



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, AUGUST 7, 2018 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN
ATTORNEY

ANNE LANGER
DISTRICT

JACK MC GUFFEY
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER
TREASURER

VANESSA STEPHENS
CLERK-

ROLL CALL: Chairman McBride, Vice-Chairman McGuffey, County Manager Pat Whitten, Clerk & Treasurer Vanessa Stephens, Comptroller Hugh Gallagher, District Attorney Anne Langer, Sheriff Gerald Antinoro, Fire Chief Jeff Nevin, Planning Director/Administrative Officer Austin Osborne, Deputy District Attorney Keith Loomis, Sewer Project Coordinator Mike Nevin, IT Director James Deane, Fire Marshal Martin Azevedo, Project Manager Mike Northan, Director of Tourism Deny Dotson, Building Inspector Pete Renaud, Planner Kathy Canfield.
Absent: Commissioner Gilman

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

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

2. PLEDGE OF ALLEGIANCE

Chairman McBride led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for August 7, 2018.

Public Comment:

None

Motion: Approve Agenda for August 7, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

4. DISCUSSION/POSSIBLE ACTION: Approval of the minutes for June 19, 2018.

Public Comment:

None

Motion: Approve minutes for June 19, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

5. DISCUSSION/POSSIBLE ACTION: Approval of the minutes for July 3, 2018.

Public Comment:

None

Motion: Approve minutes for July 3, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

6. CONSENT AGENDA:

- I For possible action, approval of Justice Court Quarterly Report.
- II For possible action, Approval of payroll claims in the amount of \$1,675,947.76 and accounts payable claims in the amount of \$3,055,760.83.
- III For possible action, approval of Assessor's Recommended Corrections to 2018-19 Secured Tax Roll for Exemptions.
- IV For possible action, review and possibly appoint Samuel K. Ward Real Estate Appraisers & Consultants to appraise four properties located in the vicinity of the Virginia City Fairgrounds area.
- V For possible action, approval of business license first readings:
 - A. INTEGRATED MANUFACTURING & SUPPLY - Contractor / 620 Orvis Ave ~ San Jose, CA
 - B. AKAZAWA MACHINE CO., LTD - General / 2-10-6 Tohgo Dohri ~ Osaka, JP
 - C. EVOQUA WATER TECHNOLOGIES, LLC - General / 210 Sixth Ave ~ Pittsburgh, PA
 - D. PETERSEN DEAN INC - Contractor / 39300 Civic Center Dr ~ Fremont, CA
 - E. DANIEL W. PHETTEPLACE, DBA: THE ELECTRICIAN - Contractor / 1275 Kleppe ~ Sparks, NV
 - F. GAEA GLOBAL TECHNOLOGIES, INC - General / 317 Whitcliff Ct ~ San Ramon, CA
 - G. ASPEN DEVELOPERS CORP - Contractor / 2340 E. 5th St ~ Reno, NV
 - H. CUMMINS INC - General / 390 Intercresent St ~ Broomfield, Co
 - I. AEGIS ENGINEERING AND MNGMNT GROUP - General / 18601 LBJ Fwy ~ Mesquite, TX
 - J. NORMAN S. WRIGHT MECH,EQUIP - Contractor / 99A South Hill Dr ~ Brisbane, CA
 - K. BERIAH VETTER, DBA: VETTER WERKS - Home / 131 Elizabeth Ln ~ Dayton, NV
 - L. FUKAMI MANUFACTURING CO - General / 1121-1 Yamada ~ Gifu, JP
 - M. FARR WEST ENGINEERING - General / 5510 Longley Lane ~ Reno, NV
 - N. ZION BUILDERS INC - Contractor / 1170 Marietta Way ~ Sparks, NV
 - O. JOLT ELECTRIC LLC - Contractor / 152 Pebble Dr ~ Dayton, NV
 - P. USA SCALES, INC - General / 5401 Byron Hot Springs Rd ~ Byron, CA
 - Q. SUPERIOR TANK CO - Contractor / 9500 Lucas Ranch Rd ~ Bakersfield, CA
 - R. STEVEN GREEN - Home / 5438 Comstock Rd ~ Placerville, CA

S. MAYA'S SOUTH INDIAN CUISINE - General / 9655 Frankwood Dr ~ Reno, NV
T. AMIAD USA, INC - General / 120 Talbot Road ~ Mooresville, NC
U. AI SYSTEMS CO.,LTD - General / 11-18 Motomachi ~ Osaka, JP
V. WTR ELECTRIC INC - Contractor / 6005 Hockberry ~ Reno, NV
W. COMINIX U.S.A. INC - General / 990 Hammond Dr ~ Atlanta, GA
X. HOLDIAY ENTERPRISES - Home / 2331 Empire Rd ~ Reno, NV
Y. WELSCO DRILLING CORP - Contractor / 2510 Beasley Dr ~ Fallon, NV
Z. POGGEMEYER DESIGN GROUP INC - General / 6960 Smoke Ranch Rd ~ Las Vegas, NV

Public Comment:
None

Motion: Approve Consent Agenda for August 7, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

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

Sheriff Antinoro :

- Reported that the children of a deputy were in a serious auto accident. They are making progress and should be home soon.
- Tonight is National Night Out at Louise Peri Park.

