION:** Second reading for General Business License, Applicant is Michelle Haley, owner of Virginia City Cigar and Bar located at 69 C Street, Virginia City, NV 89440.

On behalf of the Sheriff, Pat Whitten said approval of the General Business License for Michelle Haley is recommended by the Sheriff’s Office.

Public Comment:  
None

Chairman McBride disclosed he has a General Business License in proximity to this business, and his vote on this matter would not affect applicant or any other business in proximity to this business.

Commissioner Gilman disclosed he has a General Business License in proximity to this business, and his vote on this matter would not affect applicant or any other business in proximity to this business.

**Motion:** Approve Second reading for General Business License, Applicant is Michelle Haley, owner of Virginia City Cigar and Bar located at 69 C Street, Virginia City, NV 89440, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**22. DISCUSSION/POSSIBLE ACTION:** Second reading for On-sale Liquor & Cabaret License. Applicant if Michelle Haley, owner of Virginia City Cigar and Bar located at 69 C Street, Virginia City, NV 89440.

Board member Sheriff Antinoro absent.

Pat Whitten on behalf of the Sheriff, stated the applicant was found to have no disqualifying history. Applicant has been operating on q temporary license since September 19<sup>th</sup>. Applicant has a six year lease with no irregularities seen in the lease agreement. All fire, health, and safety approvals have been obtained.

Approval is recommended by the Sheriff’s Office.

Public Comment:

**Sam Toll:** Encourages and welcomes the new business and points to the irony of embracing a business like this. They sell alcohol and tobacco, clearly two dangerous substances.

Chairman McBride disclosed he has a Liquor and Cabaret License in proximity to this business, and his vote on this matter would not affect applicant or any other business in proximity to this business.

Commissioner Gilman disclosed he has a Liquor and Cabaret License in proximity to this business, and his vote on this matter would not affect applicant or any other business in proximity to this business.



**Motion:** I make a motion to approve the second reading, On-sale Liquor and Cabaret License for Virginia City Cigar and Bar located at 69 C Street, Virginia City, NV 89440, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

24. **DISCUSSION/POSSIBLE ACTION:** Letter to Congressman Mark Amodei, Senator Dean Heller, and Senator Catherine Cortez-Masto supporting Congressional bill action which serves to clarify language in Public Law 113-291 conveying to Storey County approximately 1,745 acres of land in and immediately surrounding Virginia City and Gold Hill which is identified as having clouded federal ownership, as well as any other Congressional bill which serves to convey said lands from federal ownership to Storey County.

Austin Osborne said the County is working with the Porter Group, Congressman Mark Amodei, Senator Dean Heller, and Senator Catherine Cortez-Masto in efforts to get the Lands Bill approved. The support of this Board in writing a letter will help this effort. It is believed that in 2018 something will be done to get this approved and the transfer of these lands can begin.

Public Comment:  
None

**Motion:** I, Commissioner, Jack McGuffey, motion to send this letter to Honorable Congressman Mark Amodei, Honorable Senator Dean Heller, and Honorable Senator Catherine Cortez-Masto supporting Congressional bill action which serves to clarify language in Public Law 113-291 conveying to Storey County approximately 1,745 acres of land in and immediately surrounding Virginia City and Gold Hill which is identified as having clouded federal ownership, as well as any other Congressional bill which serves to convey said lands from federal ownership to Storey County, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

25. **DISCUSSION/POSSIBLE ACTION:** Variance 2017-008 by Insurance Auto Auctions. The applicant requests a use variance allowing a previously permitted non-conforming use to remain in-place under its existing ownership conditions. The proposed use subject to the variance request is outdoor storage of inoperable motor vehicles and auctioning of those inoperable vehicles at portions of subject property located at 4086 Peru Drive, McCarran (Tahoe-Reno Industrial Center), Storey County, Nevada, APN 005-071-16.

Continued to December 19<sup>th</sup> or January 2<sup>nd</sup>.

26. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit 2017-034 request by the applicant CEMEX Materials Pacific (property owner Tahoe-Reno Industrial Center, LLC) to construct and operate a ready mix batch plant at 1000 Peru Drive, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-08.

Commissioner Gilman recused himself from discussion and vote on this item.

Planner Kathy Canfield presented this item, a Special Use Permit Request for vacant land in TRI. The Applicant CEMEX Materials Pacific (property owner Tahoe-Reno Industrial Center, LLC) requests to construct and operate a ready mix batch plant at 1000 Peru Drive which will serve the surrounding

community. Project is consistent with the zoning ordinance and Master Plan. This is an approval for something permanent.

Public Comment:

None

Ms. Canfield read the Findings of Fact:

The following Findings of Fact are evident with regard to the requested special use permit when the recommended conditions of approval in Section 4, Recommended Conditions of Approval, are applied.

This approval is for a Special Use Permit (File 2017-034) for applicant CEMEX Materials Pacific (property owner Tahoe-Reno Industrial Center, LLC) to construct and operate a ready mix batch plant at 1000 Peru Drive, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-08.

The Special Use Permit conforms to the 2016 Storey County Master Plan for the McCarran planning area in which the subject property is located. A discussion supporting this finding for the Special Use Permit is provided in Section 2.E of this staff report and the contents thereof are cited in an approval of this Special Use Permit.

The subject property is located within an existing industrial neighborhood in the McCarran area of Storey County. The zoning is based on the 1999 Storey County Zoning Ordinance which identifies this property as I-2 Heavy Industrial. The proposed ready mix batch plant requires a Special Use Permit.

Granting of the Special Use Permit, with the conditions of approval listed in Section 4 of this report, will not under the circumstances of the particular case adversely affect to a material degree the health or safety of persons/property in the neighborhood of the subject property. The project is expected to meet the safety and health requirements for the subject area. The use will also be subject to building and fire plan review in order to ensure compliance with federal, state and other codes.

The Special Use Permit will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area, and it will comply with all federal, state and county regulations.

The conditions under the Special Use Permit do not conflict with the minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial and 17.62 Special Uses.

Granting of the Special Use Permit will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons working in the neighborhood or area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood or area of the subject property.

**Motion:** In accordance with the recommendation by staff and the Planning Commission, the Findings of Fact under Section 3.A of the staff report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I Commissioner Jack

McGuffey, move to approve Special Use Permit 2017-034, a request by the applicant CEMEX Materials Pacific (property owner Tahoe-Reno Industrial Center, LLC) to construct and operate a ready mix batch plant at 1000 Peru Drive, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-08, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

29. **DISCUSSION/POSSIBLE ACTION:** Approval of Business License Second Readings:

- A. AHAUS TOOL & ENGINEERING, INC - General / 200 Industrial Parkway ~Richmond, IN
- B. BAUMBACH ENTERPRISES, LLC. -General / 1700 Marietta Way ~ Sparks
- C. GLOBAL ASI, INC - General / 17870 New Hope St., Fountain Valley ~ CA
- D. GRANITE PROPANE- General / 2685 Almond Dr. Silver Springs, NV
- E. INTERSTATE CONCRETE PUMPING-General/ 11180 Vallejo Ct. French Camp ~ CA
- F. LEADEC ES, INC. - General / 9595 Kenwood Ave, Cincinnati ~ OH
- G. LELAC'S FILIPINO BAKERY. - General/ 720 Baring Blvd, Sparks ~ NV
- H. MASTER SERVICE PLUMBING, INC. - Contractor / 325 Sunshine Lane, Reno ~ NV
- I. ONSTREET CONCESSIONS - General / 385 Freeport Blvd. 21, Sparks, NV
- J. STRAIGHT UP! PLUMBING - Contractor / 260 Freeport Blvd ~ Sparks ~ NV
- K. SUPERIOR DRAIN SVC & HOME REPAIR -Home Business / 266 N C Street, VC ~ NV
- L. THE BURNT ORANGE. - General / 1630 Elk Run Trail ~ Reno ~ NV
- M. TRUCKEE MEADOWS OFFICE CLEANING INC -General / 820 E Second Street, Reno~ NV
- N. UNARCO MATERIAL HANDLING - Contractor/ 701 16th Ave E., Springfield ~ TN
- O. UTICA ENTERPRISES, INC. -General/ 5750 New King Drive #200, Troy ~ MI
- P. WOODPECKERS - General / 2160 Alamo Square Way, Reno ~ NV
- Q. 4D SYSTEMS, LLC. - General / 4130 Market Place, Flint ~ MI

