



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

MARCH 19, 2019 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

JAY CARMONA  
COMMISSIONER  
TREASURER

VANESSA STEPHENS  
CLERK-

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**Roll Call:** Chairman McBride, Vice-Chairman Gilman, Commissioner Carmona, County Manager Pat Whitten, Clerk & Treasurer Vanessa Stephens, Sheriff Gerald Antinoro, Comptroller Hugh Gallagher, Tourism Director Deny Dotson, Deputy District Attorney Keith Loomis, Fire Chief Jeff Nevin, Public Works Director Jason Weizrbicki, Project Coordinator Mike Northan, Water/Sewer Project Manager Mike Nevin, Community Relations Director Cherie Nevin, Justice of the Peace Eileen Herrington, Senior Center Director Stacey Gilbert, Building Inspector Pete Renaud

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

Meeting was called to order by Commissioner McBride at 10:09 A.M.

### 2. **PLEDGE OF ALLEGIANCE**

Chairman Marshall McBride led those present in the Pledge of Allegiance.

### 3. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for March 19, 2019.

Public Comment:

None

**Motion:** I make a motion to approve the Agenda for March 19, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

### 4. **DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for February 5, 2019.

Public Comment:

None

**Motion:** I make a motion to approve the Minutes for February 5, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**5. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for February 19, 2019.

Public Comment:

None

**Motion:** I make a motion to approve the Minutes for February 19, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**6. DISCUSSION/POSSIBLE ACTION:** Approval of Consent Agenda for March 19, 2019.

I For possible approval of first reading for general business license for Tom Redican, 2nd Line of Defense (CCW Instruction). 3260 Six Mile Canyon Rd., Virginia City, NV 89440.

II For possible action, approval of claims in the amount of \$3,184,297.89.

III For possible action, approval of Assessor's recommended corrections to unsecured 2017-18 Tax Roll for overassessment.

IV For possible action, approval of business license first readings:

A. SPECIALIZED SAFETY SERVICES - Consulting / 5000 Reggie Road ~ Reno, NV

B. THORNTON TOMASETTI, INC. - Consulting / 650 California Street Ste 1400 ~ San Francisco, CA

C. GREAT BASIN SOLAR, LLC - Contractor / 50 Butte Place ~ Reno, NV

D. MAJOR D'S CLEANING - Home Business/ 1820 Harte Road~ Virginia City Highlands, Reno NV

E. SAPHIRA EDUCATION ASSOCIATES, LLC Home Business/ 26800 Riverview Road, VCH, Reno NV

F. PEERLESS CONSTRUCTION, LTD- Contractor / 1475 Old Hot Spring Drive~ Carson City, NV

G. MELODY HOOVER PHOTOGRAPHY - General / 633 Rock Island Drive ~ Dayton, NV

H. WILD WEST BURGERS - General/ PO Box 117 ~ Nixon, NV 89424

I. NUWAVE INTERNATIONAL - Construction / 1875 Coronado Ave ~ Signal Hill, CA

J. RELIABLE MANAGEMENT SOLUTIONS, LLC - General/ 555 Milan Way ~ Reno, NV

K. MISBEEHAVEN FARM, LLC - Home Business/ 144 Elizabeth Lane ~ Dayton, NV

L. ODELL'S BIG OKIE TACO (dba) - General/ 877 Scott Dr ~ Fernley, NV

M. FLIPPIN'S TRENCHING, INC - Contractor/ 2645 Marion Drive ~ Las Vegas, NV

N. 1-888-4-ABATEMENT, INC - Contractor/ 3158 Luyung Drive ~ Rancho Cordova, CA

O. FIREHOUSE CREAMERY - General/ 171 South C Street~ VC, NV

P. NNE CONSTRUCTION - Contractor / 4990 Victory Blvd. ~Elko, NV

Q. CJ GUELDER - Home Business/ 720 Sutro Springs Road ~ Dayton, N

Public Comment:

None

**Motion:** I make a motion to approve the Consent Agenda for March 19, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**Sheriff Antinoro:**

- Expressed appreciation for everyone who helped in the aftermath of last week's explosion.
- Addressed a few Legislative Bills:
  - AB301 - Would require quarterly updates to Commissioners on the status of jails and health & safety of inmates;

- AB291 - The only good thing on this bill would be lowering the blood-alcohol level to .08 for persons on possession of a firearm.
- SB346 - Raises acceptable level of marijuana in a person's system before being deemed to be under the influence, and includes a study to determine what impairment is. There is another bill that says (with exclusion of exempt positions) that marijuana use cannot be used as preclusion for hiring. Action can still be taken if a person shows up to work under the influence.