St. Mary's Art Center Executive Director A. Perry:

- A family art retreat will be held August 18th - a new event to bring families together to create artwork.
- The new security system has been installed at St. Mary's. Thank you to County IT staff and others who came together to assist in the installation.
- Phase I of the restoration project is ready to begin - part of a SHIPO grant. This will cover some floor restoration on the fourth floor and porch renovation on the west elevation. Thank you to Cherie Nevin and Jim Collins for making this happen.

Project Manager Mike Northan:

- Judge's chambers are 99% complete.
- Work on the courtroom wall has been scheduled for August 27th.
- Flooring has been installed at Station 72.
- Justice Center site plan and elevations will be on the Comstock Historic District August 13th agenda.

VCTC Director Deny Dotson:

- Hot August Nights was very successful this last weekend. There will be a poker run on Thursday.
- The Cemetery Gin hearse will be parked at the Grand Sierra main stage for the Hot August Nights event.
- The rodeo will be held August 18 and 19, with a long-horn cattle drive down C Street on the 18th.
- The VCTC website is currently being populated over and should be live by this afternoon.

Building Inspector Pete Renaud:

- A “dashboard” document has been created to track monthly jobs done by Community Development and is on the website.
- The staff is continuing education and certifications, as well as cross-training fire and building inspectors. FEMA preparation courses will be taken in October.

Fire Chief Jeff Nevin:

- There were three lightning-caused fires this last month. All were under three acres.
- Engines and equipment have been sent out to most of the major fires in Nevada and California. Currently there is an engine on the Carr fire.
- Two Battalion Chief positions have been filled.

Wastewater Project Manager Mike Nevin :

- As of August 13 - 51, 750 linear feet have been installed. Work continues on Mill Street at the intersection of E Street. Work will continue on the Divide if there are contingent funds available.
- Five Mile Water Transmission line: dates are finally correct- bond and start dates. 90 contract days have had to be added due to delay in delivery of pipe from a “made in U.S.” company in Texas.
- Gold Hill septic project: Modeling documents have been submitted to NDEP as part of the procedure. We are confident that installation of a small package plant is the right thing for that section of Gold Hill and to take care of the issues with the on-sight disposal system.

Planning Director/HR, Austin Osborne :

- Mr. Osborne read a letter from County’s lobbyist, the Porter Group, updating the status of the Lands Bill. The outlook of legislation remains positive.

County Manager, Pat Whitten :

- There will be an open house in the Courthouse Slammer/County Museum on October 4th, 5 to 7PM. The open house will include a celebration of the mural painted by A. Perry and Corrie Northan. Snacks and beverages will be served.
- Mr. Whitten read a communication regarding zip code issue status. It is hoped this issue can be resolved without legislation.

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

Vice Chairman McGuffey:

- The mural in the museum showcases local talent.
- V&T Railway had its biggest weekend this last weekend.

Chairman McBride:

- This was the fourth opening weekend of Hot August Nights in Virginia City - it was a total success. Entertainment was great and the town was “bursting at the seams”. It is good for economic purposes.

9. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of a presentation and overview of the proposed economic development financing proposal for a special assessment district and tax increment area for the effluent pipeline for certain properties in the Tahoe Reno Industrial Center.

County Manager Whitten recognized and thanked representatives from Switch, Tesla, Blockchains, Reno Land, Emerald City Empire, TRI General Improvement District, Farr West Engineering, J & A

Consulting Group, and Sherman-Howard & Associates - who were in attendance. Google representatives could not attend but have expressed support for this proposal.

Mr. Whitten reviewed minor changes in the EDFP (Economic Development Financing Proposal):

- Special Assessment District (SAD) is Special Improvement District (SID);
- New company added - Emerald City Empire.

In support of the proposal, presentations were given by Marty Johnson, financial advisor from JNA Consulting Group; Kendra Follett, the County's bond counsel from Sherman & Howard; and Jeremy Agüero, from Applied Analysis. **See attached TRIC Effluent Pipeline Presentation.**

Chairman McBride said the presentation answered most of the questions he has had at previous meetings.

Public Comment:

Adam Kramer, Executive Vice President of Strategy for Switch: Thanked the County and staff for the time put into this very complicated, innovative project. It will continue to promote economic development and environmental conservancy in the region. The ability to have this additional water is important to Switch - especially water that would otherwise add pollutants to the Truckee River. Mr. Kramer passed on the very strong support of Switch for the project.