On behalf of Community Development, County Manager Whitten requested items A through Q be approved.

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

### 30. PUBLIC COMMENT (No Action )

**Virginia City Resident, Richard Bacus :** Addressed the current problem with the feral horses in Virginia City. There are at least 8 people in town that are watering and/or feeding the horses. Has tried to contact Chris Miller from Department of Agriculture. Something has to be done. Someone is going to get hurt.

Mr. Whitten: The County is aware of the problem. Efforts to contact Department of Agriculture have gone unanswered. A scheduled meeting has been cancelled.

Sergeant Kern: Added that the Sheriff's Office is actively investigating any complaints regarding watering and feeding the horses. His advice is that people continue to report any incidents to the Sheriff's Office to help build the paper trail. The consequences are up to \$1,000 fine and/or up to six months in jail.

**Nicole Barde , Storey County Resident:** Asked when a debt is not a debt? There has been some discussion on the Highlands chat board. Mr. Thompsen has stated online that the money owed to TRI is not a debt, it is a limited profit sharing agreement. Would like clarity - does the County owe TRI a debt for the infrastructure?

Mr. Whitten: The Developer Agreement has been explained previously. It is not just taxes, it is plan review and permitting, and more. Each year there is an independent audit of revenues resulting from TRI properties. Formulary expenses (fire and police expenses, and many more) are deducted from the gross revenues to get a net revenue. The developer builds - as example - new fire stations, having costs which goes into the amount of money the County is subject to pay back to TRI, at the rate of 35 cents on the dollar. A debt is a debt when the County's debt management firm says it's a debt. This has not been said about TRI - it is not on the debt management reports. There is an agreement between the County and TRI that they build specific infrastructure - these items go back into the items subject to payback at zero interest. This is revenue sharing and economic development.

Ms. Barde: Regarding unapproved bonuses - please do not bury the report.

**Jay Carmona, VC Highlands resident** : Requested that an alcohol checkpoint be set up on the Grade just outside of town.

**Kris Thompson, TRI Project Manager:** He has posted a link to the Capital Improvement Agreement on the Highlands blog - the Agreement contains the specific terms. Second, the agreement is referred to as a public-private partnership, and is has been a great partnership. Lastly, this meeting above all others, points out the level of transparency.

**Louise Pena , Rainbow Bend resident:** The horses have split the community in Rainbow Bend. You are either on one side or the other. If you tell Mr. Chris Miller that you are afraid that the horses are going to get hurt, he will respond. She added that she is intrigued with how open the Commission meetings are run.

Mr. Whitten: A follow up to clearing some of the banks (along the river) in Rainbow Bend. Not in Lagarmisino - which is the Corps of Engineers area. There were issues with who was going to be used to clear up the riverbanks - this may not get done this year, but please keep requesting this.

Ms. Pena: Will not give up. If we can dumpsters from Waste Management and homeowners to volunteer - this may work.

Mr. Whitten: Congressman Amodeli's representative is available downstairs to listen to constituent concerns after this meeting.

**Sam Toll:** Suggests that (the Commission) return to the letter of the NRS statutes that state public comment shall occur at the beginning of every meeting and at the end.

Referring to taxes, fees, and licenses as profit - creates a disturbing tone. Government is not in the business of making money.

### 31. **ADJOURNMENT**

The meeting adjourned by the call of the Chair at 1:57PM

Respectfully Submitted,

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