



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

JUNE 4, 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, Deputy District Attorney Keith Loomis, Sheriff Gerald Antinoro, Comptroller Hugh Gallagher, Administrative Officer/Planning Director Austin Osborne, Fire Chief Jeff Nevin, Community Relations Director Cherie Nevin, Outside Counsel Bob Morris, VCTC Director Deny Dotson

Chairman McBride called the meeting to order 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 June 4, 2019.  
County Manager Whitten requested continuance of item 20 to the next meeting.

Public Comment: None

I Approval of memorandum of Understanding between the Carson City Department of Alternative Sentencing (CCDAS) and Storey County. Specifically, CCDAS may provide law enforcement training to Court Marshals, Bailiffs and other staff assigned to security within Storey County and Storey County will provide CCDAS training supplies for Storey County staff attending training.

III For possible action, approval of business license first readings (continued from May 21, 2019):  
A. GREAT STAFFING OF AMERICA - General / 440 USA Pkwy ~ McCarran, NV

- B. ENVIROPROS, LLC - General / 2273 S Vista Ave #3C ~ Bloomington, CA
- C. DOUBLE D ELECTRICAL/INSTALLATION - Contractor / 1321 Earl Dr ~ SLC, UT
- D. TECHNICAL INSPECTION AGENCY - General / 5940 S Rainbow Blvd ~ Las Vegas, NV
- E. TAURUS FABRICATION, INC. - General / 5421 Kietzke Ln #100 ~ Reno, NV
- F. SEEGRID CORPORATION - General / 216 RIDC Parkwest Dr ~ Pittsburgh, PA
- G. RED CEDAR STEEL SOUTHWEST - Contractor / 1540 W Hatcher Rd ~ Phoenix, AZ
- H. CUPERTINO ELECTRIC, INC. - Contractor / 1132 N 7th St ~ San Jose, CA
- I. MAXGEN ENERGY SERVICES CORP - Contractor / 1690 Scenic Ave ~ Costa Mesa, CA
- J. COVESTRO, LLC - General / 1 Covestro Cir ~ Pittsburgh, PA
- K. THE INSTALLATION GROUP, LLC - Contractor / 1201 N Raddant Rd ~ Batavia, IL
- L. FOREVER AWNINGS, LLC - Contractor / 860 Twin Pines Rd ~ Reno, NV
- M. OPHIR RIDGE, LLC - Contractor / 350 N Stewart ~ Virginia City, NV
- N. JDC CONSTRUCTION, LLC - Contractor / 998 Yellowhammer Ct ~ Sparks, NV
- O. PIONEER ELECTRIC, LTD. - Contractor / 1790 Carson Ave ~ Sparks, NV
- P. FACET & CO. - General / 80 South C St ~ Virginia City, NV
- Q. CLIMATEC, LLC - General / 2851 W Kathleen Rd ~ Phoenix, AZ
- R. THE SUPERIOR PEI GROUP, LLC - Contractor / 740 Waterman Ave ~ Columbus, OH

**IV** For possible action, approval of claims in the amount of \$1,784,563.09.

Public Comment: None

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

### **Deny Dotson, VCTC Director:**

- An additional \$80,000 has been budgeted for marketing this fiscal year. This will include on-line radio, TV spots on NPR and Tahoe TV, as well as on-line digital presence.
- Two more videos are being made, focusing on performing arts and culture.
- The recent play at Pipers was extremely well done.
- Follow up on the Crystal Bar sale - final estimates are being obtained for the new building. This item should be on the next agenda.
- Street Vibrations Spring Run is this weekend. Women with Wheelz will be held the following weekend. 4<sup>th</sup> of July is only a few weeks off. Donations for fireworks are still a little behind.
- Reviewed several bills that were before the Legislature. Including diesel tax - which passed, with a \$200,000 possible impact for Storey County to be used for road projects; public record requests fines; domestic wells; sales tax increase allowances; water systems study; independent contractors; bail bill; changes to peace officers bill of rights; collective bargaining; among others.

None

Austin Osborne said this is part of the Master Plan recommended study of the Highlands for monitoring underground water.

David Smith with the USGS presented a status update of the survey. Most questions were about the impact of the weather this year. Mr. Smith reviewed averages over 30 years - this year to date has been a little above normal precipitation. He discussed the number of wells in the study and measurements taken to date. Volunteers are still being accepted to have wells monitored.