Chris Riley, Workforce Development & Education Partnerships for Tesla: Echoes Mr. Kramer's statements. We are in strong support of the work being done and the innovation behind this solution.

Mr. Riley gave an update on what is happening at Gigafactory One regarding construction, transportation, and education:

- Construction is continuing;
- There is currently at 5.4 million square feet operation space and production is expanding;
- There has been an increase in Model 3 production;
- In addition to the battery production, Model 3 motors are being produced at Gigafactory One, as well as home and corporate energy storage products;
- With the growth, they continue to bring on thousands of team members;
- They want to continue to be part of key infrastructure conversations. This includes transportation to the center - shuttle infrastructure has recently been increased and they are partnering with RTC on a van pool program. Transportation is key to the long-term sustainability of the center.
- As part of Tesla's commitment to Nevada, a \$37.5 million investment has been shared into K through 12 education starting July 2018. \$1.5 million was presented in July to the State Board of Education. Discussions have been held with Todd Hess on ways to invest in this community. An apprenticeship program is being built for high-school graduates to start entry-level careers at the gigafactory.

Joel Grace, Vice President of Development, Reno Land, Inc.:

- Reno Land heard about this project when first entering contract on their land in TRI.
- Not knowing what they were going to do, they did understand what the pipeline would do for the park as a whole and the attraction for economic development.
- This water adds a new element to the type of companies they can attract and what it will do for Storey County.
- This is why they support this project and hope (the Commission) considers it.

- Reno Land's capital partners are made up of seasoned developers. Current projects include the 141 acre Ranchera Estates; a 49 acre site at the location of the previous Parklane Mall; some holdings in Boomtown; and a workforce housing project on Mt. Rose Highway.

Randal Aleman, Emerald Lake Town Center (Developer of the proposed town center around the 75 acre lake at TRIC):

- To date, they have invested \$17 million plus into their project.
- This bond represents less than 10 percent of their total investment.
- There seems to be very little risk for the County, and it helps the smaller properties get where they need to go.
- The (town center) is a retail project - the missing part in Storey County - with the goal of being the largest sales tax generator in TRI. Bringing in hotels, restaurants, bars, and charter schools.
- Right now there is not even a coffee shop or a place to go for business meetings. Businesses have said the town center is crucial to their development.
- Mr. Aleman has been a land owner since early 2000's, is excited to be a part of this, and appreciates (the County's) help.

Sam Toll, Gold Hill Resident:

Asked if it is accurate that the pipeline/water storage facility would become the property of the GID. The investors - people being assessed property tax, ultimately being repaid by the TIA - will turn over what that money has purchased to the GID.

Mr. Aguero: That is correct.

Mr. Toll said he is a strong proponent of this idea. Wells are dropping and water is essential to growth. A lot of work has gone into this. Why is Storey County issuing the bonds and selling them to the State of Nevada - why wouldn't the State issue the bonds itself?

Kendra Follett, bond counsel: This is an option under SB1 - if the County approves the EDPF, the State of Nevada has the ability to issue General Obligation Bonds which carry a very low interest rate affording the same financing to the project.

Mr. Toll: Why wouldn't (the County) enjoy the low interest rates from the State and not encumber or include the County in the transaction?

Mr. Johnson: I think the question is why can't the State issue these bonds without County involvement? The answer is that statute requires the County to issue the bond and then the State buys it. This the only way to get the State interest rates.

Mr. Toll: Talking about assessing the property holders, foreclosing if payments are not made, and then liquidating their assets - we talk about the creation of a Tax Increment Area to reimburse everyone who made those payments. If the pipeline was not funded by the County, and payments were not made, would revenue generated by the TIA go into the Storey County general fund, or is it a TIA assessment above and beyond what they're already paying?

Mr. Aguero explained: The Tax Increment Area is created separate from the Special Assessment District. If nothing is built in that area, no revenue becomes available to reimburse the private developers for the pipeline. 100% of the development risk is borne by the private-sector developers. If funds are not available to make the special assessment payment - tax increment area dollars would not be available to make those bond payments. They are separate from one another.

The only taxes that would be available to reimburse the developers for the amount they paid for the pipeline would be new money, and would have to be higher than what is generated today. Every dime collected before the TIA is created, has to be re-distributed to the School District, the State, and the County. Any new value would be distributed separately in to the TIA. The way the TIA is created, portions still go to the taxing entities - not all of the money is available to reimburse developer for costs incurred. As development begins, both public sector and all of the entities will share in the benefit - the private sector will get a portion up to the amount invested in the pipeline.

Mr. Toll: Under the TIA, will assessed taxes and collected taxes on future revenue go into County funds?

