



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, DECEMBER 5, 2017 10:00 A.M.

DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

MARSHALL MCBRIDE  
CHAIRMAN  
ATTORNEY

ANNE LANGER  
DISTRICT

LANCE GILMAN  
VICE-CHAIRMAN

JACK MCGUFFEY  
COMMISSIONER  
TREASURER

VANESSA STEPHENS  
CLERK-

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**ROLL CALL:** Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, County Manager Pat Whitten, Clerk & Treasurer Vanessa Stephens, District Attorney Anne Langer, Deputy District Attorney Keith Loomis, Administrative Officer/Planning Director Austin Osborne, Comptroller Hugh Gallagher, Sheriff Gerald Antinoro, Outside Counsel Robert Morris, Justice of the Peace Eileen Herrington, Tourism Director Deny Dotson, Senior Center Director Stacey Gilbert, Community Chest/Library Direct Erick Schoen, Planner Kathy Canfield, and Director of Security Melanie Keener

**1. CLOSED SESSION AT 9:30 A.M.**

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

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

**3. PLEDGE OF ALLEGIANCE**

Chairman McBride led those present in the Pledge of Allegiance.

**4. DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for December 5, 2017

County Manager Pat Whitten requested the following changes: Item 10 be continued to January 16, 2018; Item 26 be moved to be heard after Item 9; Item 27 be continued to a date uncertain; and Items 28 and 30 be heard after Item 11.

Public Comment:

**Nicole Barde, Storey County Resident:** Requested Item 71 on the Consent Agenda be pulled for discussion. Specifically policies 210, 212, and 222 to be discussed.

**Motion:** Approve Agenda with requested changes for December 5, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**5. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for October 17, 2017.

Public Comment:

None

**Motion:** Approve Minutes for October 17, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**6. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for November 7, 2017.

Public Comment:

None

**Motion:** Approve Minutes for November 7, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**7. CONSENT AGENDA:**

I Storey County Administrative Policies and Procedures including 201 Fair Employment Practices, 202 Anti-Harassment, 203 Dealing with Discrimination, 204 Employee Bullying, 205 Employment Disabilities, 206 Drug and Alcohol Free Workplace, 207 Reasonable Alcohol Drug Testing, 208 Discipline Related to Alcohol and Drug Abuse, 209 Prohibition of Workplace Violence, 210 Employment of Relatives, 211 Employee Dating, 212 Code of Ethical Standards, 213 Political Activity, 214 Solicitation, 215 Work Stoppage, 216 Outside Employment, 217 Dress and Grooming, 219 Reporting Convictions, 220 Genetic Information Nondiscrimination Act (GINA), 221 Telecommuting; and the addition of Policy 222 Whistleblower Protection which removes the associated text from Policy 219 and places it appropriately into its own policy.

II For possible action, Approval of payroll claims in the amount of \$879,747.27 and accounts payable claims in the amount of \$805,123.02.

III For possible action, cancelation of the December 19, 2017 Board of County Commissioners Meeting.

IV For possible action, approval of First Reading General Business License. Applicant is Jonathan Deitrich, owner of a home based business, The Supply SGT, at 450 S E St., Virginia City, NV 89440.

V For possible action, approval of Treasurers Report for October 2017.

VI For possible action, approval of First Reading Business Licenses:

- A. TACTICAL CONTROLS - General / 943 W. Overland Rd ~ Meridian, ID
- B. VERTECH INDUSTRIAL SYSTEMS, LLC - General / 4409 E. Baseline Rd ~ Phoenix, AZ
- C. ZERO CHAOS - General / 420 S. Orange Ave ~ Orlando, FL
- D. EXPRESS JANITORIAL - General / 418 S. Rock Blvd ~ Sparks, NV
- E. DELTA MOLD - General / 9415 Stockport Pl. ~ Charlotte, NC
- F. HDR - General / 6805 Double R Blvd ~ Reno, NV
- G. APEX - General / 4400 Cox Rd ~ Glen Allen, VA
- H. CONCRETE VALUE CORP OF NEVADA - General / 695 Edison Way ~ Reno, NV
- I. JOHN GHILIERI - Contractor / 3455 Thornhill Ct ~ Reno, NV
- J. MY FRIENDS - General / 2995 Scottsdale Rd ~ Reno, NV
- K. NATHAN OSBORNE, DBA: STIX & STRIPS - General / 6016 Plumas ~ Reno, NV
- L. MOORE THAN LOCKS - General / 7565 Halifax Dr. ~ Reno, NV

M. SILVER SAGE WATER CO, LLC - General / 129 Ashley Way ~ Reno, NV  
N. TACOS EL GORDO - General / 5330 Torobie Dr. ~ Sun Valley, NV  
O. KNA SOLUTIONS LLC - General / 2035 Sunset Lade Rd ~ Newark, DE  
P. FIRE EXTINGUISHER SERVICE CENTER - Contractor / 260 Freeport Blvd ~ Sparks, NV  
Q. EDEGARDO CANDIDO - Handyman / 44 "G" St. ~ Virginia City, NV  
R. ELRINGKLINGER SILICON VALLEY, INC - General / 2 Max-Eym-Strasse ~ Dettingen Erms, Germany  
S. NORTHSTAR ELEMENTS, LLC - General / 1215 Alexandria ~ McCarran, NV  
T. PEARLY CAKES MERCANTILE - General / 465 S "C" St ~ Virginia City, NV  
U. PAC VAN INC. - General / 9155 Harrison Park Ct. ~ Indianapolis, IN  
V. SAN-EI TECH LTD. - General / 7-1-15 Kashiwa ~ Chiba, Japan  
W. RAPID CONSTRUCTION INC - Contractor / 3072 Research Way ~ Carson City, NV  
X. PRECIOUS HOLDING, DBA: BAM!DOG HOT DOGS - General/1795 Laurel Ridge ~ Reno, NV  
Y. SOFTWARE SPECIALISTS INC - General/ 401 Smith Dr ~ Cranberry Township, PA  
Z.PRISM SYSTEMS SOFTWAREM, INC - General / 200 Virginia St ~ Mobile, AL  
AA. ESC, Inc. - General / 1922 N. Broadway Ave ~ Springfield, MO

**Motion:** Approve Consent Agenda for December 5 2017, pulling Item I for discussion of policies 210, 212, and 222, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Nicole Barde: Policy 210, Employment of Relatives, indicates it is possible to report to an immediate supervisor that's a relative but not to two levels above.

Austin Osborne: This is a standard policy - that an employee's supervisor is not a relative.

Chairman McBride: Your immediate supervisor is not a blood relative?

Mr. Osborne: Correct.

Ms. Barde: On "Whistleblower" policy 222, is there anything added or deleted that is different from Federal or State (policies)?

Mr. Osborne: This policy contains the same language as before but has been moved from the Reporting Convictions policy. The text comes from POOL and has been vetted through the State.

Ms. Barde: Policy 212, Code of Ethical Standards: Other than a supervisor, do other people in the County have the right to review medical and personal records, and are those records on line?

Mr. Osborne: A supervisor can review certain records on a "need to know" basis. The records are not open to everyone. Deputy District Attorney Loomis has recommended using the stringent and compliant ADA Conditions - that is what has been done. Medical records are not kept electronically and are very secure.

Chair McBride: There is no access on-line to personnel records.

**Motion:** Approve Item 7I, Policies 210, 212, and 222, of the Consent Agenda, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**8. DISCUSSION/POSSIBLE ACTION (No Action-No Public Comment): Committee/Staff Reports.**

**Sheriff Gerald Antinoro:**

- A Special Olympics fundraiser was held in November. Deputies participated by growing beards for the event.
- Working with the Attorney General's Office on a drug take-back program. Storey County is on the list to receive an incinerator for drug destruction. Prep-work for placement of the incinerator will be paid by the Attorney General's Office.
- There's a room full of drugs and contraband to be disposed of.
- The incinerator would be for multi-jurisdictional use - other counties would come to this location to dispose of contraband.

**Community Chest/Library Director Erik Schoen:**

- Construction of the Community Center continues on pace. The building is weathered in, with heat and electric installed, and should be complete in February. There are million dollar views from this building.
- Storey County residents have been great in adopting angels from the Angel Trees which are at the Post Office and Catholic Church. People have been very generous in giving money for food and baskets.

**Planner Kathy Canfield:**

- The Census local address information has been submitted.
- Paperwork is being submitted for the Community Rating System for flood insurance, primarily along the Truckee River.
- The IAA Development project variance request that has been on the agenda is being withdrawn.

**Senior Center Director Stacey Gilbert:**

- \$8,000 has been received through fundraising for the purchase of a new dishwasher, which is on the way.
- Thursday, December 21<sup>st</sup>, is the Christmas Lunch. Please RSVP.