A stakeholder update meeting is scheduled for Thursday, September 5<sup>th</sup>, at the Highlands Fire Station.

USGS is requesting \$25,700 for 2020, with a 50/50 match from USGS Federal Matching Funds.

All information is available on-line.

Commissioner Carmona: What is the specific area where wells have decreased?

Mr. Smith explained some of the bigger decreases are near Hart Road and some on/near Grizzly Road. Water levels have remained mostly flat through time in the areas of the 10's and 40's. Decreases seem to be more in the 1 acre parcels.

Public Comment:

**Nicole Barde, Storey County resident** complimented USGS and Mr. Smith on what they are doing, and thanked the Commission and County for funding the survey.

**Motion:** Based on the recommendation by staff, I, Lance Gilman, authorize the County Manager to approve a contract with the United States Geological Survey (USGS) up to \$30,000 to continue the voluntary and limited monitoring of groundwater levels and quality, aquifer conditions, and other geotechnical matters in the Virginia City Highlands, Highlands Ranches, and Virginia Ranches area of Storey County during the 2019-20 fiscal year, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

: Acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2019-2020 funds.

Carol Ingalls, Nevada Public Agency Insurance Pool (POOL), representative explained there is an increase this year.

Wayne Carlson, Executive Director, explained the increase is due to large property losses around the world in the last couple of years putting pressure on the market. The increase is approximately 5%. Property values in this area have increased about 6% - and there was an increase in payroll and number of vehicles.

Ms. Ingalls congratulated the HR Department for taking advantage of training offered through the HR Program. Ms. Ingalls reviewed the different programs utilized by the County.

Chairman McBride asked what this type of policy and coverages would cost if the County did not participate in POOL.

Mr. Carlson: As example, flood and earthquake coverages have a \$5,000 deductible with the POOL. In the commercial market it would be 10% of the value of the building and the contents damaged - a big difference. Mr. Carlson reviewed a list of benefits provided - most not provided by the commercial market.

Mr. Whitten commented he has served on the Human Resources Oversight Committee. Upon retirement, Austin Osborne will take that seat on the Committee.

Ms. Ingalls reviewed the program and commented how things change when it's a competitive market.

Public Comment: None

**Motion:** I move to approve the renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approve payment from fiscal 2019-2020 funds, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**9. DISCUSSION /POSSIBLE ACTION:** Authorize the County Manager and the District Attorney's Office to seek outside special counsel in regards to due diligence being conducted on the proposal to change the governance structure of the Tahoe-Reno Industrial Center General Improvement District.

Vice-Chairman Gilman recused himself from the item as he holds a pecuniary interest in the TRI Center.

Mr. Whitten explained this item is for authorization to consult outside counsel regarding the request of the TRI GID to change the form of governance from elected by residents to the Board of County Commissioners sitting as trustees of the GID. There have been issues retaining elected residents. A previously approved assessment of the GID is being processed. The Board has previously approved an audit of the fiscal stability of the GID. The County auditor has confirmed that the GID would be treated as a component unit. The County needs advice on what a "component unit" means - whether there is liability to the County - is it included or still a "stand alone". The intent is to contact the County's bond counsel, Kendra Follett of Sherman & Howard, in order to locate someone who can provide advice.

Public Comment:

**Sam Toll, Gold Hill resident** said he is encouraged about this process. What department would oversee County services and fees - would employees be added to the payroll?

Mr. Whitten said it is a possibility. If this happens, it would be approved by the Board and would be on a compensated basis. This could be for legal, fiscal, or human resource services - it would be up to each of those departments. Public Works is stretched thin right now. There have been talks about having the GID go on the SCADA system for reading meters - the same as Public Works.

**Motion:** I, Jay Carmona, move to approve and authorize the County Manager and the District Attorney's Office to seek outside special counsel in regards to due diligence being conducted on the proposal to change the governance structure of the Tahoe-Reno Industrial Center General Improvement District, **Action:** Approve, **Moved by:** Commissioner Carmona, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2.

and prioritize options to comply with District Court order to vacate all Justice Court activities from the District Courtroom, Chambers, Jury Room and Clerk's Office within 180 days of their issuance of said order.

Mr. Whitten said meetings are held every Monday to discuss status. Focus is on the Divide building. A meeting was held regarding allocation of space, possible sky light installation, among other items.