Mr. Aguero: Storey County is not "on the hook". In order for the County to potentially be on the hook - property values would have to drop 60-80%, reserve funds would have to be exhausted, and a foreclosure would have to not be sufficient to offset all the costs. If this process were not to happen, would more revenue make it to all of the State and local governments. This is not the case - the intensity of development will be greater - more property, business, and payroll taxes. The magnitude of plans by these companies are predicated on having water and sufficient resources. Without the water resources, there would be lower intensity uses and a longer period before those uses are developed. The amount of property, sales, and other taxes would be less.

Mr. Johnson: To clarify, the amount of money the County will be on the hook for - the amount of the bonds will be \$35 million. Storey County's "liability" is whatever the annual payment is up to the amount that is in the uncommitted, ending fund balance. If the amount were to be "zero", the State of Nevada would have to pay out of the general fund. The County's liability is limited to the amount of the uncommitted fund balance in the year there is a deficiency in the bond payment.

Mr. Toll questioned the TIA used to repay the stakeholders - this is County taxpayer money not...

Mr. Johnson: Theoretically, whatever tax increment revenues are generated. So yes, it would be money that would come to the County. Modified business tax goes to the State, sales tax goes to all sort of places, including local taxes in Storey County. With this project higher dollar amounts can be generated in property tax revenue.

Mr. Toll suggested had these companies made this investment on their own, the County would benefit doubly. There is a dramatic impact on the County. If these companies had spent their own money to invest on their own infrastructure, why does the County have to reimburse them?

Chairman McBride said there are tax reasons behind this and it doesn't tie up their capital.

Mr. Toll asked questions about the GID in TRI.

Chairman McBride said this is off-track. The GID is debt free.

Mr. Toll requested and asked if this item can be put on the November ballot for the voters to decide.

Chairman McBride responded that it is too late.

Nicole Barde, Storey County resident: Ms. Barde read the following statement into the record:

"First I would like to state that I am in favor of this pipeline. Having worked in the semiconductor industry for 20 years I understand fully the need for water in a manufacturing process. I also

understand what it takes to attract the types of high caliber companies like Tesla and Switch into a new location and so I am not opposed in principle to the offering of incentives to do that.

What I am opposed to is the continued assault on taxpayers to pay for the costs associated with the operations of corporate entities who should be bearing that burden themselves.

The State of Nevada has given epic abatements to these companies to get them here. They are enjoying tax relief that none of our small businesses enjoy in order to produce their products which we will eventually get sales tax revenues from.

Visitors who come to town are greeted with a sign proclaiming Storey County as "The Richest Place On Earth".

At the last VCTC meeting, a board member announced that Storey County is the wealthiest county in the United States per capita.

In contrast, when I attended the Community Chest's needs assessment meeting, Erik Schoen provided a contrasting view.

According to his presentation based on statistics from communitycommons.org: Storey County's median age is 54...compared to 37 for the State and the US.

28% of our population is 65+ older and are on fixed incomes. This compares to 14% for Nevada and the US

Storey County has 49% of it's population designated as "food insecure" compared to 25% for the state and 29% for the US....which means after the hard expenses are paid there is little left for other necessities. 50% of our children are "food insecure"

Storey County has 7.25% of it's housing units without kitchen facilities compared to 1.93% for Nevada and 2.84% for the US.

Storey County has little to no childcare facilities accessible or affordable to it's residents. We are not a rich country.

Our people are not rich.

So when I stand up and speak against the pilfering of our tax revenues, past, present or future I speak out because we need those revenues to help our citizens.

We've been told that we are the richest county in America. By what standard? Certainly not by the statistics I just read.

We've been told tht TRI would give the county and it's resident so much revenue that we could expect a tax roll back. Empty promise.

We are not stupid...we understand that you have to spend money to make money and so we're waiting patiently for the abatements to cease so that we can have the revenues we need to provide more service to our residents.

Now you tell me that the future revenues of the abated companies are going to pay for a pipeline that only they need and only they will use. You want to use revenues that are needed to help feed, service and support our own residents to build a pipeline for some of the richest companies in Nevada?

What I want to say to those companies is this....The state of Nevada has given you a spectacular deal...you are enjoying great tax relief....\$35 million dollars split between the key companies is the equivalent of an ATM transaction for each of you. Be generous....pay for it yourselves. Let the good people of Storey County keep our revenues so that we may better our lives."

Chairman McBride commented not all of the companies in TRI have tax abatements and not all who have abatements will be used on the pipeline.

Mr. Whitten said the only taxpayer dollars involved in this type of financing are taxpayer dollars of the six companies.