**Tourism Commission Director Deny Dotson:**

- Tourism in Virginia City is driven by special events as evidenced this last weekend with the lights displayed by merchants, the great parade, two craft fairs, and concerts. A great way to finish the year.
- The event calendar for next year will be released in January.
- The VCTC will not be meeting in January.
- Things are going great with the V&T Rail Commission. The Polar Express has only a few tickets left - after Christmas and before January 1<sup>st</sup>.
- Operating contracts for the V&T will be reviewed and a business evaluation will be conducted.

**Justice of the Peace, Eileen Herrington:**

- Recently attended an opioid crisis summit hosted by the Attorney General's Office. More and more cases of opioid overdoses, particularly phentolol, are being seen. Nevada is number four in the nation.
- The incinerators are needed as drugs, especially phentolol, are so deadly.

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

- Still working with the Porter Group, Congressman Amodei's office and the BLM on the Lands Bill. Work is being done to come up with a map for the next round of the Bill.

- The Carson River Water Subconservancy group, the contractors, - J.D. Fuller, Jason Weirzbicki, and Mr. Osborne, along with some residents recently spent time in Mark Twain looking at culverts, issues, maps and plans, for the flood mitigation plan.
- The contractor, J. D. Fuller, recently did similar work in Arizona and Douglas County, and had a strong reputation in being able to work with residents.

**District Attorney Anne Langer:**

- A lot of people become addicted to opioids after surgery. Over the last five years, the heroin problem in Northern Nevada has increased 3500%. Especially in the 21 - 35 age group.
- The Sheriff's plan is good to help keep drugs off the streets.
- The medical industry will start looking at the number of drugs being prescribed after surgery.
- This is an epidemic and education is necessary.

**County Manager Pat Whitten:**

- There will not be a second meeting this month. The next scheduled meeting will be January 2<sup>nd</sup>.
- The County Holiday Party will be held this Friday at Pipers Opera House. Everyone is invited - employees, friends, residents.
- The parking area at the Highlands mailboxes has been filled, graded, and compacted - and will be paved in warmer weather.
- Demolition work on the Black & Howell building is scheduled to start next Monday.
- Most equipment is ready for the up-coming snow season.
- The County is looking for a skilled service company for the "first ever" traffic light to be installed at USA Parkway and Electric Avenue. Carson City has an offer on the table. The concern is the distance to get out there and time and materials will be billed. Materials will most likely be paid by NDOT. The estimate is approximately \$6400 per year.
- September sales and use tax figures provided by tax analyst Tom Gransbury:
  1. SCCRT - in State collections were strong; out-of-State - down compared to August.
  2. Overall, the first 3 months of 2017-18, is almost \$34,000 ahead of the same 3 months last year.
  3. VCCRT - \$11,000 ahead for the first 3 months;
  4. **The ¼ cent option tax for the VCTC and the ¼ option tax for the V&T Rail Commission, is \$17,600 ahead of the first 3 months last year.**
- Sewer pipeline project update:
  1. 81 days into the project, with approximately 319 left;
  2. Work is now being done on G and E;
  3. Paving has stopped momentarily. Ames is responsible for the seven foot strip where the pipe is laid. After analysis, the County is working with Ames to pave collaboratively where it makes sense to so there are no seams or water intrusion. The current estimate for the County's portion of paving is \$300-500,000. Funding sources are identified for \$300,000, and looking for the additional funds if needed.
  4. A lot of the paving will most likely be held off until spring due to temperature.
  5. Still trying to tie-in old drainage.
  6. Work has been stopped near E Street and the Savage mine area due to discovery of an underground structure. Archeological firm, Broadbent, is in the process of cataloging and taking pictures.

Vice Chair McGuffey: It's a challenge to get up Washington Street with the loose gravel. This may be a concern.

Mr. Whitten: This is the highest priority to be paved when the time is right.

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

**Vice Chairman McGuffey:**

- Along with Mr. Whitten, recently met with Senator Cortez-Masto to discuss matters of concern to the County, including the Zip Code issue which is currently stalled in Washington, as well as the Lands Bill where Storey County is unique with small areas of BLM scattered throughout the County. Senator Cortez-Masto seemed genuinely concerned with these issues.

**Chairman McBride:**

- Toured the Virginia City wastewater collection system. It's amazing how fast it's moving, even though residents may not think so. The contractor, Ames Construction, is doing a great job and is very easy to work with.

**10. DISCUSSION ONLY/POSSIBLE ACTION:** A resolution honoring Bruce and Linda Larson & Botcha-Caloops as the 2017 Storey County business of the year.

Continued to January 16, 2018.

**26. DISCUSSION/POSSIBLE ACTION:** Approval of the purchase of body cameras for the Storey County Sheriff's Office.

Sheriff Antinoro presented this item and introduced Mike Pisciotta from VieVu, the company being recommended for the purchase of the body cameras, based on ease of operation and cost. The 2017 Legislature mandated the use of body cameras effective July 2018. Deputy District Attorney Loomis had a few questions regarding the contract which Mr. Pisciotta can address. The contract is for 3 years with a 2 year option.

Deputy District Attorney Loomis: Explained this contract is more oppressive than most stating that any conditions set forth by the County are expressly rejected and shall be void and without effect. There are many indemnity provisions, the County is precluded from damages. Mr. Loomis reviewed many other deficiencies and said he has advised the Sheriff of his concerns. The County can work with VieVu to make this a better contract. Mr. Loomis cannot recommend it at this time.

Chairman McBride: Asked about the terms of payment on the contract and asked Mr. Pisciotta if VieVu has contracts with any other agencies in the area.

Sheriff Antinoro: There are several options for payment.

Mr. Pisciotta: VieVu does not have contracts in this area - but there are several agencies in Eastern California, the bay area, and the Sierra Nevada that have contracts. This is a standard contract and there have been revisions. He is more than happy to work with the DA's office and then take it to VieVu's legal counsel to see what can be changed. This does happen occasionally.

Vice Chairman McGuffey: Asked Mr. Pisciotta to provide contacts from other agencies so the District Attorney can talk to them.

Mr. Pisciotta: Absolutely.

Sheriff Antinoro: Has talked to other agencies regarding the usability and servicing of this (VieVu).

Mr. Whitten: This matter has been discussed with the Sheriff, and Mr. Loomis has provided his concerns. It is good to see Mr. Pisciotta has agreed to work with us. The Sheriff likes this product and there is backing from a well-known company, Safariland. The real risk is what could happen and why the Legislature implemented body cams. Any changes should happen expeditiously so this matter could be back in early January with a "cleaned up" contract.

Mr. Pisciotta: If there are concerns with the indemnities, we can work with it.

Chair McBride: What is the time frame mandated by the Legislature to be up and operational?

Sheriff Antinoro: July 1<sup>st</sup>.

Mr. Whitten: Asked to continue this to January 2<sup>nd</sup> to hopefully get this done.

Vice Chair McGuffey: The contract indicates a cost of \$899.95 for 20 cameras? Is that each or for all 20?

Mr. Pisciotta: \$899.95 would be the retail cost - these fees are waived. Eighteen on the contract is the amount of users on the Government cloud, leaving two cameras in the event something happens to one of the 18.

Commissioner Gilman: Would like to see the County's legal department comfortable with the contract before moving forward.

Vice Chair McGuffey: Have issues with officers wearing or not turning cameras on been addressed?

Sheriff Antinoro: The Legislature said they will wear them. Policies are in place mandating circumstances in which cameras are used and turned on.

Public Comment:  
None

**Motion:** I make a motion to continue this item to January 2, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**11. DISCUSSION ONLY :** Presentation by Ron Radil with Western Nevada Development District.

Ron Radil, along with Sparks City Councilman and WNDD Board President, Ed Lawson, presented an update of WNDD's economic development strategy and project listings.

Mr. Lawson: Thanked Austin Osborne for being on the WNDD Board. Mr. Lawson asked the County to provide an updated list as soon as possible. WNDD has a deadline of March 1<sup>st</sup> to submit requests. Anything and everything can be included and the County can claim for Federal tax dollars. The website has a good representation of projects that can be included.

Mr. Radil: WNDD is in the process of updating the comprehensive economic development strategy. USDA Rural Development can assign up to 20 additional points on applications for loans or grants if the project is in the project listings in a multi-jurisdictional plan or it meets one of the goals or strategies of the multi-jurisdictional plan.

Commissioner Gilman: Asked Austin Osborne if he is working on a list.

Mr. Osborne: Yes. Storey County has an extensive list that updates a lot of things going on across the County.

Commissioner Gilman: Asked if a project was still on the list to extend an effluent pipeline from Reno/Sparks.

Mr. Osborne: Yes it is.

Mr. Whitten: Suggested putting the list on the January 16<sup>th</sup> agenda. Would like to collaborate with Sparks on projects that help the region.

Mr. Lawson: There is a lot going on and they are reacting to a lot of problems created by Storey County, but it is a good thing.

**28. DISCUSSION/POSSIBLE ACTION:** Special Use Permit 2017-044 request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

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

Planner Kathy Canfield presented this item. This property is in TRI and is zoned heavy-industrial. Ms. Canfield explained the process of converting the waste to combustible gases and ash. The process generates more energy than what is used for the process. The waste is not considered hazardous by NDEP or Federal regulations. The applicant is present to give a slide show presentation of the project. The Planning Commission recommended approval.

