



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

JUNE 18, 2019 10:00 A.M.

DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MEETING 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, Comptroller Hugh Gallagher, Sheriff Antinoro, Fire Chief Jeff Nevin, Communications Director Dave Ballard, Emergency Management Director Joe Curtis, Tourism Director Deny Dotson, Community Relations Director Cherie Nevin, Water Project Manager Mike Nevin, District Attorney Anne Langer, Virginia City Senior Center Director Stacey York, Outside Counsel Bob Morris, Project Coordinator Mike Northan, Deputy District Attorney Keith Loomis, Deputy Sheriff Tony Dosen, Administrative Officer/Planning Director/Austin Osborne, Planner Kathy Canfield, IT Director James Deane

### **1. CLOSED SESSION at 9:40AM - CANCELLED**

Closed session involving Storey County Board of County Commissioners 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 at 9:40 AM immediately before the regular meeting of the Board of County Commissioners.

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

Meeting was called to order by Commissioner McBride at 10:06 A.M.

### **3. PLEDGE OF ALLEGIANCE**

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

**4. DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for June 18, 2019  
County Manager Whitten corrected item 21 to change the word "gym" to "building", and requested items 36 and 37 be continued to the July 2<sup>nd</sup> meeting.

Chairman McBride said Sheriff Antinoro has requested Consent Agenda Item 7.I be pulled for hearing on the regular agenda.

Public Comment: None

**Motion:** I make a motion to approve the agenda for June 18, 2019, pulling Item I on the Consent Agenda to be heard separately, and continuing Items 36 and 37 to the July 2, 2019 meeting, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**5. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for May 7, 2019.

Public Comment: None

**Motion:** I make a motion to approve the Minutes for May 7, 2019, **Action:** Approve, **Moved by:** Chairman McBride, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**6. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for May 21, 2019.

Public Comment: None

**Motion:** I make a motion to approve the Minutes for May 21, 2019, **Action:** Approve, **Moved by:** Chairman McBride, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

## **7. CONSENT AGENDA**

Sheriff Antinoro commented that item 7-I is a business license application for firearms sales. At this time, there appears to be a dispute between landlord and tenant/applicant of the building (location of the business). There is concern about the tenant/applicant to resolve these issues. This does not give the Sheriff comfort about someone who deals with firearms. Sheriff recommends not approving this license until applicant shows a level of responsibility commiserate with someone dealing in firearms - strike this from the agenda until such time it is appropriate to return.

7. I For possible action, approval of 1st reading for general business license Virginia City Gun Works, 145 S C St., Virginia City, NV 89440 - Applicant is Erin Stoneback.

Public Comment: None

**Motion:** I make a motion to remove this item from the agenda until further notice, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

II For possible action, approval of 1st reading for general business license Virginia City Joe's, 5 N C St., Virginia City, NV 89440 - Applicant is Joe France.

III For possible action, approval of claims in the amount of \$821,982.46.

- IV For possible action, approval of business license first readings:
- A. LEEWENS CORPORATION - Contractor / PO Box 2549 ~ Kirkland, WA
  - B. INNOVATIVE EQUIPMENT - General / 3555 Airway Dr Ste 305 ~ Reno, NV
  - C. ZAHLER ENTERPRISES - Contractor / 1075 Country Estates Cir ~ Reno, NV
  - D. FANUC AMERICA CORPORATION - General / 3900 W Hamlin ~ Rochester Hills, MI
  - E. VARIETY BUILDING SYSTEMS - Contractor / 7690 Diamond Vista Ct ~ Reno, NV
  - F. BUSYBEE KITCHEN, LLC - General / 4845 Osage Dr ~ Stagecoach, NV
  - G. DRIPS COFFEE TRUCK - General / 385 Freeport #21 ~ Sparks, NV
  - H. BECKHOFF AUTOMATION, LLC - General / 13130 Dakota Ave ~ Savage, MN
  - I. TEG STAFFING DBA EASTRIDGE WORKFORCE - General / 2355 Northside Dr ~ San Diego, CA
  - J. HELLERMANNTYTON CORPORATION - General / 7930 N Faulkner Rd ~ Milwaukee, WI
  - K. FERNLEY CLEAN UP - General / 36 Primton Way ~ Fernley, NV
  - L. NINGBO XUSHENG AUTO TECH DBA NINBO N.A. - General / 555 Bryant St ~ Palo Alto, CA
  - M. KAWCAK MASONRY, INC. - Contractor / 7955 Sugar Pine Ct #150 ~ Reno, NV
  - N. ERG AEROSPACE CORPORATION - I/C General / 964 Stanford Ave ~ Oakland, CA
  - O. F3 & ASSOCIATES, INC. - General / 701 E H St ~ Benicia, CA
  - P. DA BUILDERS, LLC - Contractor / 1770 Scott Valley Rd ~ Reno, NV
  - Q. ASPEN EARTHWORKS - Contractor / PO Box 33897 ~ Reno, NV
  - R. WORK RIGHT NW - General / 1760 Down River Rd ~ Woodland, WA
  - S. WESTERN ASSOCIATES - General / 5255 E Winnemucca Blvd #109 ~ Winnemucca, NV
  - T. NATIONAL LANDSCAPE - Contractor / PO Box 51166 ~ Sparks, NV
  - U. NATIONAL INSTRUMENTS CORPORATION - General / 11500 N Mopac Expwy ~ Austin, TX
  - V. DAIFUKU AMERICA CORPORATION - General / 30100 Cabot Dr ~ Novi, MI
  - W. PRESTIGE BUILDING MAINTENANCE OF NV - General / 3983 S McCarran Blvd ~ Reno, NV
  - X. PMT (USA), LLC - General / 2015 Ionosphere St #203 ~ Longmont, CO
  - Y. PARAGON CLEANING SERVICE DBA SUNSHINE CLEANING - General / 840 Pyramid ~ Sparks, NV
  - Z. VECOPLAN, LLC - General / 5708 Uwharrie Rd ~ Archdale, NC
  - AA. COMM CARE SVC DBA RENOWN HEALTH URGENT CARE - General / 1155 Mill St ~ Reno, NV
  - BB. RENOWN REG MED CNTR DBA RENOWN HOSPICE CARE - General / 1155 Mill St ~ Reno, NV
  - CC. KISTLER INSTRUMENT CORPORATION - General / 30280 Hudson Dr ~ Novi, MI
  - DD. CLINT JENSEN CONSTRUCTION, LLC - Contractor / 1390 Rice Rd ~ Fallon, NV
  - EE. C. M. STEEL, INC. - General / PO Box 36940 ~ Rock Hill, SC
- V For possible action, approval of assessor's recommended corrections to 2018-19 Secured Tax Roll for Exemptions.