Deputy District Attorney Loomis: Mr. Toll indicated that I had said the taxpayers were on the hook for the GID. That is not the case. The GID is a 318 District - there is a provision stating if 20% of the residents of the GID or the Department of Taxation requests the County to look at the GID to see if it needs to be changed, the Board is required to have a hearing. Mr. Loomis explained what abilities the Board would have regarding the GID. There is no obligation on the taxpayers to backstop the GID.

Scott Jolcover, Storey County resident: This procedure in front (of the Board) is good business. It is a wise decision to approve this - there is little to no risk.

Mr. Whitten: Staff recommends approval of the presentation and the financing proposal, as well as the two subsequent items.

Special Advisors Marty Johnson, J & A Associates, and Kendra Follett, Sherman & Howard, both concurred with approval.

Motion: I, Commissioner Jack McGuffey, move to approve the presentation and overview of the proposed economic development financing proposal for a special assessment district and tax increment area for the effluent pipeline for certain properties in the Tahoe Reno Industrial Center,

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

10. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of resolution 18-501 approving the economic development financing proposal for the effluent pipeline for certain properties in the Tahoe Reno Industrial Center; directing the Clerk of the County to notify the Governor's Office of Economic Development and the Interim Finance Committee of the Nevada Legislature of the County's approval; and providing other details in connection therewith.

Mr. Whitten explained there are two Resolutions - 18-501 directs the Clerk to forward approval to GOED and 18-502 is forwarding approval to Interim Finance Committee of the Nevada Legislature.

Ms. Follett clarified that Resolution 18-501 is approval for the financing proposal for the effluent pipeline and to notify GOED and Interim Finance Committee of approval. Resolution 18-502 concerns the financing of natural resource projects and approval is to be sent to the Interim Finance Committee.

Public Comment:
None

Motion: I make a motion to approve resolution 18-501 approving the economic development financing proposal for the effluent pipeline for certain properties in the Tahoe Reno Industrial Center; directing the Clerk of the County to notify the Governor's Office of Economic Development and the Interim Finance Committee of the Nevada Legislature of the County's approval; and providing other details in connection therewith, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

11. DISCUSSION/POSSIBLE ACTION: Consideration and approval of resolution 18-502 concerning the financing of natural resource projects; directing the Clerk of the County to notify the

Interim Finance Committee of the Nevada Legislature of a request for approval pursuant to NRS 278C.157 and 278C.280; and providing other details in connection therewith.

Mr. Whitten said this item pertains to the Interim Finance Committee and their requirements, staff recommends approval.

Public Comment:
None

Motion: I, Commissioner Jack McGuffey, move to approve resolution 18-502 concerning the financing of natural resource projects; directing the Clerk of the County to notify the Interim Finance Committee of the Nevada Legislature of a request for approval pursuant to NRS 278C.157 and 278C.280; and providing other details in connection therewith, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

12. DISCUSSION/POSSIBLE ACTION: Approval of Resolution 18-503 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 one or more issues in an aggregate amount not to exceed \$44,000,000 for the purpose of assisting in the financing or refinancing of a portion of the additional costs of (i) constructing and equipping a facility to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site to be located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada and (ii) the improvements to and equipping of the facility used for preliminary sorting and processing of municipal solid waste located on an approximately 10-acre site at 350 Saddle Court in Mustang, Storey County, Nevada. The project will be owned by Fulcrum Sierra Holdings, LLC, and operated by Fulcrum BioEnergy, Inc. approval of the County is required pursuant to NRS 349.580(2).

Mr. Whitten explained this is another procedural step in support of the Fulcrum project, approving the findings of fact of the Director of the State of Nevada Department of Business and Industry. This is non-binding on the County - a procedural step required by statute.

Chairman McBride commented this is state-of-the-art technology, turning garbage into jet fuel.

Public Comment:

Sam Toll pointed out the contrast in how Fulcrum is financing their project versus the pipeline project - using their own money.

Motion: I, Commissioner Jack McGuffey, move to approve Resolution 18-503 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 one or more issues in an aggregate amount not to exceed \$44,000,000 for the purpose of assisting in the financing or refinancing of a portion of the additional costs of (i) constructing and equipping a facility to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site to be located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada and (ii) the improvements to and equipping of the facility used for preliminary sorting and processing of municipal solid waste located on an approximately 10-acre site at 350 Saddle Court in Mustang, Storey County, Nevada. The project will be owned by Fulcrum Sierra Holdings, LLC, and operated by Fulcrum BioEnergy, Inc. 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)

Chairman McBride called for recess a 12:05 PM.
Meeting reconvened at 12:20 PM.

Item 23 moved before Item 13.

23. DISCUSSION/POSSIBLE ACTION: Variance 2018-024 request to allow for a reduction to the rear yard setback for the construction of a one-story addition to an existing building (Red Dog Saloon). The applicant requests the rear yard setback be reduced from the required 10-feet to the proposed 0-feet. The property is located at 76 N. C Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-084-16.