Tony Dimpel, Project Manager for McGinley & Associates, presented a slide-show reviewing Eco Compliance Corporation's current operations and their plans for this project. Currently Eco Compliance provides collection of bags or bins of medical waste and transportation of the waste to a third-party facility. Eco proposes to build a waste thermal destruction facility.

Mr. Dimpel described the medical waste that is involved in this operation. NDEP does not require special handling of this waste. Disposal of the waste is dictated by the area of origination. Mr. Dimpel reviewed the five different types of waste that would go through Eco's facility, how it would be transported, unloaded, and stored. He further explained that any potential release of medical waste from the facility can be handled by Eco personnel - although the odds of release are very low.

Eco is also requesting a variance to the 50 foot setback for the building.

Chairman McBride: Does (Eco) have other facilities of this kind? Any in this area?

Mr. Dimpel: This will be the first with this technology. A lot of this waste goes to a facility in Maryland - even from the west coast. Waste from other states will be coming to this facility.

Public Comment:

None



Ms. Canfield read the findings of fact:

This approval is for Special Use Permit 2017-044, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential **commercial power generation from waste**. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54;

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 medical waste thermal destruction plant is defined as a "recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes" and 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 this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I, County Commissioner Jack McGuffey, move to approve Special Use Permit 2017-044, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN\_ 005-051-54, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**30. DISCUSSION/POSSIBLE ACTION:** Variance 2017-046 request. The applicant requests a variance to the required 50-foot south yard setback allowing the south setback area to be reduced to

15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

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

Kathy Canfield presented this item. Eco Compliance Corporation has a parcel that is a "half-circle". Applicant is requesting a variance as described in the agenda item description. Staff is supportive of this request and the Planning Commission recommended approval.

Vice Chairman McGuffey: What would happen if the company wanted to expand?

Tony Dimpel: The current plans are for the one building. However, it is foreseeable - there is room to the west.

Ms. Canfield: No objections were received from surrounding businesses. There is room to expand without affecting other businesses if that was to be done.

Public Comment:  
None

Ms. Canfield read the findings of fact:

This approval is for the applicant's request for a variance to the required 50-foot south yard setback allowing the south setback area to be reduced to 15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54;

The subject property is located within the Tahoe Reno Industrial Center and is subject to the **Development Agreement between Storey County and the Tahoe Reno Industrial Center**. The 1999 Storey County Zoning Ordinance I-2 Heavy Industrial zoning applies to the property;

**The property is currently vacant. A medical waste thermal destruction plant is proposed for the property (Special Use Permit File 2017-044);**

That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification;

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

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 1999 Storey County Code 17.60 Variances and 17.37 I-2 Heavy Industrial 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.

**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, County Commissioner Jack McGuffey, move to approve the Variance request 2017-046 for a variance to the required 50 foot south yard setback allowing the south setback area to be reduced to 15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

Chairman McBride called for recess at 11:48 AM  
Meeting reconvened at 12:02 PM

## **12. RECESS TO CONVENE AS THE BROTHEL LICENSE BOARD**

### **13. DISCUSSION/POSSIBLE ACTION :** Work Card Appeal for Haley Hartman.

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

Attorney Joey Gilbert discussed this appeal of the work card denial on behalf of appellant Haley Hartman. The application was for a renewal of a previously issued work card. There have been no issues since Ms. Hartman began working in Storey County. Mr. Gilbert reviewed background of applicant that the denial was based on.

Chairman McBride asked about different issues in the appellant's background that need to be cleared up.

Sheriff Antinoro: Some of the issues are recent.

Public Comment:

**Steve Ayres, Virginia City resident :** Discussed the effects on the appellant if this appeal is denied. The effects should be considered.

Mr. Whitten: If appellant is sincere about a last chance, a condition could be considered stating a violation of "the last chance" would be an arrest.

Vice Chairman McGuffey: This would be the final last chance.

Sheriff Antinoro: Inaudible. Does not agree with a "last chance".

Mr. Gilbert suggested that if appellant does not take care of the pending issues, the Sheriff could take the work card. Understands that if appellant has another arrest, contact with law enforcement, or any other issue pointed out by the Sheriff, until finished with all programming, the work card will be taken away permanently.

District Attorney Langer: It is already in an ordinance that an arrest would cause the work card to be taken away.

**Motion:** I make a motion to return the work card to Haley Hartman under the condition that appellant finish classes in January, has no more incidents, any incident will revoke the work card permanently,  
**Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes= 2, No = 1)

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

**15. DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 17-479 regarding the request by the Director of the State of Nevada Department of Business and Industry to approve the Findings of Fact pertaining to the issuance of industrial development revenue bonds in an amount not to exceed \$25,000,000 for the purpose of assisting in the financing of constructing and equipping a facility owned by Fulcrum and operated by Fulcrum BioEnergy to be used for converting municipal solid waste into renewable fuel products located at 3600 Peru Drive in the Tahoe-Reno Industrial Center and/or the improvements to and equipping of the facility owned and operated by Fulcrum used for the preliminary sorting and processing of municipal solid waste located at 350 Saddle Court in Mustang, Nevada, both locations being in Storey County, Nevada. Approval of the County is required pursuant to NRS 349.580(2).

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

Mr. Whitten introduced Jeannie Benedetti from Fulcrum and C. J. Manthe, Director of the Nevada Department of Business and Industry. This request is for issuance of up to an additional \$25 million industrial development revenue bonds that go into the bio-fuel refinery or the feed-stock system. The County is in no way liable for this - it is just an endorsement and full support of the request.

Ms. Manthe described the bonds as "conduit" bonds - the payment and liability flows through to the borrower. Neither the State nor the County has any liability for payment. The Board of Finance approved this transaction for the \$25 million. This has always been part of the plan for Fulcrum. This request was accelerated due to the pending budget in Congress. Approval of this item by this Board is necessary before the sale of the bonds.

Ms. Benedetti said since the closing of the original bond financing approval in August, the project is on path, moving ahead. Construction should be complete by late 2019 and start production of fuel in 2020. Further equipping of the feed-stock processing will be needed to meet specifications at the bio-refinery - this will require further investment as well.

Public Comment:

None

**Motion:** I, Commissioner Jack McGuffey, move for approval of Resolution 17-479 regarding the request by the Director of the State of Nevada Department of Business and Industry to approve the Findings of Fact pertaining to the issuance of industrial development revenue bonds in an amount not to exceed \$25,000,000 for the purpose of assisting in the financing of constructing and equipping a facility owned by Fulcrum and operated by Fulcrum BioEnergy to be used for converting municipal

solid waste into renewable fuel products located at 3600 Peru Drive in the Tahoe-Reno Industrial Center and or the improvements to and equipping of the facility owned and operated by Fulcrum used for the preliminary sorting and processing of municipal solid waste located at 350 Saddle Court in Mustang, Nevada, both locations being in Storey County, Nevada. Approval of the County is required pursuant to NRS 349.580(2), **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**16. DISCUSSION/POSSIBLE ACTION:** Review and possible approval of Communication Tower lease extension to SBA Communications for an additional 65 years when the current lease expires in 2034.

Comptroller Hugh Gallagher: Counsel has not reviewed and approved this contract. Continuance of this item is recommended.

Mr. Whitten: This request was not submitted according to policy and I was not aware of it until seeing it on the agenda. As senior staff, I would never recommend approval of a 65 year contract.

**Motion:** I make a motion to continue this item to January 16, 2018, 10AM, in this courtroom, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes= 3)

**17. DISCUSSION/POSSIBLE ACTION:** Review and possible approval of TRI Public-Private Partnership Schedule of Project Revenue and Net Revenue and Supplementary Information for the year ended June 30, 2016.

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

Mr. Gallagher, along with auditor Connie Christianson, presented this item. Mr. Gallagher reviewed the audit indicating gross revenues received on behalf of TRI and the partnership is \$5,299,815 - an 8.645 increase over the prior year, mainly due to fire fees and building permits.

Ms. Christianson reviewed the unmodified opinion on the scheduled project revenue and net revenue. Real and personal property taxes, inspection and building fees, continue to increase. Overall activity continues to increase. It is recommended that the County and TRI continue to work together to determine any additional items that may be included in future audit reports.

Mr. Whitten: This has been an ongoing conversation involving trying to find ways to determine centrally assessed taxes within the industrial park. Approximately 75% is "dialed in" and will come before the Commission prior to when Ms. Christianson commences the 16-17 audit.

Public Comment:  
None

**Motion:** I hereby approve the TRI Public-Private Schedule of Project Revenue and Net Revenue and Supplementary Information for the year ended June 30, 2016, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**18. DISCUSSION/POSSIBLE ACTION:** Review and possible approve of Storey County Audited Financial Statements for the year ended June 30, 2017.