VI For possible action, approve appointing Marshall McBride to replace Pat Whitten to serve on the Economic Development Authority of Western Nevada (EDAWN) and appoint Cherie Nevin to replace Austin Osborne to serve on the Western Nevada Development District.

Public Comment: None

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

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

### **Operations/Projects Coordinator Mike Northan:**

- Waiting on legal review and easement documents for Six Mile Drainage project. Test pits will be coordinated with NDEP. There is a possibility of contamination in the area as it has been determined there had been a mill at this location.
- A proposal for electrical design has been received for fairground improvements. The way the power is distributed will dictate how water distribution is done.
- Signals at USA Parkway and I-80 and Electric Avenue are up and operating. Titan Electric has been contacted to develop an agreement for maintenance monitoring and emergency response. There will be initial start-up costs.
- There is a preliminary design for the Sharon House steps. There will be a concrete curb along the outside and the steps will not obstruct existing doors or windows. Metal treads will be used. The design will be presented to the Historic Commission at their July 15 meeting.
- Minor roof leaks have been detected at Station 75. Quotes may be obtained to see what is needed.

### **Cherie Nevin, Community Relations Director:**

- Residents are encouraged to sign up for Code Red - emergency notification system. Register on the Storey County website.
- Work is being done on a community health emergency response survey in partnership with Carson City Public Health Services. The survey will be conducted September 12 through 14.

### **Mike Nevin, Special Projects Manager:**

- Update on the Gold Hill Sewer and 5 Mile Water Tank Replacement projects:
  - Site surveys for both projects continue;
  - The projects are scheduled for hearing before the Comstock Historic District Commission on July 15<sup>th</sup>, for approval of the site Gold Hill site plan and building;
  - Hearing is scheduled before the Planning Commission on August 1<sup>st</sup>. All project details will be discussed.
  - After approval, final design should be completed by end of the year on the Gold Hill project with construction mid to late February - depending on weather - with completion in June.
  - The Hillside tank project has similar timeline - maybe sooner. A time table will be set.

### **Stacey York, Senior Center Director:**

- August 6<sup>th</sup> is National Night Out. This will be held at Miners Park.

### **County Manager Pat Whitten:**

- On behalf of Community Development:

- Investigation at the Delta is complete and permits are being pulled to rebuild. The Union Street exterior is a priority.

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

### **Chairman McBride:**

- Street Vibrations Spring Rally was well attended
- Last weekend a ladies car club event was held - a prelude to Hot August Nights.
- Also last weekend, the RV Park hosted a vintage trailer rally.

**10. DISCUSSION ONLY (No Action):** Update and discussion bills and legislative action from the 2019 80th Nevada Legislative session from lobbyists Mary and Steve Walker and Greg Hess.

Chairman McBride introduced lobbyists Steve and Mary Walker, and Greg “Bum” Hess. They meet with County representatives every other week during the Legislative session to discuss bills, especially those pertaining to Storey County.

Mary Walker explained this was a difficult session, dominated by union interests. In the end, the unions were directed to negotiate. Agreement was reached on many workers’ compensation bills with just a few concerns. Ms. Walker reviewed several bills, including the SB48 diesel tax bill; SB111 25% ending fund balance set-aside, changed to 16.7%; AB70, an open meeting law bill. Ms. Walker has sent out a link to each department with the bills that would affect that department. AB240 regional planning - passed. Ms. Walker also reviewed: AB125; AB456; AB533; AB245 and SB460. Ms. Walker prepared a written report for the Commission.

Steve Walker said he focused on water bills, natural resources, and public works. Mr. Walker reviewed water bills that would affect Storey County. SB150 requires the County to prepare a “water plan” every 10 years. AB95 was controversial and Mr. Walker explained what it does. SB250 requires Counties to develop an ordinance analyzing exactly how much water is going to be used - not an arbitrary figure. SB507 gave funds to the Marlette Lake Water System - originally it was going to be a loan, now it is an appropriation. Mr. Walker discussed the Marlette Lake system as it pertains to the County. Storey County is in a very good position as it is a “decreed right”.

Mr. Walker also reviewed prevailing wage and conservation bills.

Greg “Bum” Hess discussed the role of the census and the question regarding citizenship - how it will affect the rural areas.

**11. DISCUSSION/POSSIBLE ACTION:** Review the professional services agreement with Walker & Associates.

Mr. Whitten reviewed the agreement the County has with Walker & Associates. The County pays \$2083 per month, with some costs shared by the four counties. Mr. Whitten recommends approval - the County definitely gets a return on this investment along with results.

Chairman McBride also recommends approval - the Walker’s are the best at what they do.

Public Comment:

**Clay Mitchell, Virginia City resident:** It appears that the County’s interests are being represented for a very affordable amount. Does this contract go out competitively or just rolled over each time?