**Louise Pena, R SVP Representative :**

- Thanks to the Commissioners for support of RSVP.
- RSVP needs van drivers.
- The van will come to Virginia City once a week. There is interest in coming for Commission meetings and other activities.
- Thank you to Stacey Gilbert and Cherie Nevin for all of their help.
- Looking forward to the focus group.

**Senior Center Director Stacey Gilbert :**

- Reminder: Senior Center Focus Groups are scheduled for:
  - Mark Twain Community Center - March 21<sup>st</sup>
  - Storey County Senior Center, Virginia City - April 4<sup>th</sup>
  - Lockwood Senior Center - April 18<sup>th</sup>
- A senior nutrition program, in partnership with UNR Cooperative Extension, is being started. The first class will be April 1 - 10am to 11:15.

**Community Relations Director Cherie Nevin :**

- Free dump events have been scheduled: Lockwood Regional Landfill - April 4, 5, & 6; April 11, 12, & 13; April 18, 19, & 20; Virginia City Transfer Station - May 2, 3, & 4. What you and cannot bring is on the County's website. A list of streets within Storey County have been provided so there is no question regarding residency. Information is on the website.

**VCTC Director Deny Dotson :**

- Last Saturday was perfect weather for a very busy Rocky Mountain Oyster Festival. Lots of positive comments were received.
- The International Collegiate Mining Competition will take place March 20<sup>th</sup> through 23<sup>rd</sup> at the Fairgrounds.
- The VCTC budget has been approved, with increased marketing for this year.

**Fire Chief Jeff Nevin :**

- There was a structure fire in Painted Rock on March 9<sup>th</sup>.
- Thanks to everyone for their cooperation and participation in the incident at the Delta last week. Investigation is continuing.
- Pile burning along Geiger Grade continues.
- Burn permits may be extended in Mark Twain and Painted Rock depending on weather.

**Public Works Direct Jason Wie zrbicki:**

- At the recent Nevada Rural Water Conference, the water in Virginia City won "Best Tasting Water in Nevada". Next February, we will participate in the National Rural Water Conference in Washington DC. Storey County previously won in 2009.

**Water/Sewer Projects Manager Mike Nevin :**

- NDEP has determined there would be no surface outflow from the proposed Gold Hill sewage plant to the Carson River.
  - The Gold Hill sewer project can proceed with a small package plant - Class 3 operation to treat sewage - the same as Virginia City.
  - Maintaining the Class 3 means operators will not have to seek an expensive higher level of education.
  - The State Revolving Fund (loan grants), has indicated this project is a Class 1A funding priority with funds of \$1.32 million set aside if needed. The 1A priority provides for up to \$500,000 in principle forgiveness.
  - Meetings are being held to determine how to move forward. It is hoped this project will be completed by the end of the year.
- Funds of approximately \$595,000 left over from the (Virginia City) sewer project will be used towards replacement of the two aging 5 Mile water tanks. Paperwork was been presented to USDA - they have concurred with the project.
  - The project is short on funds so will be done in two phases. Phase 1 - replacing the smaller tank 90,000 gallon tank with a 500,000 gallon tank. This will cover the current shortage of water needed for community fire protection.
  - The engineer's estimate for replacement of both tanks is approximately \$1.7 million. Additional funding from USDA will be sought - some grant funds may be available. Interest rates are still low.
  - The larger tank may be re-habbed - this is to be determined.
  - The time table is aggressive with project starting in June or July and completion by the end of the year.

**Comptroller Hugh Gallagher :**

- Review of tentative budgets will be on the April 2<sup>nd</sup> agenda. Thank you to all department heads for a great job on their budgets.
- In the Legislature: the Fuel Tax Bill for diesel tax - appears to be doing well. There are a lot of collective bargaining bills - the biggest one would reverse all of the 2015 collective bargaining bills. Yesterday was the last day for submission of new bills - with approximately 500 new bills submitted. There are a lot of public works, prevailing wage, and water bills. There are mental health and open meeting law bills, amongst others.

**County Manager Pat Whitten:**

- There are so many bills, the Legislature has extended the date for submission to March 29<sup>th</sup>.
- AB240 would require any regional projects be approved by surrounding counties and agencies, with yearly reporting.

Chairman McBride noted that some people may not know that Mr. Whitten, Mr. Osborne, Mr. Gallagher, and Chair McBride meet bi-weekly with a four-county legislative coalition and lobbyists to go over all of the bills and issues. Mr. Gallagher presents the report rather than the County's lobbyists as they need to be at the Legislature. A full recap will be presented by the lobbyists at the end of the Legislature in June.