Mr. Gallagher: The audit has been delayed. The basic problem is with the beginning balance of fixed assets, accumulation, and appreciation, which cannot be verified. The auditor is attempting to meet with the prior auditor for explanation. If this is not possible, he will have to go back to 2010 to verify information. A letter of exemption will have to be filed with the Department of Taxation which gives about 45 days. When CPA firms are changed, the process is to go back and verify the beginning fund balance.

Mr. Whitten: This is the first he has heard about this and does not blame the Comptroller or the current CPA. This is the "umpteenth" year the County has failed to hit audit deadlines. The Commission is recommended to continue this item to January 2<sup>nd</sup> - it may not be ready but we are keeping an eye on it. Perhaps legal counsel can contact the former auditors. This is unacceptable.

Chairman McBride: This is the first time the County has changed auditors in 35 years.

Public Comment:  
None

**Motion:** I make a motion to continue this item to January 2, 2018, 10AM, in this courtroom, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes= 3)

**19. DISCUSSION/POSSIBLE ACTION:** Approval and acceptance of the Trial Court Improvement (TCI) grant from the Nevada Administrative Office of the Courts in the amount of \$29,456.92 (Project Total) for a Jefferson Audio Video Arraignment System for the courtroom. Actual requested amount is \$20,619.92. Match is \$8,837.00 to be shared equally by the Storey County District Court and Justice Court. (Justice Court Special Fund will be used to provide \$4,418.50 of the match.)

Justice of the Peace, Eileen Herrington: This grant is for an audio video arraignment system and will allow Judge Herrington and the District Court Judges to conduct arraignments of inmates while they are in the jail facility without having to bring them in to the Court. This will alleviate court time and promote safety in the courtroom.

Chairman McBride: This is a great idea and will make things smoother.

Public Comment:  
None

**Motion:** I move to approve the Trial Court Improvement (TCI) Grant from the Nevada Administrative Office of the Courts in the amount of \$29,456.92 for a Jefferson Audio Video Arraignment System for the courtroom, **Action:** Approve, **Moved by:** Commissioner Gilman, **Seconded by:** Vice Chairman McGuffey, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes= 3)

**20. DISCUSSION/POSSIBLE ACTION:** Continue to January 2, 2018, First Reading of: Ordinance No. 17-279 amending Storey County Code Title 16 Subdivisions to adopt new codes for land subdivisions, parcel maps, division of land into large parcels, surety requirements, land readjustments, boundary line adjustments, and reversions to acreage; Ordinance No. 17.280 amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards; Ordinance No. 17.278 amending Storey County Code 17.56 Planned Unit

Developments to revise the procedure for approval of planned unit developments; and approval of Resolution No. 17-474 to the Board of County Commissioners with recommendation by the Planning Commission adopting a design criteria and improvement manual setting forth certain development and design standards and guidelines for residential and non-residential planned unit developments, multi-family residential complexes, and other uses; Resolution No. 17-461 to the Board of County Commissioners with recommendation by the Planning Commission determining and consolidating all planning fees, including removing certain fees from code and placing them into resolution. In addition to provisions of the NRS, any person may complete and return to the board or planning commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance.

Planning Director Austin Osborne said there are planning and legal matters that need to be addressed - this item is likely to be continued again at the January 2<sup>nd</sup> meeting.

Public Comment:

**Sam Toll, Gold Hill resident:** Is there a place for (the public) to go to to “watch the bouncing ball”?

Mr. Osborne: All of the material is posted on the website, including dates so you can see if it is an old or new draft.

**Motion:** I make a motion to continue this item to January 2, 2018, 10AM at this courthouse, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**21. DISCUSSION/POSSIBLE ACTION:** Review of monetary payments, described as buyouts, to two department heads in December 2016, January 2017 and June 2017 by the County Manager. The Board may take action, including but not limited to, determining whether the County Manager had authority to make the payments, setting a review of the county manager’s job performance, referring the matter to an outside agency for evaluation for violation of NRS, or determine whether to try to recover the part or all of the payments.

Chairman McBride noted this issue arose when a former employee requested a PERS buyout.

Chairman McBride asked County Manager Pat Whitten if he had been advised of his due process rights.

Mr. Whitten said he has waived proper notice of those rights where certain notice is required to discuss elements of his job by NRS, and has not waived due process.

Comptroller Hugh Gallagher presented this item regarding payments to retirees Mike Nevin and Dean Haymore providing the Commission with a schedule of payments made to the retirees after announcing their retirement dates.

- Exhibits that say “bonus” should say “buyout”- there is nothing indicating these were bonuses.
- Mike Nevin received \$39,335.61 and Dean Haymore received \$49,783.01 into the deferred compensation program, an amount equal to one year of PERS calculated at their retirement dates.
- Exhibits included in the packet show calculations of the above amounts. There are no initials or signatures authorizing some of the transactions. Contribution forms dated June 2017 are approved by County Manager Whitten.

- The transactions represent “buyout” or possibly early separation of service. In the past, recipients completed a form (Exhibit E in the packet) and a pay request was processed. This was not done.

District Attorney Anne Langer: Regarding the notice waived by Mr. Whitten, it was to tell him that he would be discussed, performance would be discussed, and he has right to counsel in regards to Open Meeting Law. The notice was not about the due process issue.

Commissioner Gilman: Thank you Mr. Gallagher for this report.

County Manager Whitten:

- The Comptroller erroneously stated the PERS and Voya calculations were calculated as a favor and as retired on December 2016. Mr. Nevin retired December 2016; Mr. Haymore on June 30, 2017 - the effective date of the calculations.
- Did not see Mr. Gallagher’s documents until late last week when provided by the District Attorney.
- These retirements, and others previously approved by me or denied by the Commission, have been erroneously referred to as bonuses (money given in addition to compensation).
- These are incentives (payment to stimulate greater output or investment) - a common practice among senior management and human resource professionals.
- It has been past practice to reward and recognize the highest performing staff for their contributions and still compensate their replacement at a lower pay rate, saving money.
- It is important to recognize and compensate high-performers for successes - basing the decision to do so, in part, on the cost savings of the lower rate of pay for their replacement and as incentive.
- There have been 17 retirement incentive packages approved over the last 10 years - for elected officials and county staff. The first two were approved by the Commission - in part, because there was purchase of two years credits and it was new territory for the County. At that time, there was no County Manager, but a Director of Management.
- A guess is that all, or most, of the remaining 15 buy-outs - including the 3 on today’s agenda - were administratively approved by me as the County Manager, and did not come before this Commission, or prior Commissions.
- For all 17, the deciding benchmark was if the County would receive a neutral return on investment within approximately one year of the employee’s retirement.
- Some of the 15 buyouts were considered to move out moderate performers and some to insure consistent treatment of high performers at least as fairly as the others.
- This was never intended to be a secret. Often the impact had to be spread over one fiscal year into another resulting in requesting and receiving approvals from the Commission through the augmentation process.
- Augmentation did not always have to be done. One recent employee, needing a nudge, resulted in tremendous cost savings. With the cooperation of an elected official, the position was left open resulting in savings. The position is currently filled with a less-than full time position.
- I reviewed the numbers in depth with some persons here today including the Comptroller, who fully supported the decision.
- Caution to all - it is an unsound, unsafe practice to selectively choose without fair, consistent foundation, who will receive incentives.
- It is up to the three (Commissioners) as to where we go from here.
- I advocate that having a factual based incentive - not bonus - program to be administered on a case by case basis is sound business practice.



- A policy is not recommended and (the Board) is strongly urged not to as circumstances are almost always unique.
- The Board could limit the (County Manager's) ability to approve on a case-by-case basis with no more than a one year buyout, with a cost break-even to be realized in "x" number of months. The Board is encouraged to do this.
- I have been told by the Chairman to not do anymore (buyouts), a directive I respect, and have and will continue to comply with.
- I will walk the Commission through the logic and foundation of each of the three actions I approved, now brought into question by Mr. Gallagher- despite having ample time to question any and all of us in my office.

Mr. Whitten passed out information/spreadsheets relating to each of the three retirees and to most, if not all, of the other 12 - including a retired senior staff of the (Comptroller's) office. Mr. Nevin and Mr. Haymore will be discussed at this time. The spreadsheets are done to obtain a fiscal analysis of any incentive.

- Regarding Mr. Nevin:
  - Mr. Nevin requested an amount equal to what would have gone into a year buyout/incentive in PERS be put into his VOYA account. (Mr. Haymore and Mr. Hames requested the same). The amount was \$39,336.00.
  - Mr. Nevin was "topped out" at his grade - replacing him at the same grade, entry level step, resulted in a first year gross savings of \$40,948 - net savings of \$1,612. PERS, Medicare, Pact, medical insurance, and uniform allowance would have gone up for both Mr. Nevin and his replacement.
  - My decision paid for itself in less than a year.
- Regarding Mr. Gallagher's comments relating to specifically annual, I refer those to Mr. Osborne as I understand this was handled in a manner consistent with our policies and collective bargaining agreement at the time the request was made.
- Regarding Mr. Haymore and the transition to an outside contract:
  - The succession plan in place got pricey;
  - Mr. Hames indicated he would come back as an independent contractor at a fixed price, at which the County broke even at 50 weeks;
  - In addition, the County no longer pays for a vehicle, fuel, cell phone, continuing education, travel, and other items. There are no sick or annual leave accruals.