Chairman McBride: The County has had other lobbyists in the past. The Walkers have shown professionalism and dedication over the last few years.

Mr. Whitten suggested that the County would not find anyone near as qualified and successful as the Walkers in representing the County's interests - as well as Carson City, Lyon and Douglas County. And, guaranteed there would be no one for \$2,100 a month.

**Sam Toll, Gold Hill resident:** Is the contract for two years and the next session? The Legislature is only in session four months, every other year.

Mr. Whitten: Yes, the contract is through June 2021.

Mr. Toll asked about the period of time (between sessions) where the County may be paying for services that may not be rendered - has thought been given to changing the contract to only when the Legislature is in session?

Mr. Whitten: No. There are a lot of interim committees and other activities that go on - including numerous on the water side. Reducing the "off session" payment, would increase the "during session" price. Compared to what other lobbyists charge, it is an unnecessary suggestion.

Commissioner Gilman: Great "lobbying" is relationship building, to be able to discuss issues and common cause is important. Especially with so many new legislators. It's very important to build relationships, confidence, and trust. Lobbying two weeks before a session starts, "would fall on deaf ears". This is an on-going process. This group (Walker & Associates) represents rural counties - rural need representation more than other time in history.

Mr. Toll commented having seen the Walker's in action, he agrees they do a great job and also recommends the contract be renewed.

**Motion:** I make a motion to approve the professional services agreement with Walker & Associates,  
**Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona,  
**Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**12. DISCUSSION/POSSIBLE ACTION :** Approval of the Second Amendment to the Programmatic Agreement regarding National Historic Preservation Act compliance for the replacement of existing water and sewer lines and Wastewater Treatment Plant expansion in Gold Hill.

Cherie Nevin: The current Programmatic Agreement was executed in 2012. The First Amendment was in 2013 making Rural Utility Services, the component of USDA that funds the project, the lead agency providing financial assistance for funding of the projects. Due cost constraints, the option for Gold Hill is a package plant. This amendment adds that project on to the Programmatic Agreement and adds NDEP as a signature to the Agreement.

Public Comment: None

**Motion:** I move to approve the Second Amendment to the Programmatic Agreement regarding National Historic Preservation Act compliance for the replacement of existing water and sewer lines and Wastewater Treatment Plant expansion in Gold Hill, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**13. DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 19-540, Honoring County Manager Pat Whitten.

Chairman McBride reviewed Mr. Whitten's tenure with Storey County - one of the most competent, dedicated government employees he has known.

Vice-Chairman Gilman commented he has worked with Mr. Whitten for almost 20 years and has watched the County grow to where it is today - it has not been easy. Requiring diligence and staying the course - keeping everyone motivated. And working with some of the biggest corporations in the world. He is fiscally responsible - the County has prospered so much under his leadership. He is confident in the future, but with regret to say goodbye.

Commissioner Carmona, as the new guy, thanked Pat for "smoothing out the process" as much as possible.

**Public Comment :**

**Kris Thompson :** On behalf of Don Roger Norman, and Tahoe Reno Industrial Center, heartfelt thanks for 20 years of the finest government service. Mr. Whitten took the job as Sheriff at a time when the County was "broke" - becoming County Manager during the recession, making tough decisions on personnel and budgeting. Then massive growth. He over-saw, negotiated, and was "the rock" of the County. On behalf of TRI - he has done a fantastic job. Thank you.

**Greg "Bum" Hess:** Mr. Whitten was the first Storey County Manager. The County has changed dramatically thanks to Pat.

**Mike Nevin:** Mr. Whitten did well as the Sheriff. At that time, the County did not have much of a budget, relying on grant funds from entities. Mr. Whitten mentored Mr. Nevin when he became Fire Chief and said "let's see what we can do to make things better". And they did - completing some major projects.

**Joe Curtis :** Before Mr. Whitten was County Manager, there was no Emergency Management Department or process. Through Mr. Whitten's leadership, Storey County was the first County in the State of Nevada to have a federally approved Emergency Management Plan.

**Deny Dotson :** The VCTC would not be as strong today without Mr. Whitten's leadership.

**Austin Osborne :** Mr. Whitten taught him a lot and provided a lot of experiences. Most important, he has always worked as a team. His decisions have always been for the benefit of the County.

**Hugh Gallagher :** Mr. Whitten has passion - for the Country, the County and its stakeholders and employees. He has done a great job.

Chairman McBride read the Resolution:

A Resolution Honoring Pat Whitten:

WHEREAS, PAT WHITTEN has faithfully served Storey County for twenty four Years from 1995 to 2019; and

WHEREAS, PAT WHITTEN is dedicated to his job and the citizens of Storey County; and  
WHEREAS, PAT WHITTEN has served with distinction, earning the respect of all he works with both locally and statewide; and

WHEREAS, PAT WHITTEN's professional skills in several capacities have served to make Storey County a better place to live, work and play.

THEREFORE IT BE KNOWN to all present that the Board of County Commissioners of Storey County do hereby resolve to commend and honor PAT WHITTEN for exemplary service to the people of Storey County, Nevada this 18<sup>th</sup> day of June, 2019. PASSED and ADOPTED the 18<sup>th</sup> day of June 2019, by the following:  
AYES: McBride, Gilman, and Carmona

**Mr. Whitten:** Appreciates all of the comments. So many people, present and gone, have contributed to his and Storey County's success. He is thankful for all of the comments regarding "emphasis on team". "The strength of the pack is the wolf, and the strength of the wolf is the pack".

**Motion:** I move to approve Resolution 19-540, Honoring County Manager Pat Whitten, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Jessie Fain invited everyone to attend an Open House on June 27<sup>th</sup> to celebrate Mr. Whitten's retirement.