**Mr. Whitten continued:**

- Update of the County's medical, dental, and life insurance: This year insurance will be moved from Hometown Health to Cigna. Hometown Health had a 12% increase in plan premiums based on the County's 120% loss ratio over the last year. Cigna was the most competitive with a 4.1% increase to medical, and 10% limit on next year's renewal, with a couple of caveats. Cigna is also offering a \$50,000 credit to be applied to County invoices. Current benefits are

kept in tack and expanded to St. Mary's as well as the Renown network. There are expanded benefits outside of Nevada without approval.

- Cigna's offer on dental was also lower than United Insurance, the current carrier.
- Along with Deputy D. A. Loomis, work continues to determine whether or not recommend to the Storey County Board of Commissioner's to consider making legal changes under NRS to sit also as the Reno Tahoe Industrial Center Board of Trustees. There is no fiscal or legal obligation on the County. A CPA who does GID audits has been contacted to conduct an audit. The TRI GID will reimburse the County for cost of an audit.

## **8. BOARD COMMENT (No Action - Public Comment)**

### **Commissioner Carmona:**

- Was happy to be a judge at the event last weekend and very pleased with the turnout. VCTC and Liquid Blue put on a great event.

### **Vice Chairman Gilman:**

- Reported on the recent NACO Conference in Washington DC:
  - Every County was represented at the conference and it was fascinating to review a lot of the issues including senior services and support. There was a lot of information regarding those issues and we were able to compare a lot of the challenges our County faces and how they are managed elsewhere.
  - Numerous one-on-one legislative meetings with Congresswoman Dina Titus, Congressman Mark Amodei, and others, were attended to review the interesting things going on in Storey County.
  - Storey County has an aging population and is in need of senior services. Only 10 to 15% of County revenues are actually available to go to senior services, infrastructure, or other things.
  - There are a lot of "unfunded mandates" - items that leadership in Washington decide that all counties will have to pay for. The current State Legislature will determine what that is. The County needs to pay close attention to what they are doing in Washington as they will spend our money and the County will have to figure out how to cover it.
  - Commissioner Gilman and the other attendees had the opportunity to meet with a majority of Federal department heads - including the Department of Transportation, Human Resources, Employment & Education, and Veterans Affairs. Most conversations were about de-regulating - there are so many regulations on small businesses, on counties, and individuals, that do not go away. The Administration is focused on de-regulation.
  - There were discussions regarding Opportunity Zones - Storey County is one, which works well for everyone. How this will be implemented is still not known. Once known, this should open up the County to some incredible funding.
  - A separate, Federal fund - CIPRO Fund in the amount of \$88 million - that no one was aware of, is available for any County to apply for. 50% applied for must be use for people 18 years, or younger - youth centers, programs, or health centers.
  - The conference was fascinating and a lot was learned. Unfunded mandates may be a real challenge.

**9. DISCUSSION ONLY/NO ACTION : (Public Comment Allowed)** County Commissioner interviews with the top 3 applicants for the position of County Manager. Those applicants, in order of appearance are Ron Knecht, Austin Osborne and Merena Works. Each applicant will be allotted approximately 60 minutes under the following format:

-Chairman Opening Remarks (5 Minutes)

-Candidate Self Introduction and Opening Remarks (5 Minutes)

-1 Question from each Commissioner w/ Follow-up Questions from them allowed\*

45 Minutes)

-Closing Statement by the Candidate (5 Minutes)

(\* 5 Minutes per question is anticipated in a "round robin" style allowing for a total of 9 questions, not including follow-up questions)

Candidates Osborne and Works have consented to excuse themselves from the meeting while candidates scheduled ahead of them are interviewed. After completion of an interview, that candidate may choose to stay for the remainder of the meeting.

Public Comment will be allowed under the customary 3 minute guideline. Additional, comments made in the form of a question will most likely not be answered. We encourage the Public to attend the previously announced candidate meet-and-greet the evening before which is currently scheduled to begin at 6:00 pm at the Bucket of Blood to get any specific questions answered by any or all candidates.

Linda Ritter of Linda Ritter Consulting reviewed the process that has taken place leading up to today. The original posting for the position was on January 8, 2019. Ms. Ritter explained where the postings were done. 18 applications were received - 4 being set for interview. The top 3 are here today.

Mr. Whitten explained the interview process for today's candidates. Each candidate will be asked the same 9 questions, in the same way.