Public Comment: None

**11. DISCUSSION/POSSIBLE ACTION:** To appoint Tyler Jourdonnais to confirm his May 31, 2018 appraisal of real property and improvements located at 800 S C Street in Virginia City, NV. That appraisal valued the property at \$1,355,000 as contrasted to the appraisal submitted by Tony Wren which valued the property at \$1,300,000. If Mr. Jourdonnais confirms the higher value, staff intends to recommend averaging the 2 appraisals to establish our offering price. The cost of Mr. Jourdonnais' additional service is not currently known. If the County purchases the property, it will be for the purpose of utilizing a portion of the property as the site of a Justice Court, Justice Court offices, IT office and 911 Communication/Dispatch Center.

Mr. Whitten explained the Fain's approached the County with an offer to sell their building. In 2018, the Fain's obtained an appraisal of the property from Tyler Jourdonnais. The County received an appraisal from Tony Wren which came in slightly less. Pursuant to counsel, there is no stale date on an appraisal when the County is purchasing. Mr. Jourdonnais must be appointed by the Board and Mr. Jourdonnais must confirm his appraisal in order to be accepted by the County.

Mr. Whitten said when the County buys property, regardless of who it's from, typically the transaction is made as fair, reasonable, and favorable to the seller as we can. It does not matter who the seller is, this is what has been done before. This property is unique as it offers the County an existing building. Currently, the "ballpark" figure is \$1.8, maybe up to \$2 million, for acquisition and improvements. Building at a new location would be over \$4 million.

Vice Chairman Gilman likes the direction this is taking.

Chairman McBride appreciates this would be coming in lower than what it would take to build at the jail location.

Public Comment:

**Steve Ayer, Storey County resident :** Commented about the County buying-up properties, taking commercial properties out of the tax base and suggested the long-term should be looked at.

Chairman McBride said this has been taken into consideration. It would take a long time in tax revenue from this property to make up the \$2 million additional revenue to build a new complex. Other County properties can go back (sold) to public hands whenever the County tenant vacates.

Mr. Whitten commented that (County) properties are being sold.

**Sam Toll, Gold Hill resident:** Asked for clarification of this item - it is simply to allow this appraiser to submit the evaluation he had done in the past. He understands typically an evaluation more than 90 days is not considered "up to date" and is encouraged that a second is being obtained.

Mr. Whitten: And, to confirm his valuation of the property as of May 31<sup>st</sup> last year.

**Motion:** I, Lance Gilman, move to appoint Tyler Jourdonnais to confirm his May 31, 2018 appraisal of real property and improvements located at 800 S C Street in Virginia City, Nevada, in the amount of \$1,355,000, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

First reading of an ordinance amending Storey County Code by adding section 10.20.065 prohibiting parking a motor vehicle in an electric vehicle charging station and adding a provision for a fine for unlawful parking in an electric vehicle charging zone, and providing for other properly related matters.

Outside Counsel Robert Morris read the title: an ordinance amending Storey County Code by adding section 10.20.065 prohibiting parking a motor vehicle in an electric vehicle charging station and adding a provision for a fine for unlawful parking in an electric vehicle charging zone, and providing for other properly related matters.

Mr. Morris explained NRS gives the County Commission authority to regulate parking in public parking lots. The original parking ordinance is 40 years old. Storey County Codes need to be kept updated due to changes in society.

Chairman McBride commented he does not like more rules and regulations, but the County provides three spaces for electric vehicles and when gas vehicles park there, the electric cars can't charge.

Public Comment:

**Nicole Barde , Storey County resident:** Who pays for the chargers?

Mr. Whitten: The chargers were provided by Tesla - two are Tesla only and one universal. These are destination chargers, taking about four hours. A super-charger would take 20 minutes. Having the destination chargers gives plenty of time (for visitors) to explore Virginia City. The County pays for the electricity and can apply for reduced rates through NV Energy.

Ms. Barde asked why the taxpayers pay for "gas".

Mr. Whitten explained more is generated in sales tax than the cost of power for the vehicles. For the record, he has never parked his electric vehicle at these chargers.

**Sam Toll:** Believes much more would be generated from tickets for those illegally parked at the chargers than is paid for power at the chargers.

**Motion:** I move to approve first reading of an ordinance 19-xxx, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Transition update from County Manager Pat Whitten and County Manager Designee Austin Osborne.