Chairman McBride called for recess at 11:38AM  
Meeting reconvened at 11:52 AM

**14. DISCUSSION/POSSIBLE ACTION:** Special Use Permit (2019-018) is a request to operate a home enterprise child care facility, not to exceed 15 children. The facility will operate at the existing single family residence property which is approximately 1.49 acres in size and is located at 2440 Grizzley Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-002-12.

Planner Kathy Canfield explained this a Special Use Permit for a home enterprise child care facility - required when there is more than 4 children. This request is for 12 children. Comments received have been forwarded to the Board. Staff recommends approval. Planning Commission recommended approval, 4 to 2.

Public Comment:

**Jason Drake:** Child care facilities in this area are desperately needed. Issues that were presented (to the Planning Commission) can easily be resolved. He is in favor of this request.

**Jennifer Swift:** Is in support of the daycare and has known and used this child care facility for over a year. It has been a "godsend".

**Sam Toll:** This is a well-needed addition and asset to the community. He is in favor of the daycare facility.

Chairman McBride: There is a need for child care in the Highlands and Virginia City areas. Community Chest has indicated they are also looking at starting daycare.

Ms. Canfield indicated there is only one other licensed daycare in the area - in Mark Twain. Currently Community Chest has school-age children only. The children at the daycare in the Highlands are all from the neighborhood.

Commissioner Carmona: This a great service for the community.



Vice Chairman Gilman: There were regulations as early as 1999 approving daycare in neighborhoods - a necessary element in all neighborhoods. Anyone coming in to the Highlands since 1999, should have had understanding that daycare could be approved.

**Steve Ayer:** Great idea - more care for children is needed. This should be looked at for more of these businesses in the future. What does the County do to ensure the children are safe, etc.?

Ms. Canfield explained this is covered with business licensing through the Sheriff's Office, and with State regulations and oversight.

Ms. Canfield read the Findings of Fact:

This approval is for Special Use Permit (2019-018) to operate a home enterprise child care facility, not to exceed 15 children. The facility will operate at the existing single family residence property which is approximately 1.49 acres in size and is located at 2440 Grizzley Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-022-12.

The proposed project complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.

The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.

The proposed project will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.

The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.

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

The conditions under the Special Use Permit do not conflict with the minimum requirements in Storey County Code Sections 17.03.150 - Special Use Permit, 17.12 - General Provisions, and Section 17.40 E - Estate Zone.

**Motion:** In accordance with the recommendation by staff and the Planning Commission, the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I, Lance Gilman, move to approve Special Use Permit (2019-018), operation of a home enterprise child care facility, not to exceed 15

children. The facility will operate at the existing single family residence property which is approximately 1.49 acres in size and is located at 2440 Grizzley Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-022-12, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**15. DISCUSSION/POSSIBLE ACTION:** Possible approval of 2nd reading for general business license for Joy Evans, Little Hands of the Highlands, Home Day Care, 2440 Grizzley Rd., Virginia City Highlands, NV 89521.

Sheriff Antinoro - in response to Mr. Ayer's question on the previous item, the County has regulatory oversight when there is less than five children. Over five, it falls to the State - Division of Family Services.

With the approval of the Special Use Permit, there is no reason why the applicant should be denied the Business License.

Public Comment:  
None

**Motion:** I motion to approve 2nd reading for general business license for Joy Evans, Little Hands of the Highlands, Home Day Care, 2440 Grizzley Rd., Virginia City Highlands, NV 89521, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**17. DISCUSSION/POSSIBLE ACTION:** Possible approval of 1st reading for On-Sale Liquor License Virginia City Joe's, 5 N C St., Virginia City, NV 89440 - Applicant is Joe France.

Vice-Chairman Gilman recused himself as he has a pecuniary interest in the building.

Chairman McBride, disclosed that he holds an on-sale liquor license in Virginia City, and that this does not affect his decision.

Sheriff Antinoro: This is first reading, however applicant has held liquor licenses in Lyon County - no problems are anticipated.

Public Comment: None

**Motion:** I recommend approval of the 1st reading for On-Sale Liquor License Virginia City Joe's, 5 N C St., Virginia City, NV 89440 - Applicant is Joe France, **Action:** Approve, **Moved by:** Commissioner Carmona, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**18. DISCUSSION/POSSIBLE ACTION:** Possible approval of second reading for On-Sale and Off-Sale liquor licenses & Cabaret license for Bonanza Saloon, 27 N C St, Virginia City, NV 89440. Applicant is Vincent Malfitano.

Deputy District Attorney Keith Loomis said this the second hearing for On-Sale and Off-Sale liquor licenses & Cabaret license for the Bonanza Saloon. Mr. Malfitano's request for these licenses was

turned down by the Board at that time for lack of business probity existing at that time. Things changed and the District Attorney's Office arranged for a separate background investigation which has been completed. The (investigative) report is subject to attorney-client privilege. In this case, the privilege is held by this Board and can be waived if the Board wishes. The standard for approval is determination the applicant has proof of financial standing warranting an effective, profitable business operation.

Vincent Malfitano, Virginia City Gaming: Has no comment regarding this application. In regards to the Delta, he is extremely grateful that there was no injury in the explosion.

Public Comment:

**Sam Toll:** Requested the Board to waive the privilege of disclosure regarding the (background) investigation. He understands this was an investigation of the financial viability of Mr. Malfitano, that Mr. Malfitano owns the Delta and Bonanza free and clear - he hopes the Board would approve the application.

Mr. Whitten pointed out this (item) is licensing only for the Bonanza. Multiple conversations with applicant show there is dedicated focus on getting the Delta open and back to what it was before the event. All members of the Licensing Board had the opportunity, under attorney-client privilege, to review the investigative report. What pertains in the report is financial probity/stability. Mr. Whitten suggested waiving attorney-client privilege pertaining as to one statement in the report which sums up his recommendation to approve this licensing application. (There were no objections).