Chairman McBride commented this was the first time this Commission has conducted interviews for County Manager. Ms. Ritter's efforts are greatly appreciated.

First Candidate interview, Ron Knecht: Mr. Knecht provided opening statements and thanked the Board for this opportunity.

Commissioner Carmona asked the first question, followed by Vice-Chairman Gilman and Chairman McBride. Follow up questions were asked by the Board.

Mr. Knecht provided closing statements.

Public Comment:  
None

The Chairman called for recess at 12:10 P.M.  
Meeting reconvened at 12:24 P.M.

Second Candidate interview, Austin Osborne: Mr. Osborne provided opening statements.

Commissioner Carmona asked the first question, followed by Vice-Chairman Gilman and Chairman McBride. Follow up questions were asked as desired by the Board.

Mr. Osborne provided closing statements.

Public Comment:  
None

The Chairman called for recess at 1:18 P.M.  
Meeting reconvened at 1:28 P.M.

Third Candidate interview, Marena Works.

Mrs. Works provided opening statements.

Commissioner Carmona asked the first question, followed by Vice-Chairman Gilman and Chairman McBride. Follow up questions were asked as desired by the Board.

Mrs. Works provided closing statements.

Public Comment:  
None.

The Chairman called for recess at 2:10 P.M.  
Meeting was reconvened at 2:17 P.M.

**10. DISCUSSION/POSSIBLE ACTION:** Selection of a candidate to serve as the next County Manager, conditioned upon passing the background investigation and successful negotiation of salary with the current County Manager and Board Chairman. The Board may also direct the current County Manager and our Consultant to take action(s) for other properly related matters.

Mr. Whitten reviewed the selection process and possible outcomes. Options today would be:

- 1) Select a candidate today - contingent on background and salary negotiations;
- 2) Take additional time to consider the answers provided by the candidates, and continue selection to another meeting;
- 3) Direct to re-advertise for possible candidates;

Mr. Whitten added the possibility of raising the salary for the position and adjusting the residency requirements.

- 4) Hire a bigger recruiting firm.

Chairman McBride thanked Mr. Whitten and Ms. Ritter for their work and said he is confident with the candidates before them that there would be good fit.

Commissioner Carmona thanked everyone who participated in the process. He would prefer to table this matter until the next meeting as this is an important decision.

Vice Chairman Gilman is inclined to agree with Commissioner Carmona to continue this decision. The process was well done - he would like time to review what was heard and perhaps meet one-on-one with each of the candidates - in the presence of the District Attorney.

Deputy District Attorney Loomis explained there is nothing in the Open Meeting Law that would prohibit a single member of the Board to meet one-on-one with an individual to obtain more information. There should be a person present to keep track of what is said.

Mr. Whitten concurs with Vice Chairman Gilman that the District Attorney should be present, and recommends that a second person also be present. Mr. Whitten said he is willing to be that second person. To clarify, does the Board want to solicit more candidates or get to know these three a bit better?

Commissioner Carmona said he would like to review all 18 of the applications. Also, to meet with each of the three candidates individually.

Mr. Whitten commented that each Commissioner will be provided with full sets of all applications. Releases will have to be obtained from all applicants.

Ms. Ritter said she has a spreadsheet listing qualifications of all applicants. This can be given without names as they have not signed releases.

Commissioner Carmona commented that he would like to look at qualifications and employment history to be comfortable with a final decision.

Vice Chairman Gilman said he would like to discuss the requirement that the person selected must live in the County.

Mr. Whitten said exceptions are made beginning with the next level below (County Manager). When representing the citizens, we want to be able to say "we're one too". The three applicants here confirmed their willingness (to live in the County).

Commissioner Carmona is okay with this requirement, even though it may be difficult.

Public Comment:  
None

**Motion:** I, Commissioner Carmona, move to continue this matter to the April 16 Commission meeting, at 10 AM, here in the Storey County courthouse, I would also like the opportunity to see the redacted applications put into a matrix, with all personal information removed, **Action:** Approve, **Moved by:** Commissioner Carmona, **Seconded by:** Vice Chairman Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Mr. Whitten announced that the Closed Session on today's agenda would be continued to another date.

**11. DISCUSSION/POSSIBLE ACTION:** Renewal of Residential Construction Tax as requested by the Storey County School District.

School District Superintendent Todd Hess and Business Manager Kristen Chandler were present on behalf of the School District.

Mr. Hess commented on the County Manager hiring process and the great job done by Mr. Whitten.