Mr. Osborne reviewed items that he feels should be addressed in the future. This includes creation of a County-wide Strategic Plan, as well as:

- A BOC joint session with the Planning Commission, and perhaps the VCTC and the School Board;
- Major projects would include:
  - Enacting the recently passed Diesel Tax if the Board wishes;
  - TRI Retail Center;
  - Staff transitioning - including the Planning Department;
  - Zip code name change for TRI;
  - Brothel over-lay zone and Title 17 Ordinance;
  - Waste Management Franchise negotiations;
  - Pipers Opera House staffing/organizational structure;

- o Lands Bill interpretations;
- o Marlette Water System/water study;
- o Complete CBA bargaining;
- o Sheriff's Office bargaining for next year.

Mr. Osborne reviewed projects the Planning Department would be taking the lead on.

Mr. Whitten asked for input from the Commission regarding a proposal for him to come back (after retirement) to consult on certain on-going items (such as the Justice Court project and Tesla negotiations). Mr. Whitten reviewed projects that are currently being worked on and the potential list of projects he would continue to work on. This would enable a seamless transition.

: Approval of Contract Agreement with Ecology and Environment Inc. in the amount of \$28,700 to update the Storey County Hazard Mitigation Plan.

Ms. Nevin said the County is required to update its Hazard Mitigation Plan every five years. The purpose of the plan is to reduce loss of life and property due to natural disasters, and to enable mitigation measures. Funds are included in the 2019-20 budget for this update. After approval, work will begin immediately - the plan is due to FEMA early 2020.

Public Comment:  
None

**Motion:** I move to approve a Contract Agreement with Ecology and Environment Inc. in the amount of \$28,700 to update the Storey County Hazard Mitigation Plan, and provide authorization for the County Manager, or his designee, to sign all associated documents, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## . RECESS TO CONVENE AD THE STOREY COUNTY LIQUOR LICENSE BOARD

2nd reading for the On-Sale Liquor License, Off-Sale Liquor License & Cabaret License for Union Brewery Virginia City LLC. Place of business: 63 N C St, Virginia City, NV 89440. Applicant is Lisa Matheny.

Sheriff Antinoro said there is nothing from the investigative process that would prohibit this license. Approval is recommended.

Chairman McBride and Vice-Chairman Gilman disclosed that they hold licenses on C Street as well. This does not affect the motion and vote.

Public Comment: None

**Motion:** I, Lance Gilman, Commissioner, move to approve 2nd reading for the On-Sale Liquor License, Off-Sale Liquor License & Cabaret License for Union Brewery Virginia City LLC. Place of business: 63 N C St, Virginia City, NV 89440. Applicant is Lisa Matheny, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

: Approval of 2nd reading for the general business license for Union Brewery Virginia City LLC.  
Place of business: 63 N C St, Virginia City, NV 89440. Applicant is Lisa Matheny.

Sheriff Antinoro again stated there is nothing to prohibit approval of this general business license.

Public Comment:

**Sam Toll** asked if this business is open and conducting business.

Sheriff Antinoro said the business was granted a temporary (license) since the first reading.

**Motion:** I make a motion to approve the second reading for the general business license for Union Brewery Virginia City LLC. Place of business: 63 N C St, Virginia City, NV 89440. Applicant is Lisa Matheny, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

2019-021 Consideration and possible Grant of ROW Easement to Zayo Group LLC, an easement for an underground optic cable line through Storey County ROW Parcel 2009-17 of Record of Survey Document No. 111647 for Tahoe-Reno Industrial Center LLC recorded in the Office of the Storey County Recorder on August 5, 2009, located in McCarran area of Storey County, Nevada.

Kathy Canfield reviewed this request from the Zayo Group for an underground fiber-optic line through County property.

Public Comment:

None

**Motion:** In accordance with the recommendation by staff, I, Lance Gilman, move to approve a grant of right-of-way easement 2019-021 to Zayo Group LLC, for an underground optic cable line through Storey County ROW Parcel 2009-17 of Record of Survey Document No. 111647 for Tahoe-Reno Industrial Center LLC recorded in the Office of the Storey County Recorder on August 5, 2009, located in McCarran area of Storey County, Nevada, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**20. DISCUSSION/POSSIBLE ACTION:** Approval of Business Licenses Second Readings  
(continued from May 21, 2019):