Planner Kathy Canfield described the location of the property and the proposed setback. Applicant is proposing an addition to the kitchen at rear of the building - this site makes the most sense. No comments were received from adjacent neighbors and the Planning Commission recommended approval.

Public Comment:
None

Ms. Canfield read the findings:

The applicant requests a variance (Variance 2018-024) to the rear yard setback for the **construction of a one-story addition to an existing building (Red Dog Saloon). The applicant requests the rear yard setback be reduced from the required 10-feet to the proposed 0-feet.** The property is located at 76 N. C Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-084-16;

The subject property is located within CR Commercial Residential zoning with an existing **restaurant as a primary use. The property has existing excavated outdoor space surrounding** the building that is located at the "C" Street elevation, two stories below the elevation of the adjacent "B" Street;

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 enjoysubstantial 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 Storey County Code 17.03.140 Variances and 17.30 CR Commercial Residential Zone 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 to 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, recommend approval of Variance 2018-024 to the rear yard setback for the construction of a one-story addition to an existing building (Red Dog Saloon). The applicant requests the rear yard setback be reduced from the required 10-feet to the proposed 0-feet. The property is located at 76 N. C Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-084-16, **Action:** Approved, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

13. DISCUSSION/POSSIBLE ACTION: First Reading of Ordinance 18-288. An ordinance adding chapter 2.22 to the Storey County Code establishing a procedure for creating or amending a list of appraisers qualified to conduct appraisals of real property offered for sale or lease by the board and providing for other matters properly related thereto.

Deputy District Attorney Keith Loomis explained there is a different process for the purchase and sale of County property. NRS 244.795, requires an Ordinance setting forth the procedure by which appraisers would be selected for properties the County wants to sell. There must be at least five appraisers.

Mr. Loomis read the title: An ordinance adding chapter 2.22 to the Storey County Code establishing a procedure for creating or amending a list of appraisers qualified to conduct appraisals of real property offered for sale or lease by the board and providing for other matters properly related thereto.

Public Comment:
None

Motion: I, Commissioner Jack McGuffey, move to approve the First Reading of Ordinance 18- 288, **Action:** Approved, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

14. DISCUSSION/POSSIBLE ACTION: (Continued from July 3, 2018, board meeting)
Consideration of letters of interest and appointment of a planning commissioner to fill the vacancy and serve the remainder of the term representing Precinct 1 Virginia City on the Storey County Planning Commission.

Vice Chairman McGuffey disclosed that he is an employee of Jim Collins who has applied for the Planning Commission vacancy. Per the District Attorney's recommendation, Austin Osborne requested continuance of this matter to August 21, 2018.

Motion: I make a motion to continue Item 14 to August 21, 2018, **Action:** Approved, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

15. DISCUSSION/POSSIBLE ACTION: First Reading of Ordinance No. 18-286 an ordinance amending Chapter 2.12 of the Storey County Code providing for the creation, duties, and powers of the Planning Commission, and other properly related matters.

Mr. Osborne explained this is an amendment to Chapter 2.12 dealing with Planning Commission procedures eliminating items that should not be there and providing for posting of vacancies.

Mr. Osborne read the title: Ordinance No. 18-286 an ordinance amending Chapter 2.12 of the Storey County Code providing for the creation, duties, and powers of the Planning Commission, and other properly related matters.

Public Comment:
None

Motion: In accordance with the recommendation by staff, I, Commissioner Jack McGuffey, motion to approve First Reading of Ordinance No. 18-286 an ordinance amending Chapter 2.12 of the Storey County Code providing for the creation, duties, and powers of the Planning Commission, and other properly related matters, **Action:** Approved, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

16. DISCUSSION/POSSIBLE ACTION : First Reading of Ordinance No. 18-285 an ordinance amending Chapter 2.44 of the Storey County Code re-establishing the Storey County Regional Transportation Commission, removing redundant provisions from Chapter 3.80 of the Storey County Code, and providing for other matters properly related thereto.

Mr. Osborne: This ordinance amends Chapters 2.44 and 3.80. This is a clean-up of the ordinance - creating an ordinance that is clear under NRS. It also resurrects the Storey County Regional Transportation Commission and aligns the ordinance with NRS. The Commission will consist of two Commissioners from the Board of County Commissioners and one citizen at-large. This Commission will help address transportation needs in TRIC, infrastructure, neighborhood roads, and will collaborate with other regional entities. In addition, provide direction to staff.

Mr. Osborne read the title: Ordinance No. 18-285 an ordinance amending Chapter 2.44 of the Storey County Code re-establishing the Storey County Regional Transportation Commission, removing redundant provisions from Chapter 3.80 of the Storey County Code, and providing for other matters properly related thereto.