The buyout for Mr. Haymore was \$49,783. The first-year cost savings on salary and benefits is \$1,669.

Nothing will go up as Mr. Hames is on a fixed contract.

Mr. Whitten concluded:

- I stand by what I did - I will do no more unless instructed differently by this Board or the Chairman.
- There was some poor work and poor comments presented here. However, I applaud and appreciate Commissioner Gilman's request in asking for a thorough public vetting.

Commissioner Gilman:

- Believes the system outlined by Mr. Whitten is a good operating system and makes financial sense.
- It appears that you are acting more like a manager in private industry than County Manager for Storey County, and I can understand this is something I would do. But in this circumstance I want to explore what should be done.
- This Commission has the responsibility for appropriation of money in the County.

- In this instance the calculations make sense, but we know that (these matters) did not come before the Board. What was the thought process regarding where the authority came from to do this for our employees -what led to this point?

Mr. Whitten:

- Often we have said that “we run this County as a business”.
- These incentives paid for themselves in about a year.
- I apologize for not bringing them to the Commission.
- What led to that:
  - In 2007-08, the Commission approved the first two of seventeen. Leaving 15 to go.
  - The Chairman at the time and I had a different opinion of how many had been done prior, but a practice was developed over the past 8 or 9 years, or so. This is a practice.
  - The practice stopped once Chair McBride said don't do it.
  - What led to this point - this is what we've done in past Commissions, and what we continued to do in the first number of years in your term, Chairman McBride's, and less number of years with Commissioner McGuffey.
  - Does this answer the questions?

Commissioner Gilman:

- I believe so. It appears that past practice evolved. I appreciate that in past years there were policies that were effective.
- (The County's) financial prosperity is growing, and I believe we have to manage our County money very carefully.
- As suggested by Mr. Gallagher, prosperity is growing by the year and therefore the responsibilities to manage at a higher level than ever before are evolving.
- I am disappointed - not with you specifically - that this took place the way it did.
- I applaud that these gentlemen were properly recognized for their services.
- 

Vice Chairman McGuffey:

- Thank you for bringing the numbers - it makes a lot more sense.
- I think the biggest problem is the lack of transparency.
- What was done is great - I would have supported it wholeheartedly.

Chairman McBride:

- I disagree very little with your opening comments.
- I don't agree where you say we provide incentives.
- When someone is hired, they are not told that we would buy PERS or give an incentive when they retire.
- It has been a reward mostly for those who have excelled and did a great job.
- I wish this had been brought to the Board. I feel that the bonus is a fully, taxpayer-funded retirement for years of service.
- I am not sure you would have gotten me.
- I know, understand, and appreciate this has been past practice - especially when I look at the list of some of the people who have moved on.
- I don't think there have been any early retirements since Jack, Lance, or I have been here. I don't remember any buyouts.

Mr. Whitten: I can assure there was at least one.

Chairman McBride: Going forward, everyone wants transparency. In the future, upon recommendation of your office, bring it before the Board, and if deemed a legitimate request - we'll go along with it.

Commissioner Gilman read the following statement into the record:

**Here is my two cents worth. And please excuse me for reading my comments, but I want to make sure I get this exactly right.**

First, I am disappointed with the procedures, or should I say, lack thereof, used in these instances. **For an expenditure of this kind, this should have been put in the budget and an appropriation approved by this commission covering these payments.** If this was done after the budget was initially approved, then there should have been a budget amendment provided to the Commissioners before these payments were approved.

**I am also disappointed that no Commissioner was even briefed on these expenditures ahead of time. This fact, along with the fact that the typical paperwork was not used, gives everyone concern that something improper was going on here. This is very unfortunate.**

All that being said, there seems to be no dispute on three very important key points.

First, these types of payments have been done in the past, although perhaps not in this precise way. **So this is not some "out of blue" expense.** Buyouts are a commonly used technique to save money and on occasion to move someone out who is no longer performing where they should be.

Second, there is no one in the County, and perhaps no one ever who was worked in this County, **who gave as much as these three men have to the County and its residents.** Each of them has given their entire adult life, the best years of their lives, to the good people of this County. **How much reward is almost a lifetime of work worth? They have suffered many physical injuries during the course of the work for us, some pretty serious that will forever be with them.** Dean Haymore for instance has undergone 17 surgeries arising from injuries on the job serving the citizens of our County. **How much is that worth? Most importantly, their efforts were key in elevating this County from the verge of financial implosion, to a shining example of success admired around the County. How much is great success worth in government employment? They have been key players in the County's current very strong and healthy financial position.**

Third, there is no indication whatsoever nor even a whiff of evidence that Pat Whitten somehow **profited financially from these payments. None. This is despite the Comptroller's Office and District Attorney's office reviewing this in detail.** To me, this indicates Pat is being truthful about the purpose of the payments, which is to reward a lifetime of service and clear the way for new blood. **And it should be noted that these were not all payments to buddies of Mr. Whitten's.** In fact, in the case of Dean Haymore, there has been a pretty high level of mutual animosity between these two men.

**Is it unusual for retiring public employees to get a reward? Yes of course it is. But is it wrong? Especially given the facts here? My answer is no. It does serve as an example to other County workers that their work is appreciated and success can be rewarded even in government employment. I have to say that this concept appeals to me. Storey County is very different than other local governments. This difference has created huge financial benefits for the County. Perhaps this type of reward for service and financial impact or job success should be looked into for the future. But this should be done as a formal policy, not on an ad hoc basis.** I strongly believe we should immediately revise the County Manager's job description to ensure that all future payments of this type come before the Commission ahead of time and to ensure our budget appropriations are handled better and in a very disciplined way.

As for anything else, I'm reluctant to recommend anything further in the absence of a formal recommendation or finding from the District Attorney's Office. **If the DA has something further**

to add or recommend I ask that she put this in writing and present it at the [January 16<sup>th</sup>](#) meeting.

I do want to point out the great work done by the County Comptroller - Hugh Gallagher. It takes political courage to bring these kinds of issues to light. The County residents can take heart in the fact that this was brought before the public for a full, transparent hearing. Second, I'd like to compliment the DA and her office for communicating robustly on this issue. Her input behind the scenes has been very helpful. Thank you, Mr. Chairman.

Mr. Whitten asked Mr. Osborne to explain his thoughts regarding the discrepancy between what the Comptroller is claiming and what was processed for vacation leave for Mr. Nevin.

Austin Osborne: For disclosure, the first time seeing these materials was when the agenda packet was put together. The first time I saw anything regarding annual and sick leave was at the Mr. Gallagher sent an email. The Comptroller - either Hugh, Jennifer, or staff - comes to me on a regular basis with questions on how do we pay something out, how to comply with a contract, whatever it is.

Mr. Osborne read an email (making additional comments) sent in response to Mr. Gallagher: Mike Nevin announced his retirement at the time that the former collective bargaining agreement and current policy were and are effective, respectively. Bargaining with the AFSCME group at this time was still in negotiations. The purpose of that preamble was this: as you know we make a strong effort to treat all employees, management and non-management, equitably that including the offering of sick and annual leave, and accrual payout. But the purpose of that is we have always tried to take policies and align them as much as possible with the general employee contracts. (Because the general employees are not as specific as police/fire, for example. And in it, there is a very directive in here for the question. Mike's leave payout shall conform to current policy and it is consistent with the prior CBA. The current policy says that you can accrue up to 240 hours of leave and you can only be paid out 240 hours of leave. 240 hours comes from NRS.

When I see this document that a substantially different amount was paid out exceeding \$6,000 in annual leave to Mike Nevin - I don't know where that came from. 240 is the number and always has been. I don't have an answer other than the directive I provided.

Mr. Whitten: I did concur with Austin's email.

Mr. Osborne: An important clarification - Mike Nevin was not an AFSCME employee, he was a management employee - not subject to the AFSCME contract.

Chair McBride: Regarding the 362.99 hours - was it always 240 hours or did the prior CBA allow you to accrue more than the 240 hours?

Mr. Osborne: You can accrue up to 240 hours in a calendar year. The way NRS is structured, you get the 240 hours for the calendar year - if you exceed 240 hours by the time you reach New Year's then you lose anything you have accrued beyond 240. If you didn't use a lot of leave the year before, and the second year you go beyond January and you work your way down, you can get beyond 240 and up to around 338 hours because the calendar does not quite match up with the 240. If you do not use that by New Year's, you go back to 240. Employees who have not used all of their leave in that situation, will retire and they will have more than 240 hours accrued - which is okay. But they can't be paid out any more than 240 - that's in our policy.

Chair McBride: So this is essentially an accounting error on our part?