. CAMCO NORTH - General / PO Box 400518 ~ Las Vegas NV 89119

B. QUALITY FIRST HOME IMPROVEMENT .- Contractors /6545 Sunrise Blvd #202 ~Citrus Heights, CA

C. RAM MECHANICAL INC. - Contractor / 3506 Moore Rd ~ Ceres, CA

D. M.C. DEAN, INC. - Contractor/ 1765 Greensboro Station Place ~ Tysons, VA

E. DESERT STAR MHS - Contractor/ 5051 N Virginia St #27 ~ Reno, NV

F. TRI SAGE CONSULTING -General / 5418 Longley Lane Ste A ~ Reno, NV

G. MEXIKUE TACOS TIJUANA General / 5252 Side hill Drive ~ Sun Valley, NV

H. SMITH PLUMBING- Contractor/ 533 7th Street ~ Sparks, NV

I. THERMO SYSTEMS, LLC -General/ 84 Twin Rivers Dr. ~ E Windsor NJ

J. BROWN HEATING & AIR CONDITIONING LTD -Contractor/ 7871 Hwy 50 East Carson City, NV

K. TAYLOR HOME INSPECTIONS - General/ 10365 Goldmine Drive ~ Reno, NV

Continued to June 18, 2019

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

**Laurie Rodriguez** read an edited version of a proposal she presented to the NDOT Board on May 13th. It is important to the County as the County would be involved:



“The addition of a third lane to the I-80 has been a topic of discussion but the real issue is how to move people to TRIC. I would like to propose a monorail. Since we are targeting one specific location this would make perfect sense. Elevated trains using the latest technology, are non-polluting, fast, and quiet. In some areas they are being built on the sides of, and the centers of, existing freeways. Passenger cabs can be added as the demand grows and the trains are proving to be profitable. I see this project in three phases - the first being from Sparks to TRIC, the second would be from Fernley to TRIC, the third would be from Fallon to Fernley. Stations with adequate parking would be needed, as airports have now, and revised bus routes to accommodate riders would be nice. The present employers of TRIC already have 94 shuttles in operation. I envision these vans to be centered at the TRIC station to ferry people to their work places. This would reduce the operating cost for employers encouraging them to keep the vanpools. It is in the approximate \$400 million budget projected for the third-leg build, I think a miniscule amount could be allocated for a feasibility study of a monorail. Many of the major costs of building these systems is literally moving mountains. We don’t have that problem with the corridor. Also, construction companies should have verifiable experience building elevated trains as a requirement to submit a bid. We need to make changes starting now, because if we don’t start now - then when? It is so easy to fall back on the “same ole - same ole”. If countries all over the world are building these, so can we. I am speaking about this idea to nine different County Commission and City Council meetings in the area to see if there is interest for this endeavor. We have nothing to lose by researching this mode of travel and everything to gain. My original presentation to NDOT also included high-speed train proposals for the I-11 and the I-15 - but today I am speaking specifically to the I-80. If you and your constituents would support a feasibility study for the monorail, I encourage you to go to the NDOT Board meetings and contact the Director’s Office, the Governor’s Office, and Kate Wilson in the Lieutenant Governor’s Office. We can make a difference if we let our representatives know that we would like to see this happen. We need to be determined, patient, and involved from the start - only then can we see this project become what we want it to be for now and in the future.”

Chairman McBride asked Ms. Rodriguez if there were any numbers indicating how long it takes a transportation system to pay for itself.

Ms. Rodriguez answered no, as we don’t have the population that other places have. The one in Las Vegas took a while, but it is paying for itself now.

**Sam Toll:** He is encouraged by the comments made by Ms. Rodriguez - forward thinking projects regarding transportation. He is reluctant for Storey County taxpayers to foot any more than is necessary in this (project) since very few Storey County residents would enjoy (use) it. Storey County businesses would benefit greatly.

Mr. Toll said he is disappointed that his agenda item request to have public comment at the beginning of the meeting, as well as the end, was denied. This is a message to the public that they come last and it discourages public input. Mr. Toll requested Commissioner Carmona to provide opportunity to the public that was not had with previous Boards.

Mr. Toll noted that Governor Sisolak will have opportunity to sign a bill that would enhance and “put teeth in” the public request law and prevent stone-walling. He has 8 public requests in at the District Attorney’s office. Commitments have not been kept in filling these requests. He has offered to help in fulfilling the requests.

It would be great to move Public Comment to the beginning and the end of the meeting.

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

Chairman McBride adjourned the meeting at 11:53 AM.

Respectfully submitted,

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