County Manager Whitten: This is a great way to go. There are a lot of opportunities, including addressing local issues such as Six Mile Canyon.

Public Comment:
None

Motion: In accordance with the recommendation by staff, I, Commissioner Jack McGuffey, motion to approve First Reading of Ordinance No. 18-285 an ordinance amending Chapter 2.44 of the Storey County Code re-establishing the Storey County Regional Transportation Commission, removing redundant provisions from Chapter 3.80 of the Storey County Code, and providing for other matters properly related thereto, **Action:** Approved, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

17. DISCUSSION/POSSIBLE ACTION : (Continued from the 07/03/18 board meeting) Modification to the Tahoe-Reno Industrial Center, LLC-Storey County Development Agreement, in accordance with Section 5.2, by accepting and approving amendments to Chapter 8, and to the 1999 zoning ordinance provisions of Storey County Code 17.28 C Commercial Zone modifying building height limitation from 3 stories or 45 feet to 6 stories or 75 feet, adding to Section 17.28.020 Permitted Uses urgent-cares, truck sales, heavy equipment sales, microbreweries, and micro-distilleries; adding to Section 17.28.030 Uses Subject to Permit buildings exceeding 6 stories or 75 feet, and hospitals,

convalescent homes, and sanitariums; and amending SCC 17.36 I1 Light Industrial Zone modifying building height limitation from 4 stories or 50 feet to 6 stories or 75 feet, and other properly related matters.

Mr. Osborne explained this item amends the 1999 Zoning Ordinance, chapter 8, and modifies the TRIC-Storey County Development Agreement allowing consistent height limitations throughout the park. Multiple hotels are wanting to build in TRIC with up to 6 stories, requiring amending the Commercial Zone to height limitation of 6 stories or 75 feet. At the same time, it is recommended to amend the I1 Light Industrial Zone to the same height limitation.

Other “clean up” amendments are being made, including additions to permitted uses. Certain uses will be moved to Special Uses requiring Special Use Permit approved by the Board and Planning Commission.

Mr. Whitten asked how this interacts with the agreement with Tesla requiring any buildings over 55 feet to make co-payments on the quint ladder truck.

Mr. Osborne answered these sort of items are not addressed in the code and refers any questions to the Fire Chief. Any contractual agreement the County has, will still be in effect and enforced. If needed, those could be modified in a different agreement.

Deputy District Attorney Loomis said this came up in a previous matter where a decorative parapet exceeded the height. Tesla had no objection to this property not participating in payments on the fire truck. The building itself did not exceed the height, that would be different.

Mr. Whitten indicated that clarity on the Government Services Agreement is on the list of items for discussion with Tesla.

Mr. Whitten expressed concerns the amendments to the code are not clear about participation in the purchase of the fire truck based on the height of a building.

Mr. Osborne explained zoning ordinances provide regulations regarding setbacks, uses, and such. Other requirements would come from the building/community development department and fire officials. The zoning ordinance does not address building codes, and not all zoning, planning, and fire codes. There are “consortiums” for various requirements by different developments - such as the agreement with Tesla for a ladder truck consortium. This is not in the zoning. Once a development request is put together, it is reviewed for compliance by Planning Department, the Fire Department, and Community Development.

Public Comment:

Sam Toll: Asked what the trigger would be for another fire station in TRI.

Mr. Whitten: The trigger would be development of properties outside of ISO areas and explained an ISO area. Currently we are looking at possibly building two stations farther out and using the current location for other purposes. Mr. Whitten reviewed potential locations in the TRI area. Developers are obligated to pay, the challenge is staffing.

Motion: In accordance with the recommendation by staff, I, Commissioner Jack McGuffey, motion to approve the Modification to the Tahoe-Reno Industrial Center, LLC-Storey County Development Agreement, in accordance with Section 5.2, by accepting and approving amendments to Chapter 8,

and to the 1999 Zoning Ordinance, provisions of Storey County Code 17.28 C Commercial Zone modifying building height limitation from 3 stories or 45 feet to 6 stories or 75 feet, adding to Section 17.28.020 Permitted Uses urgent-cares, truck sales, heavy equipment sales, microbreweries, and micro-distilleries; adding to Section 17.28.030 Uses Subject to Permit buildings exceeding 6 stories or 75 feet, and hospitals, convalescent homes, and sanitariums; and amending SCC 17.36 I1 Light Industrial Zone modifying building height limitation from 4 stories or 50 feet to 6 stories or 75 feet, and other properly related matters, **Action:** Approved, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

18. DISCUSSION/POSSIBLE ACTION : Resolution No. 2018-500, for ten dollars, acceptance of grant, bargain, sale, and conveyance from Tahoe-Reno Industrial Center, LLC to Storey County rights, title, and interest in real property described in Enclosure A, that being vacant property that will facilitate county and other communications facilities at the Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada.