Mr. Whitten read: "Malfitano currently enjoys at least a very good credit rating and is financially stable. In the summary investigation, it was not disclosed of any recent adverse information of a credit or financial nature that would necessarily preclude the approval of Malfitano's pending application for business and licensing to operate the Delta and the Bonanza business properties that he owns in Virginia City." Staff recommends approval of the on-sale/off-sale and cabaret licenses for the Bonanza Saloon.

Chairman McBride disclosed that he too holds a liquor license in proximity to the Bonanza Saloon, and that does not affect his vote on this applicant.

Vice-Chairman, disclosed that he owns a building that holds a liquor license Virginia City, that this does not affect his decision.

**Motion:** I, Lance Gilman, move to approve the second reading of the application for on sale/off sale liquor license, and cabaret license, for the Bonanza Saloon, 27 No C Street, Virginia City, Nevada 89440, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**20. DISCUSSION/POSSIBLE ACTION:** Second reading of Ordinance No. 19-301 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 presented the second reading of Ordinance No. 19-301. There was discussion at the first reading - unless there is something new, Mr. Morris refers this to the Board to take action.

Public Comment: None

**Motion:** I move to approve Ordinance No. 19-301, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**21. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of Contract to purchase the Divide Building at 800 S. C Street in Virginia City, Nevada from The Divide LLC as a location for the Justice Court, Storey County Communications and Storey County Information Technology in part for a cash purchase of \$1,327,500.00.

Mr. Whitten reminded that the agenda item has been changed to reflect Divide "Building" instead of "Gym". There are two appraisals - the first for \$1,355,000 dated May 3, 2018 by Tyler Jourdonnais; the second for \$1,300,000 dated May 15, 2019 by Anthony Wren. Mr. Jourdonnais was requested to validate his appraised value as of May 31, 2019 which has been received and recorded. Counsel has agreed with the approach to average the two appraisals for a purchase price of \$1,327,500.00. Mr. Whitten reviewed conditions of the offer as well as the "rough" terms of the lease for the Divide Fitness portion of the building.

Staff recommendation - this is the best choice. Improvements are estimated to be \$2 million, possibly \$1.8 million. This is for acquisition and improvements - as opposed to \$4 million (property purchase and built from scratch). Thank you to the team. Skylights have been requested which will bring the cost up a bit - as well as emergency power generators for the entire building. Quotes are being received for furniture. This option is the quickest. It will not be done by the timeline set in the Court Order, but hopefully the progress should show that the project is moving along.

Commissioner Carmona: Is there a move-in date?

Mr. Whitten: The latest target date is about February - with attempts to cut back that date. Making sure we don't spend any more money but moving as fast as we can and doing it right.

Public Comment:

**Steve Ayer:** Related a conversation he had with Judge Herrington regarding the Judge's concern that she will run out of room at the Divide building. Years ago there was plan to move everything up to the divide jail site - plans were drawn, dirt work was done. The plan was to build "shells" for the various departments to move in to. The plan to keep the jail and the courthouse together was an awesome plan. The site is there, ready to go. It is ridiculous to buy this other building.

Chairman McBride reviewed the costs and savings by purchasing the Divide building and said he does not know where Mr. Ayer got his information.

**Sam Toll:** We hear how the County is going to save \$2 million because the building that was proposed (in 2002) & plans drawn up, was going to cost about \$4.2 million. What is the comparison in square footage of the two buildings?

Chairman McBride: The \$4.2 million estimate was not from 2002, that is from the current plans.

Mr. Toll: Asked about the square footage of the two buildings. If the current building being purchased is half the size than what we were considering building, the idea of saving \$2 million doesn't apply.

Chairman McBride: Does not have the documents to do a comparison.

Mr. Whitten: Forget 2002, the County did not have the money then. If your question is to build a facility at the jail to house the Justice Court, IT, Dispatch, the Sheriff and DA offices - the square footage is about equal. Savings come from it (Divide Building) is already built with yesterday's dollars. There is substantial drainage work to be done and additional utilities are needed at the jail site.

**Motion:** I, Lance Gilman, move to approve and authorize the County Manager to submit a contract to purchase the Divide Building at 800 S. C Street in Virginia City, Nevada from the Divide LLC as a location for the Justice Court, Storey County Communications and Storey County Information Technology in part for a cash purchase of \$1,327,500. Approval is subject to the terms and conditions specified in the draft agreement or purchase prepared by the District Attorney's Office and included as part of the agenda packet, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**22. DISCUSSION/POSSIBLE ACTION:** 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 he is hopeful the District Court Judges's continue to work with us as long as the County demonstrates good faith and progress. Items being looked include a back-up generator - this is a priority. To the best of his knowledge, Justice Herrington is getting everything she requested - including skylights. It is news to him that Justice Herrington may not have enough room. Plans continue to move forward.

Public Comment: None  
No Action taken

## **23. RECESS TO CONVENE AS THE 474 FIRE DISTRICT BOARD**

**24. DISCUSSION/POSSIBLE ACTION:** Possible approval of Transfer of Appropriations in the 474 Fire District.

Comptroller Gallagher said NRS allows local governments to make changes (augmentations) to current budgets. Mr. Gallagher explained the use of transfers.

Mr. Gallagher reviewed the transfers for the 474 Fire District.

Public Comment:  
None

**Motion:** I move to approve Transfer of Appropriations within the 474 Fire District pursuant to NRS 354.598005 in the amount of \$210,000, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## **25. RECESS TO CONVENE AS THE STOREY COUNTY WATER/SEWER BOARD**

**26. DISCUSSION/POSSIBLE ACTION :** Possible approval of Transfer of Appropriations in the Water Fund and Sewer Fund.

Mr. Gallagher explained the transfer of \$30,000 to the water fund and \$3,000 to the sewer fund.