Mr. Osborne: I don't know - I can't answer that.

Chair McBride: If we paid out more money than he is entitled, then it was mistake.

Mr. Whitten: This is the first we've seen this documentation.

Vice Chair McGuffey: Is it appropriate to ask for that over-payment back? Is it gone, is there a time limit?

District Attorney Langer: I don't think there's a time limit. But if it was paid out, there will always be an argument "we had an agreement, I got the money, and if there is a mistake - I thought I had earned that money".

Chair McBride: Another argument would be that this person was not afforded the time to take that leave. Here's a person who worked every-other weekend on-call because there was no one else to do it.

Ms. Langer: There are so many arguments - my answer would be no. If a mistake was made, the question would be did this person know it? He just thought he had this many hours and he was paid for it. I don't have the other side of the story.

Mr. Whitten: I do not want to argue the decision because I think it's fair. But it still merits, "how did this happen"? If my office caused it - fine, we'll own it. If the Comptroller's office caused it - he'll own it. As Austin mentioned, none of us saw any of this prior to Thursday's publishing of the agenda. The only notice I got was the courtesy of the two staff reports that Hugh did, compliments of the District Attorney's Office.

Chairman McBride: We'll open for public comment. Please limit comments to three minutes and do not reiterate what the person before you has said.

Public Comment:

**Sam Toll, Gold Hill resident:** Delighted to hear change is on the way. This is an arbitrary decision that is being talked about. It is clear there is no policy stating money will be given to people based upon an amount of time regardless of how much they make and what kind of service has been given to the County. I brought this matter up in June meetings and the fact that Hugh is being thrown under the bus for surprising everyone about the numbers shouldn't be a surprise. This is a decision made based on past practice - none of us know what this is.

When Mr. Whitten talks about stimulating productivity by incentivizing people to do their job - we're talking about people who make \$1,000 to \$1,200 a day. This is a spectacular incentive to do a job. The reward is the retirement package that we have funded.

Referring to Exhibit B-2, is it County practice for an individual to sign as both the "employer" and "employee"? As Mr. Nevin has done on his own benefit statement.

Without a policy, this is what I would call "chronyism" - taking favors or not.

Vice Chair McGuffey (to Mr. Gallagher): Mr. Nevin signed his own...

Mr. Gallagher: He did.

Mr. McGuffey: Is that standard for that? Who normally would...

Mr. Gallagher: It would have been Mr. Whitten or Mr. Osborne. All of those termination papers should have one or the other.

Chair McBride: It's just a clerical error.

Mr. Gallagher: Regarding Mr. Whitten's comments that this material had not been sent. This was done in a memo sent October 26<sup>th</sup> to Mr. Osborne and there was a meeting on October 25<sup>th</sup> with myself, Human Resources, and Mr. Whitten in which I was provided the VOYA statements which I was asked for. Any other material that was there that is now coming forward, I do not have but it was certainly asked for. As far as him not being briefed, I asked him in an email on Friday if he wanted to be briefed - I did not get a response. This is one of the toughest things I've ever had to do and it's not very pleasant, but I certainly wanted to be very fair about it to everybody.

Chair McBride: Commissioner Gilman stated in his narrative that he did not want to go any further with this.

Commissioner Gilman: I would ask that we move forward expeditiously with the new County Manager job description and would like to see it on the January 16<sup>th</sup> meeting. I would like this to address how we are going to move forward. I think it would be fair to have that, and would like to see more oversight from the Comptroller's Office on all expenditures that have to do with County money and proceeds. That would be my motion.

**Nicole Barde, Storey County Resident:** Is the list of the 17 done since 2006, or whenever, available? Can I get a copy? This has been introduced as part of the pattern of practice - I would like to know who those people are. It's one thing to say we use incentives for high performers, but I would like to see what the profile of those payouts have been.

Chair McBride: We will get a legal opinion first as this may deal with personnel issues.

Ms. Barde: You can take the names out - I can work on years of service and salaries. Anything to determine if there's been adverse impact to people.

Mr. Whitten: There is no list. A query was done off the accounting system that the Comptroller's office has full access to and we looked at large payments to PERS. Whether the DA determines that names tied to this are acceptable or not, they are available to us through that system. That's how 17 were identified. Subject to the DA approving a public record request to the Comptroller, you should be able to do the same off of that system.

Ms. Barde: That's a yes?

Mr. Whitten: I'm not answering yes or no.

Ms. Langer: I need to look into this.

Ms. Barde: Ok, but you understand what I'm after.

Mr. Whitten: I'm saying there is no list - I'm saying we queried the Comptroller's system.

**Motion:** That we move forward expeditiously with the new County Manager job description and would like to see it on the January 16<sup>th</sup> meeting. I would like this to address how we are going to move forward. I think it would be fair to have that, and would like to see more oversight from the Comptroller's Office on all expenditures that have to do with County money and proceeds,  
**Action:** Approve, **Moved by:** Commissioner Gilman, **Seconded by:** Vice Chairman McGuffey,  
**Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## 22. RECESS TO CONVENE AS THE FIRE PROTECTION DISTRICT BOARD

**23. DISCUSSION/POSSIBLE ACTION:** Review of monetary payments, described as buyouts, to fire chief in December 2016, and June 2017 by the County Manager. The Board may take action, including but not limited to, determining whether the County Manager had authority to make the payments, referring the matter to an outside agency for evaluation for violation of NRS, or determine whether to try to recover part or all of the payments.

Comptroller Hugh Gallagher: This is a separate item as former Fire Chief Gary Hames was in the 474 Fire District. The same exhibits (as the previous item) are being used.

- Exhibit A shows monetary payments in the amount of \$55,086.79 and contribution to PERS in the amount of \$45,534.73.
- Exhibit D shows initial payment of \$35,000 into a VOYA retirement account (December 16, 2016) stating it was for "buyout".
- Exhibit D(1) is the second half of the payment for \$20,086.79 for payroll period ending June 16, 2017, and noting this transaction is approved by County Manager Pat Whitten on June 13, 2017.
- Exhibit D(2) is a Nevada PERS document regarding a service purchase agreement - approved by Mr. Whitten on June 13<sup>th</sup>. Confirmation of the \$45,534 payment cannot be obtained from PERS based on confidentiality as Mr. Hames is a former employee.

Mr. Gallagher continued: I cannot, at this time, understand with certainty the calculation of the \$45,534. I assume, because PERS did tell me, that it was at the current rates and not the 1988 rates. This brings up questions as to whether or not the 8 months and 14 days were actually earned or not. There is a statement from Austin Osborne to someone at PERS, requesting - because of some documents that were there - this should be approved. The documents are various things of employment security reports and whatever - which equals the 8 months and 14 days.

Having Mr. Hames paid at the current rate - we probably should have tried to calculate what that was at that time. But Nevada PERS has cited confidentiality as has the Human Resources Department on the calculation of that amount.

Chairman McBride: This is the same scenario and I do not want to re-hash it.

Commissioner Gilman: We have a Comptroller in place for a reason. When County money is being handled, that is his responsibility and we need to give him the resources necessary to properly do his job. Not sure why these documents are coming from different places and haven't had any fiscal review. I think we need to revisit the importance of the Comptroller's desk and revise how we're going to go forward to make absolutely certain that we are analyzing and balancing our financial requirements.

Chair McBride: With reference to the Hames payment, there's no way to go back to when he was first hired by the County - he was hired by the Sheriff's Department at the time. We don't know if it was an

error on the County side or an error at the Sheriff's Office or at PERS for not going ahead and getting him documented when initially employed.

Mr. Whitten: The third spreadsheet provides details with the transition from Gary Hames to an "internal candidate" (Chief Jeff Nevin). This one does not hit quite the 12 months, missing it by five weeks. That gave us the opportunity - going back to the last agenda item - to bring Gary on board as a contract employee, saving substantial monies in Community Development.

The buyout in Gary's case, just the incentive, the one with VOYA, was \$55,087 - does not include the PERS retro-payment. The first year savings in bringing Chief Nevin on was \$50,237. There was a deficit in the first year, which does happen once in a while. That was captured back in the first five weeks. The second year savings is \$39,945 - which includes an estimate for the last step to bring Chief Nevin up to the salary that was Mr. Hames' on Mr. Gallagher's spreadsheet. Year three, and beyond, is capped. Savings should be around \$44,795. As Mr. Hames' benefit expenses went up, so would Chief Nevin's. We broke even in just over a year.

Later I will defer to Mr. Osborne regarding the payment of PERS at the 1988 rate rather than the current rate.

Regarding my approval of the one-time payment of \$45,534.75 to PERS - this is where I am confused. Comptroller Gallagher has said he can't verify the payment from PERS. Nothing was paid from PERS. This was a payment to PERS. I caution to be sure there is absolute clarity on what the Comptroller is trying to say. This is not considered to be a buy-out but a retroactive, corrective, one-time, make-up payment for the initial 8 months and 14 days of Gary's employment. He exceeded the PERS threshold of 1,039 hours, but the County did not pay into PERS. With assistance from Mr. Gallagher's office, we were able to verify that he had worked and were compelled to correct. This has been done in at least one other circumstance. This is not a buyout - it is a righting of a wrong dating back to March of 1988.