Deputy District Attorney Keith Loomis explained there is no Resolution attached to this item - it is changed to a Deed of Dedication. An amended, proposed motion is provided. Mr. Loomis does not believe the change from Resolution to a Deed of Dedication causes an issue with the item to be considered by the Board.

Mr. Osborne: In January the Board approved an item dividing a map near TRIC creating a 40 acre parcel. The parcel is still owned by Tahoe-Reno Industrial Center, LLC. The County is requesting TRIC dedicate that property to Storey County, allowing the County, NDOT, and other agencies, to install necessary emergency equipment. Tahoe-Reno Industrial Center, LLC is in agreement.

Mr. Whitten said this a typical indicator of the great relationship between TRIC and the County.

Public Comment:

Nicole Barde: Agrees the TRI partnership is very good. When (the County) gives them something, the County charges nothing. They are charging \$10.

Motion: In accordance with the recommendation by staff, I, Commissioner Jack McGuffey, motion to approve to accept a Deed of Dedication from Tahoe-Reno Industrial Center, LLC, to Storey County rights, title, and interest in the real property described in Enclosure A, that being vacant property that will facilitate County and other communication facilities at the Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, **Action:** Approved, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

19. DISCUSSION/POSSIBLE ACTION : Resolution No. 2018-499, for ten dollars, acceptance of grant, bargain, sale, and conveyance from Tahoe-Reno Industrial Center, LLC to Storey County rights, title, and interest in real property described in Enclosure A, that being portions of Milan Drive at the Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada.

Deputy District Attorney Loomis requested this item be continued to August 21, 2018 to insure compliance with the voucher process.

Motion: I make a motion to continue Item 19 to August 21, 2018, **Action:** Approved, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2

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

21. DISCUSSION/POSSIBLE ACTION : Action to approve the Storey County Fire Protection District Annual Operating Plan with the Truckee Meadows Fire Protection District.

Fire Chief Jeff Nevin: This is a renewal of agreement signed last year - updated with new information.

Public Comment:

None

Motion: I move to approve the Annual Operating Plan between Storey County Fire Protection District and the Truckee Meadows Fire Protection District, and authorize the Chairman to sign,

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

22. ADJOURN TO CONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

23. Heard before Item #13

24. DISCUSSION/POSSIBLE ACTION: Approval of Business License second readings:

Approval of business license second readings:

- A. ECOCLEAN, INC - General / 26801 Northwestern Hwy ~ Southfield, MI
- B. 4 CONCRETE LLC - Contractor / 2735 Azuza Lane ~ Reno, NV
- C. URETEK USA, INC - Contractor / 13900 Humble Rd ~ Tomball, TX
- D. C.G. AUTOMATION & FIXTURE, INC - General / 5352 Rusche Dr ~ Comstock Pk, MI
- E. RON COLCORD CONSTRUCTION - Contractor / 280 Vermillion ~ Reno, NV
- F. ADVANTAGE TECHNICAL RESOUCING - General / 201 E. 4th St ~ Cincinnati, OH
- G. AMERICAN SCALE CO, INC - General / 21326 E. Arrow Hwy ~ Covina, CA
- H. LYRA CLINICAL ASSOCIATES, P.C. - General / 205 Park Rd ~ Burlingame, CA
- I. ACE INSULATION NV INC - Contractor / 1306 Dynamic St ~ Petaluma, CA
- J. WADE METAL WORKS LLC - General / 3025 Mill St ~ Reno, NV
- K. MEE2, INC, DBA: RENO FORKLIFT - General / 171 Coney Island ~ Sparks, NV
- L. FCC COMMUNICATION, INC - General / 1360 Greg St ~ Sparks, NV
- M. SAIKAI ELECTIC CO, LTD - General / 34-19 Suehiro-cho ~ Osaka, JP
- N. AEM CONSULTING GROUP, INC - General / 1125 Ivy Lane ~ Ashland, OR
- O. ECARGO LLC, DBA: ROCKIN DINER ROLLIN - 545 Valle Verde ~ Sparks, NV
- P. L.P.R. CONSTRUCTION - Contractor / 1171 Des Moines Ave ~ Loveland, CO
- AA. SAFETY ON SITE - General / 316 California Ave ~ Reno, NV
- BB. NAISBITT CONSTRUCTION - Contractor / 4 Hardy Dr ~ Sparks, NV

On behalf of Community Development, County Manager Whitten requested approval of items A through P, and AA and BB.

Motion: I make a motion to approve Items A through P, and AA and BB, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

25. PUBLIC COMMENT (No Action)

None

26. ADJOURNMENT

Chairman McBride adjourned the meeting at 1: 17 P.M.

Respectfully submitted,

By: _____
Vanessa Stephens Clerk-Treasurer