Public Comment: None

**Motion:** I motion to approve the transfer of appropriations within the water fund and sewer fund pursuant to NRS 354.598005 in the amount of \$30,000 for water and \$3,000 for sewer, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**28. DISCUSSION/POSSIBLE ACTION :** Possible approval of Resolution 19-541, augmentation of the Storey County Indigent Accident Fund.

Mr. Gallagher: This is an in-and-out fund. Revenue comes from ad valorem which increased. There was also an increase in expenditures.

Public Comment: None

**Motion:** I make a motion to approve Resolution 19-541, which accepts the augmentation for the Storey County Indigent Accident Fund pursuant to NRS 354.598005 in the amount of \$8,500.00, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**29. DISCUSSION/POSSIBLE ACTION :** Possible approval of Resolution 19-542, augmentation of the Storey County Genetic Marker Testing Fund.

Mr. Gallagher: Also an in-and-out account with funds received from those persons tested for chemical and forensic analysis. The amount that has to be paid out is increased by \$3,000.

Public Comment: None

**Motion:** I move to approve Resolution 19-542 which accepts the augmentation of the Storey County Genetic Marker Testing Fund, pursuant to NRS 354.598005, in the amount of \$3,000, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**30. DISCUSSION/POSSIBLE ACTION :** Possible approval of Resolution 19-543, augmentation of the Storey County USDA Fund.

Mr. Gallagher: This is a transfer of an amount not anticipated during the last budget session. This will increase the USDA Waterline and take away from the Sewer line, the sum of \$2,000,000.

Public Comment: None

**Motion:** I move to approve Resolution 19-543 which accepts the augmentation for the Storey County USDA Fund pursuant to NRS 354.598005 in the amount of \$2,000,000, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**31. DISCUSSION/POSSIBLE ACTION :** Possible approval of Resolution 19-544, augment Storey County General Fund and transfer to Storey County Capital Projects Fund.

Mr. Gallagher: This transfer makes the Capital Projects Fund “healthy” and provides funds for the paving that was done and for the new Justice Center.

Public Comment:

**Nicole Barde, Storey County Resident:** How did the fund get down the \$1.4 million level?

Mr. Gallagher explained the paving was more than anticipated.

Ms. Barde: Where are the rest of the funds going after the building of the Justice Court? Will leftover funds roll over to the next budget year?

Mr. Gallagher: There is no list at this time - as a “list” becomes available the Board will have to approve it. Yes, any funds left will roll over.

**Motion:** I move to approve Resolution 19-544, which augments Storey County General Fund and transfers \$5,000,000 to Storey County Capital Projects Fund pursuant to NRS 354.598005 **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**32. DISCUSSION/POSSIBLE ACTION :** Possible approval of Transfer of Appropriations in Storey County General Budget.

Mr. Gallagher reviewed transfers totaling \$541,500.00 within various General Fund Departments.

Public Comment: None

**Motion:** I move to approve transfers of appropriations within General Fund Departments and Special Revenue Funds pursuant to NRS 354.598005 in the amount of \$541,500.00, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**33. DISCUSSION/POSSIBLE ACTION :** Possible approval of Transfer of Appropriations in the Storey County General Sheriff's Dept. Budget.

Vice-Chairman Gilman recused himself from this item due to on-going litigation between himself and Gerald Antinoro.

Mr. Gallagher: This is a transfer of \$23,000 from Health Insurance to Wages in the Sheriff's budget.

Public Comment:

**Sam Toll:** Commented when the budget was approved, it was in the red about \$1.7 million and there was indication that once Tesla made monthly payments, (the budget) would not be in the red. Is there a feel for where the budget will be after the adjustments are made.

Chairman McBride pointed out this is about the Sheriff's Department budget.

Mr. Gallagher explained the \$1.7 million was net expenditures over revenues - nothing to do with ending fund balance. At that time, there was no indication when Tesla would be paying. Tesla is currently up-to-date with payments. Hopefully there will be a new contract by July 1<sup>st</sup>.

The augmentations are to get the books correct - with not much to do with ending fund balance. NRS gives the ability to correct certain items.

Mr. Toll: So we'll wait until the audit is complete.

Mr. Gallagher: Yes.

**Motion:** I make a motion to approve transfer of appropriations within General Fund - Sheriff's Department pursuant to NRS 354.598005 in the amount of \$23,000, **Action:** Approve, **Moved by:** Commissioner Carmona, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**34. DISCUSSION/POSSIBLE ACTION :** Possible approval of Resolution 19-545, Setting the Storey County Tax Rate Levy for 2019/2020.

Mr. Gallagher as part of the budget process (the County) has to approve a tax rate levy annually for submission to the Nevada Tax Commission. The tax rate is 3.4607. This has remained the same for approximately 10 years.

**Motion:** I moved to approve Resolution 19-545, setting the Storey County Tax Rate Levy for 2019/2020, **Moved by:** Commissioner Carmona, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**35. DISCUSSION/POSSIBLE ACTION :** Consideration and possible approval of refund of excess funds paid for community development permits in the amount of \$71,266.97.

Deputy District Keith Loomis explained there was an increase in permit and plan review fees charged by Community Development in 2017 and '18 that were not authorized by resolution of the Board. DiPietro and Thornton prepared a review of the fees and determined there was an overcharge of \$71,266.97. The Board is being asked whether or not to authorize return of the over-charged fees. NRS authorizes refunds if, in the opinion of the Board, there is just cause and if it would be equitable to do so. A separate legal doctrine - "voluntary payment doctrine" - says if a payment is made voluntarily, the payment must be made under protest in order to request monies to be paid back.