I appreciate and concur with the directions and directive Commissioner Gilman provided in requesting an independent and thorough review as is being done today. This is certainly the right action to take. That said, the Comptroller's staff report is full of errors, misstatements, and omissions of fact. The agenda language calls into question my authority to make payments for three separate employees, yet fails to consider, state, or acknowledge the ten year past practice of similar incentive payments to other employees, including one in the Comptroller's Office.

The Staff Summary inappropriately references policy 042, which pertains to the requirement that contracts and agreements will be reviewed by myself, the District Attorney, and the Comptroller - it ignores the fact there never were any contracts or written agreements to review. This is simply payment. It seems to paint a picture that the Comptroller was in the dark on these payments. This is false.

For the record, each of these incentive buyouts were reviewed by myself, in detail, with the Comptroller.

No questions were raised in 2016 or in January 2017 when all of Mr. Nevin's VOYA payment requests were submitted to and processed by the Comptroller. And the bulk portions of Mr. Hames' and Mr. Haymore's requests were similarly submitted and processed.

The Comptroller states there are no written materials provided by the County Manager for these payments. This is not true. Detailed documentation was submitted during my initial review with the



Comptroller - well in advance of the December, January, and June VOYA payment requests. They were once again provided, along with additional information requested by him during and after a review, again with him, the HR Director, and our staff management analyst - on what we show as November 8<sup>th</sup>.

Mr. Whitten reviewed an email exchange, dated October 16, 2016, between Mr. Gallagher and Gary Hames in which the likely retirement costs were discussed. Gary identifies sick leave, annual leave, PERS and the total not only for himself, but also for Rob DuFresne.

These are budgetary issues and to deny knowledge is false.

Also, included in the packet is a Storey County Early Retirement Incentive Program Application. The indication is if that form had been submitted, all would have been good. No one in my office has ever seen that form. There is no policy backing that form. Mr. Gallagher has provided this form, yet it was never asked for - not on these three, or any of the rest. If the Comptroller wanted us to submit this form or had any questions, all he had to do was ask.

I was recently questioned by the Comptroller regarding two 98 cent charges for an on-line service charged to my credit card - there is no problem with that, I explained it. But if we're going to be questioned about 98 cents, let's question 50, 60 or \$70,000. The answers will be given.

I do not question the legitimacy, the need for this request, or a thorough investigation. But I believe the information presented today by our Comptroller is shoddy, inaccurate, misleading, and of poor quality. After multiple discussions on these three buyouts, and probably 12 others, I am done talking about it except with the Commissioners. I am as disappointed as you are but from a slightly different perspective.

Mr. Gallagher: I was never noticed of the payments on Exhibit A noting payments to Mike Nevin, Dean Haymore, and Gary Hames. Several years back there were conversations because Dean Haymore, Mike Nevin, and Gary Hames came to my attention. Dean Haymore actually had it on his budget for 2017 - that we had a bonus thing that we took off it.

The fact remains, that Dean Haymore and Gary Hames were given 15% longevity in addition to their salaries. At a point in time, there was talk about giving them a year's PERS, which I did not like. To say that I knew this before it happened is false.

Mr. Whitten: That's a difference in opinion. I stand by my comments. Maybe Mr. Osborne can chime in on the question regarding the 1988 PERS payment.

Austin Osborne: There's the incentive issue that has been talked about, but there is another component to Mr. Hames having to do with a correction of past practice. The current personnel files are complete in form and fashion. In the 80's that was not the case - there is inaccurate and missing information. Content in the files is not completed or half-completed.

Mr. Hames had said he believed he worked from "this year" to "this year" under certain conditions that were subject to police/fire PERS. He was a dispatcher/fire-fighter. There were other things in that personnel record. There are enough records in his file to show that it is a police/fire position but it was never submitted to PERS properly. He was not paid police/fire PERS during that period of time - and it is quoted at 0 years, 8 months, and 14 days. We worked with the Comptroller and his staff to try to find as many records as possible to reconstruct the past. Documents were submitted to PERS stating this is all the information we have, will you approve police/fire PERS for this period of time. PERS said they can't approve this based on their policies. But it can be paid into if you want. There is

enough information in the file to reconstruct to go ahead and make the adjustment for that period into PERS and make Gary whole.

Chair McBride: The argument would be that he was at a lower salary at that time and should the PERS contribution be based on whatever his salary was and adjust it for inflation, as opposed to payment going in at current salary.

Mr. Osborne: If PERS had accepted the information from the 80's, they would have charged interest for all of the years since then. The other option, PERS said if you do a cost buyout you must do it the way it was done - which is with the 2017 number.

Public Comment:

**Nicole Barde:** Remembers being in meetings this year where these issues were discussed.

- Mr. Toll commented that he questioned the payouts in a June meeting. The response was this is something we do, its performance, and it's okay.
- I am waiting for the Commission to step up and say it's been happening but we haven't been paying attention.
- If it weren't for Rob Dufresne requesting a payout as his friends received, and asking in a public manner, than you would not necessarily be looking at this and would continue to just let it happen.
- I take Pat's side on this. Where were you (the Commission) when this was going on?
- Maybe when you came in as new, Mr. Whitten was wrong in not telling you "this is how I operate, here are the things that I do." Fault him for that, but at the end of the day governance and what happens under resides with you. You guys have let this go on.

**Sam Toll:** Finds it disingenuous that Mr. Whitten would subject Mr. Gallagher to his comments.

- This was done behind closed doors.
- Mr. Whitten, you've already stated this was your decision.....

Chairman McBride: Mr. Toll, please address the Board from now on and not individuals.

Mr. Toll:

- Mr. Whitten has taken ownership of this position.
- He has suggested this is something he did on his own.
- There's a lack of County policy that defines how he may proceed.
- To suggest this is the fault of the Comptroller is disingenuous.
- At some point, we have to take ownership of what we do.
- If I were sitting where you sit, I would be looking for "a clawback" on every single dime paid.
- You have people in the County trying to support themselves, and you have three guys who pulled in a golden parachute of \$215 grand and didn't work very hard for that money, and that money comes out of our pockets.
- If I sat where you sit, I would shred up Mr. Hames contract and fire Mr. Whitten.
- Our pockets have been picked to the tune of \$215 grand.
- I would do a little more and have more teeth in my leadership than being seen today.
- The optics being delivered to the citizens, based on your leadership - or lack thereof in this case, speaks volumes.

**Steve Ayres, Virginia City resident:**

- Happy that these items were brought up so they could be discussed openly.
- There were days when things were done in a backroom - that's not being done now.

- There's been a lack of communication, but now that is in the open, some of the ideas you are coming up with are phenomenal.
- It's a lack of communication because one department may not speak the same language as another. That doesn't mean one person is trying to get something over another.
- Everyone has the best intentions. In the long term, discussions like this will benefit the County.
- It's been difficult. I'm not laying blame on anyone. Thank you for bringing this out.
- Commissioner Gilman's ideas in the future are great.
- Thank you to all parties involved; this conversation would not have happened 30 years ago.

Chairman McBride called for recess at 2:32 PM

Meeting reconvened at 2:42 PM

**Motion:** To continue creating the City (County) Manager's job description to include his/her authority and to also continue creating a formal County policy related to this motion, **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 2:32 PM

Meeting reconvened at 2:42 PM

**Motion:** To continue creating the City (County) Manager's job description to include his/her authority and to also continue creating a formal County policy related to this motion, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Chairman McBride: Thanked Mr. Whitten for providing the spreadsheets.

**24. DISCUSSION/POSSIBLE ACTION:** Approval of Memorandum of Understanding between the Storey County Fire Protection District (Employer) and the Storey County Firefighters' Association IAFF Local 4227 (Union) amending language in Article 1 Sections 1(a) and 1(b) of the 2017-2019 collective bargaining agreement pertaining to supervisory and non-supervisory bargaining units.

Mr. Osborne: August 15, 2017, this Board adopted the Collective Bargaining Agreement between the Firefighter's Association Union and the Fire District. The next step would be the union would ratify the agreement - in this case, they did not. The union stated it did not believe the item before the Board matched what they believed to be the tentative agreement in that a supervisory and non-supervisory unit cannot be in the same unit. The next step was to go to Federal mediation. This was done and both parties agreed to a MOU agreement, stating that the union will, and did, ratify the agreement on November 7<sup>th</sup>. The union is now bound by the agreement. Payment was authorized to be released to the union to get the contract rolling. This item deals only with Article 1, Sections 1(a) and 1(b) only and with no other section of the Collective Bargaining Agreement.