Mr. Hess said the School Board passed a Resolution to request the County Commissioners to approve a change to the Residential Construction Tax. Mr. Hess reviewed history of the tax which was started in 1981 and was \$500 per year - there have been no changes. Other counties of the same size, have a tax of \$1,600 per year. With an increase, most of the funds would go toward capital improvements. Approximately \$19,000 was collected over the last 3 years.

Mr. Hess explained how the tax would be increased in increments ending at the NRS maximum of \$1,600 in 2023.

Ms. Chandler said the residential construction tax is for mobile homes, new homes, and apartment buildings.

Chairman McBride asked when the \$19,000 was collected. What are the funds used for?

Mr. Hess: The last three years. The funds go into the general fund and will be used for capital improvement projects.

Chair McBride: Since inception, were there Legislative changes that allowed counties (under 50,000) to escalate - was it always \$500?

Ms. Chandler understands it was always \$1,600 - Storey County adopted \$500.

Vice Chairman Gilman feels supporting our schools, and education, is critical.

Commissioner Carmona is concerned that funds collected would go to repairs not to construction of new schools. Are there any restrictions what the funds can be used for?

Mr. Hess: Again, it would go into the general fund and would be earmarked for specific capital improvement projects - revitalizing buildings or new construction and assume if a big development came in, the funds would be for new construction. Would have to check regarding restrictions. Mr. Loomis explained per NRS the funds must be deposited into the School District's fund for capital projects to be expended the same as other money held in that fund.

Vice Chairman Gilman suggested looking at the Federal CIPRO funds mentioned in his report.

Mr. Loomis said there is an ordinance addressing the construction tax - this will require an amendment.

Public Comment:  
None

**Motion:** I make a motion to direct staff to look at this particular document, with a renewal, and come back with a recommendation for the ordinance, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**12. DISCUSSION/POSSIBLE ACTION:** Selection of an Auditor for Storey County for the year ended June 30, 2019.

Comptroller Hugh Gallagher: NRS requires selection of an auditor each year. Mr. Gallagher recommends continuing with the current auditor - DiPietro & Thornton, CPA, Ltd., for the next year.

Public Comment:  
None

**Motion:** Per NRS 354.624, the Storey County Commissioners do hereby select DiPietro & Thornton, CPA, Ltd., as the auditor for the fiscal year ended June 30, 2019, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**14. DISCUSSION/POSSIBLE ACTION:** First reading for non-profit on-sale liquor license for the Escurial Masonic Lodge #7. PO Box 34, Virginia City, NV 89440.

Sheriff Antinoro presented the first reading for the non-profit on-sale liquor license for the Escurial Masonic Lodge #7. This Lodge is in good standing with its parent organization.

Chairman McBride and Commissioner Gilman each disclosed that he holds a liquor license in proximity to the Lodge.

Public Comment: None

**Motion:** I, Commissioner Gilman, move to approve first reading for non-profit on-sale liquor license for the Escurial Masonic Lodge #7. PO Box 34, Virginia City, NV 89440. **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**16. DISCUSSION/POSSIBLE ACTION:** Approval of business license second readings:

- A. WINGS N THINGS, LLC - Food Truck / 1213 Jacob Ln ~ Fernley, NV
- B. H & D CONSTRUCTION, LLC - Contractor / PO Box 10025 ~ Reno, NV
- C. J HARRIS INDUSTRIAL - Water Services / 3151 Sturgis Road ~ Oxnard, CA
- D. 295 CABLING, LLC - Contractor / 1359 Lublin Drive ~ Sparks, NV
- E. PAC MACHINE CO. INC Contractor / 8570 23rd Ave ~ Sacramento, CA
- F. ELKO OVERHEAD DOOR - Contractor / 1076 River Street ~ Elko

Mr. Whitten, on behalf of Community Development, recommends approval of all items A. through F.

Public Comment:  
None

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

**17. PUBLIC COMMENT (No Action)** None

#### **18. ADJOURNMENT of all active and recessed Boards on the Agenda**

Chairman McBride adjourned the meeting at 3:02 P.M.

#### **19. CLOSED SESSION: CONTINUED**

Closed Session involving Storey County Board of County Commissioners and the Storey County Fire Protection District Commissioners. Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with:

a. County management and legal counsel regarding labor negotiations with the Storey County Employees' Association Comstock Chapter, AFSCME Local 4041. This meeting will begin immediately after the regular meeting of the Board of County Commissioners.

b. Fire Protection District management and legal counsel regarding labor negotiations with the Storey County Firefighter's Association IAFF Local 4227. This meeting will begin immediately after the regular meeting of the Board of County Commissioners. - CONTINUED -

Respectfully submitted,

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