Commissioner Carmona said he does not have enough information to vote "yes" on the refund.

Chairman McBride: As explained, if someone makes a payment and they don't protest, the County is under no obligation to refund. If they were inadvertently charged, there would be an obligation to reimburse. When it comes to plan review, and any other items, that are over-charged, we have a responsibility to refund to those persons.

Public Comment:

**Nicole Barde :** Agrees if there is an over-charge, it needs to be refunded. There is \$72,000 to be reimbursed - as well as \$325,000 that was over-charged on abatements. Can this be explained?

Mr. Loomis asked Mr. Costanza (accountant) about the provisions in his review regarding this. Mr. Costanza said this was information provided to the Board and that he did not know of any impact this would have on the County. It is informational only.

Mr. Whitten takes this as pertaining to Tesla only - no one else is abated.



Ms. Barde asked if a correction will be submitted to the State.

Chairman McBride: Mr. Gallagher will.

**Sam Toll:** Shares Commissioner Carmona's concern. The term used is "inadvertently charged" - he received documents indicating this was a calculated effort to over-charge without permission. Who's job was it to oversee and is (the County) going to seek, legally, reimbursement of the \$72,000.

Chairman McBride said the funds have already been received from the people who wrote the checks and it will be refunded to them.

Mr. Toll: Where's the accountability?

Chairman McBride: This is not on the agenda.

**Clay Mitchell :** Believes the right thing to do is give the money back, and down the road look at how to make sure this doesn't happen in the future.

**Steve Ayer:** Were the County Attorney and County Commission not aware of the increased rates?

Vice Chairman Gilman: Would like to drill down on this issue and requested a closed hearing session in order to know and understand more of what happened and what led us to this point. He has no background whatsoever. He is not uncomfortable refunding an overcharge but would like to know how this was overcharged.

Mr. Loomis explained authorization for closed session is limited. He does not believe there is authorization at this time to get into this and suggests continuing this item to get further information.

Commissioner Carmona concurred with Vice Chairman Gilman.

Chairman McBride pointed out that Assessor's corrections are on the Consent Agenda. We can check with counsel to see if a closed session can be held, with attorney-client privilege - he is in favor of that. However, we should move forward in refunding the money. County auditors have audited the books and provided the numbers.

Mr. Loomis suggested continuing this item and to give the Commissioners separate briefings on what is currently known.

**Motion:** I make a motion to continue this item to July 2, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**36. DISCUSSION/POSSIBLE ACTION :** Approve and authorize the Chairman of the Storey County Board of Commissioners to execute a contract between Storey County and PAW Professional Services, LLC, a Nevada limited liability company for professional consulting services. Scope of service would be to continue ongoing work on various projects in process including, but not limited to, relocation of the Justice Court facility, developing a franchise agreement with NV Energy as well as others. Services would be structured as an independent contractor with the managing member, Pat Whitten, responsible for all expenses, scheduling etc. Contractor shall provide services at the request of the County Manager and/or his designees, including the Board of County Commissioners. Storey County shall pay for services provided at an hourly rate of \$165.00.

Continued to July 2, 2019.

**37. DISCUSSION/POSSIBLE ACTION :** Approval of modification and extension of Collective Bargaining Agreement between Storey County (Employer) and the Storey County Employees Association AFSCME Local 4041 Comstock Chapter (Union).

Continued to July 2, 2019.

**38. DISCUSSION/POSSIBLE ACTION :** Authorize the County Manager to purchase up to 2 years of PERS retirement credits for Hugh Gallagher in an amount not to exceed \$73,000.00.

Mr. Whitten explained that Comptroller Hugh Gallagher has submitted his notice to retire effective October 2019. Staff is requesting the purchase of 2 years of retirement credit, estimated at a cost of \$67,000 - this amount may go up some after we go back to PERS and explain some items. Sometimes, based on individual circumstances, special consideration is merited for “exceptional dedication to the people of the County”.

Mr. Whitten reviewed highlights and many accomplishments of Mr. Gallagher’s tenure as CFO, the first-ever County Comptroller for the last 11 years. Including taking the County off of sales tax “guaranteed share” resulting in strong revenues, streamlining the budget process, and surviving the challenges of the fiscal downturn/recession without “tapping” the County’s stabilization fund. He also brought in line-item budgeting

Mr. Whitten said a replacement should definitely have a CPA and extensive local government finance experience. With a CPA, the price tag will not be cheap.

Staff recommends approval. Thank you to Mr. Gallagher for his fiscal leadership.

Public Comment:

**Nicole Barde:** Commented that Mr. Gallagher has been kind to her, transparent when answering questions, and extremely skilled in handling the books. An organizational statement, Ms. Barde commented there seems to be a habit of giving bonuses to highly paid, senior level employees. What do “lower in the rank” employees feel like? This sends the wrong message - unless offered to everyone in a policy.

Mr. Whitten: Looking back - prior to Hames, Haymore, and Nevin and others - there were a number of non-senior management employees that received some level of consideration.

**Nick Lazzarino:** Sorry to hear he is leaving. The recognition is a good thing to happen.

**Sam Toll:** Mr. Gallagher’s openness and transparency is rare in the County and he is sad that he is leaving. Mr. Toll agrees that public servants and bonuses don’t happen in the same sentence. He has the list of people from the past, not all - but most of them - are in senior management. This sends the wrong message. The way to do it would be to “bump” the salary. A bonus is inappropriate - adjust (Mr. Gallagher’s) salary with a big raise.

**Clay Mitchell :** In buying PERS credits - is that the extent of the obligation? Is it the responsibility of PERS?

Mr. Whitten: Not a PERS expert, but yes. It does not increase the County's obligation beyond the \$67,000.