Public Comment:

None

**Motion:** Based on the recommendation by staff and a mediated agreement between the Employer and the Union with the Federal Mediation and Conciliation Services (FMCS), I, Fire Commissioner Jack McGuffey, motion to approve Memorandum of Understanding (MOU) between the Storey County Fire Protection District (Employer) and the Storey County Firefighters' Association IAFF Local 4227 (Union) by amending language in Article 1, Sections 1(a) and 1(b) of the 2017-2019 collective bargaining agreement pertaining to supervisory and non-supervisory bargaining units as shown in the

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

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

**27. DISCUSSION/POSSIBLE ACTION:** Authorize the County Manager to sign a Grant of Easement/License to Switch Business Solutions, LLC for the for the purposes of installing and maintaining twelve (12) above ground utility poles at specified locations within the Storey County Right-of-Way (ROW) along Ireland Drive and Peru Drive in the Tahoe-Reno Industrial Center and **situated in Storey County. Switch will also run fiber-optic wire between said poles for purposes of transmitting and receiving data to/from sources outside our prescribed ROW.**

Continued to a date not certain.

**29. DISCUSSION/POSSIBLE ACTION:** Division of Land into Large Parcels File 2017-045. The applicant is requesting two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06.

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

Planner Kathy Canfield said the parcels in this item are owned by the Tahoe-Reno Industrial Center but is not part of the Center and are not zoned industrial. Also parcels are vacant - some are zoned agriculture, some forestry. After reconfiguration, some parcels will be part agriculture and part forestry. No comments from the public have been received and the Planning Commission approved the tentative map. Applicant is requesting the Board waive the tentative map and approve the final map. Staff has reviewed the final map.

Ms. Canfield read the findings of fact:

**The applicant is requesting a Division of Land into Large Parcels, File 2017-045. Two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06.**

The Division of Land into Large Parcels complies with NRS 278.471 through 278.4725 relating to the adjustment of two parcels to five parcels, all 40 acres or more in size.

The Division of Land into Large Parcels complies with all Federal, State, and County regulations pertaining to Parcel Maps and allowed land uses.

The Division of Land into Large Parcels will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.

The conditions of approval for the requested Division of Land into Large Parcels do not conflict with the minimum requirements in Storey County Code Chapters 17.24 Agricultural Zone and 17.32 Forestry Zone or any other Federal, State, or County regulations.

Public Comment:  
None

**Motion:** 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, County Commissioner Jack McGuffey, hereby move to waive the requirement for filing a Tentative Map and I hereby approve the Final Map Division of Land into Large Parcels, File 2017-045. Two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

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

Mr. Whitten presented this item on behalf of Community Development, requesting all items A. through CC. be approved.

- A. BARRY-WEHMILLER DESIGN GROUP - General/ 8020 Forsyth Blvd ~ Roseville, CA
- B. WTD HOLDINGS, INC. - Contractor / 2255 Justin trail ~ Alpharetta, GA
- C. INTERNATIONAL WORKERS GROUP - General / 26 Center Rd ~ LaGrange, GA
- D. MOUNTAIN MUNCHIES VENDING CO. - General/ ~ Truckee, CA
- E. MARLOWE HEINZ - General / 355 N "F" St. ~ Virginia City, NV
- F. MITSUBISHI ELECTRIC AUTOMATION - General/ 500 Corporate Woods Pkwy ~ Vernon Hills, CA
- G. CHROMALOX INC. - General/ 103 Gamma Dr ~ Pittsburgh, PA
- H. BOART LONGYEAR CO. - Contractor/ 2455 South 3600 West ~ West Valley City, UT
- I. TESLA ENERGY, DBA: SOLARCITY - General/ 3055 Clearview Way ~ San Mateo, CA
- J. ADECCO USA, INC - General/ 10151 Deerwood Pk ~ Jacksonville, FL
- K. COBALT CONTRACTING LLC - General/ 5669 Courtney Plummer Rd ~ Oshkosh, WI
- L. ACME CONSTRUCTION SUPPLY - General/ 330 se Salmon St ~ Portland, OR
- M. DIANDA CONSTRUCTION INC - Contractor/ 5485 Reno Corporate Dr ~ Reno, NV
- N. THERMOLD INSULATION - Contractor/ 2995 White Pine Dr ~ Washoe Valley, NV
- O. REYNOLDS BATTERY SVC, INC - General/ 1390 N. McDowell ~ Petaluma, CA
- P. SAKANA, LLC - General/ 7655 Town Square Ln ~ Reno, NV
- Q. TECH PLUMBING & HEATING INC - Contractor/ 2601 Warm Springs Ct ~ Carson City, NV
- R. TECHNOSOFT SERVICES, INC. - General/ 13400 Bishops Lane ~ Brookfield WI
- S. ISLAND ICE, LLC - General/ 6137 Torrington ~ Reno, NV
- T. AMERICA RENTS - General/ 10450 S. Virginia St ~ Reno, NV
- U. TECHNICOAT MANAGEMENT, INC - Contractor/ 6879 Speedway Blvd ~ Las Vegas, NV
- V. SUMMIT LINE CONSTRUCTION, INC - Contractor/ 441 W. Power Line Rd ~ Heber City, UT
- W. TRUE NORTH SOLUTIONS LP - General/ 8822 S. Ridgeline Blvd ~ Highlands Ranch, CO
- X. ENCORE STEEL, INC - General/ 3420 S. 39th Ave ~ Phoenix, AZ
- Y. BANGKOK CUISINE, LLC - General/ 55 Mt. Rose St ~ Reno, NV
- Z. MIDWEST ENGINEERED SYSTEMS, INC - General/ W238 N. 1800 Rockwood ~ Waukesha, WI
- AA. DEVIN GALLOWAY, DBA: IN THE ROUGH RECDORDS - General/ 333 Territory Rd ~ Dayton, NV
- BB. CHEF YORKEY, LLC. -General/ 881 Golfers Pass Rd. ~ Incline Village, NV
- CC. INFERNO PIZZA TRAILER - General / 5885 Wishbone CT ~ Sun Valley, NV

Public Comment:

None

**Motion:** I make a motion to approve Items A. through CC., **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

### **32. PUBLIC COMMENT (No action)**

**County Manager Pat Whitten:** On December 6<sup>th</sup>, Ames Construction will be utilizing an aerial drone to video progress and on-going work of the Virginia City Wastewater Improvement Project. Main focus will be in the Washington Street area, and areas south of Washington. The drone flight will be completed by 5PM and Ames appreciates the patience of residents.

**Steve Ayres, Storey County Resident:** Worked directly under Gary Hames at the Fire Department. Mr. Hames did things with the Fire Department that had not been done by any other department, ever and actually made money. He raised a lot of money and bought equipment that would not have been bought by asking the County for funds. Submitted grants to obtain the most up-to-date technology. What he has done for Storey County far outweighs any money made off of his retirement. This needs to be recognized - he took us into the 21<sup>st</sup> century.

**Commissioner Gilman:** A lot of criticism comes at the County from people who have not lived here very long. This little County has fought its way back from absolute bankruptcy and from being taken over by Washoe and/or Lyon County. Many, like Mike Nevin, Gary Hames, and Dean Haymore, and others, wore many hats and didn't have people to run over for them. Mike Nevin was out wherever there was a break or problem - he did not get overtime. Dean Haymore kept a bed in TRI so he could be there to expedite building of buildings and be called out at 1, 2 or 3 in the morning. In no other county do people give like that. They gave their all. Too many new-comers do not have the appreciation for what it took to get where we are now.

Mr. Ayres: This town has gone from nothing to being a major player. Hats off to all involved.

Commissioner Gilman: Mr. Whitten was Sheriff and, based on his background, was gracious to take over the County Manager's position. That was a time when there were very little resources to do anything for anybody. We need to have respect for history.

**Vice Chairman McGuffey:** Mr. Nevin, Mr. Haymore, and Mr. Hames put their "life-blood" into this County - a lot of people don't realize that. And, don't exclude Mr. Whitten. He can be called any time of the day or night. We are all part of the team.

**Sam Toll, Gold Hill resident:** We pay you guys - the period of time you earned that money and are paid for is erased and you get to earn it again the next pay period. Some County employees are paid very well, some aren't - they all work hard and deserve what they get, and accolades. But, it's their job. If they have to sacrifice for their family and they don't like it, then they can get another job.

Today's meeting is more than five hours long. Research shows that most Commission meetings, City Council meetings, GOED meetings - have public comment at the beginning and the end. This Commission changed this to the end some time ago. This is something that suggests that the people who pay taxes and pay the bills, come last. Change is a good thing and I'm looking forward to this happening.

Addressing Mr. Gilman: Mr. Toll said he has lived in Virginia City since birth and had close relatives in Virginia City who worked in the mines and resided in town since in the 1800's. Mr. Toll commented that although he worked in the Sacramento Valley for years, this is home to him - and that he has much relevance in his voice as the family who moved here yesterday. He feels that the fact someone just got here is irrelevant - if the criticism is earned, it's deserved.

**33. ADJOURNMENT:**

The meeting was adjourned by the Chair at 3:05 PM

Respectfully submitted,

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