Mr. Mitchell commented this is a difficult subject as he does want his comments about function of government to be interpreted as criticism. He is grateful for the work Mr. Gallagher has done and appreciates the County operating closer to the "private sector" than other organizations. In the private sector, it's common that performance is acknowledged with bonuses. Taking a job in the public sector provides solid salary, benefits, and stability - the trade-off of additional compensation had in the private sector. He has hard time with bonuses in this form - not to take away from the dedicated service and expertise put in by Mr. Gallagher and the entire County.

**Vice-Chairman Gilman :** He is conflicted. There are a lot of people here with opinions who haven't lived through the trials encountered by the County. The County has been extremely successful because of deviating from the norm - and has moved closer to the private sector. Many of those moves have dramatically changed the County's position, economy, and quality of life. The County was in terrible condition in the 90's. So many in the County invested sweat, blood and tears to bring it where it is. What is wrong with great "good ole boys" who took the County from the peril of being split up? Some would be paying Washoe or Lyon County taxes. The people who did this deserve our respect. The County today is in an unprecedented position because of people like Pat Whitten, Hugh Gallagher, and the others. It is short-sighted (not to recognize them). Businesses and counties were failing. He has a problem in saying we don't owe those who went before. It was Pat Whitten and Hugh Gallagher who had (the County) go to line-item budgeting. A couple of years of PERS is a thank you for what he has done.

Commissioner Carmona: Vice Chairman Gilman brings up some good points. He personally doesn't have an issue purchasing some PERS.

Chairman McBride: This is not his favorite way to go and he is not here to convince the Board otherwise.

**Motion:** I, Lance Gilman, move to approve and authorize the County Manager to purchase up to 2 years of PERS retirement credits for Hugh Gallagher in an amount not to exceed \$73,000, such purchase shall be made on or about September 30, 2019 which immediately precedes and is contingent on Hugh's announced decision to retire effective October 1, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2) Chairman McBride votes "No".

**39. DISCUSSION/POSSIBLE ACTION :** 2019-025 Consideration and Possible Action of Grant of Non-Exclusive Easement for Access and Utilities in a portion of the Electric Avenue Right of Way to Eagle CPT LLC, 550 Milan, located in McCarran, Storey County, Nevada.

Planner Kathy Canfield explained this is a request for an easement along the Electric Avenue right-of-way for a driveway access. It is proposed to construct a rectangular building on a property that has an angle requiring a little more room for the driveway. Landscape easements have previously been granted in this area. Staff recommends approval.

Public Comment: None.

Vice Chairman Gilman stated he has no pecuniary interest in this issue.

**Motion:** In accordance with the recommendation by staff, I, Lance Gilman move to approve a Grant of Non-Exclusive Easement for Access and Utilities in a portion of the Electric Avenue Right of Way to Eagle CPT LLC, 550 Milan, located in McCarran, Storey County, Nevada, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**40. DISCUSSION/POSSIBLE ACTION :** Planning File No. 2019-026. Consideration and Possible Action of Grant of Easements to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for distribution and transmission of electricity above and below ground, along with ingress and egress across easement areas and removal, clear, cut or trim any obstruction or material within easement areas for safe and proper use of facilities within the easement areas. The proposed easements are located within portions of L Street, M Street, Washington Street and Taylor Street rights-of-way, Virginia City, Storey County, Nevada.

Planner Kathy Canfield reviewed this item, a request by NVEnergy to do cleanup in the area. When a new resident requested service, it was found that power poles weren't in the right spots and also that they did not have the easements to be put into the right-of-way. This cleans up the situation.

Public Comment:

**Steve Ayer:** Does this include property between M and N Streets where the new sewer line was put in?

Ms. Canfield: This is between L and M and Washington and Taylor.

**Motion:** In accordance with the recommendation by staff, I Lance Gilman, move to approve a Grant of Easements to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for distribution and transmission of electricity above and below ground, along with ingress and egress across easement areas and removal, clear, cut or trim any obstruction or material within easement areas for safe and proper use of facilities within the easement areas. The proposed easements are located within portions of L Street, M Street, Washington Street, and Taylor Street rights-of-way, Virginia City, Storey County, Nevada, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**41. DISCUSSION/POSSIBLE ACTION :** Approval of business license second readings (continued from June 4, 2019):

A. 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

Public Comment: None

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

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

- 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

Public Comment:

**Kris Thompson , TRI Project Manager:** It should be noted that on today's agenda there are 60 new companies that have applied for business licenses. This would be an annual rate of 720 companies per year. They're coming from all over the U. S. How far the County has come.

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

**43. PUBLIC COMMENT (No Action)**

**SamToll:** Discussed SB287 signed into law by Governor Sisolak regarding the public records law. If this was already "on the books", he would be in litigation with Storey County generating fines of \$75,000 - based on the seven requests that are "stonewalled". Mr. Toll commented about people having to wait until the end of the meeting for public comment sending a message they come last. It is not his intent to cost the County money, but to bring facts to light for people to make decisions on the notions of those facts. Creating barriers sends the message that the constituents come last. He is looking forward, with Mr. Osborne as County Manager, to having our books available to him. Mr. Gallagher and Ms. Stephens have been exemplary in responding to requests.

**Kris Thompson :** The prior speaker is the perfect example why Public Comment should be at the end of the meeting. The County should be sure each department has a fee procedure in place and functional. So those seeking public records at least to have reimburse the County for the labor and costs involved.

**Clay Mitchell :** Would appreciate having Public Comment at the beginning of the meetings. He is wondering if "motion" is a verb, or if the verb is "to move"?

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

Chairman McBride adjourned the meeting at 12:05 P.M.

**45. CLOSED SESSION:** Closed session involving Storey County Fire Protection District Commissioners. Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with:

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

Respectfully submitted,

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