



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, SEPTEMBER 17, 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-

ROLL CALL: Chairman McBride, Vice Chairman Gilman, Commissioner Carmona, County Manager Austin Osborne, Clerk-Treasurer Vanessa Stephens, Deputy District Attorney Keith Loomis, Sheriff Antinoro, Comptroller Hugh Gallagher, Interim Recorder Marney Martinez, Public Works Director Jason Wiezrbicki, Project Coordinator Mike Northan, Community Relations Director Cherie Nevin, Virginia City Senior Center Director Stacey York, Assistant Comptroller Jennifer McCain

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

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

2. PLEDGE OF ALLEGIANCE

Chairman McBride led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for September 17, 2019.

Mr. Osborne requested item 11 be continued to the October 1, 2019 County Commission meeting.

Public Comment: None

Motion: I move to approve Agenda for September 17, 2019, continuing item 11 to October 1, 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 August 6, 2019.

Public Comment: None

Motion: I move to approve Minutes for August 6, 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 August 20, 2019.

Public Comment: None

Motion: I move to approve Minutes for August 20, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

6. CONSENT AGENDA:

I For possible action, approval of claims in the amount of \$502,870.81.

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

- A. Buildings & Dwellings Company, Inc. - Contractor / 2465 Sutro St. ~ Reno, NV
- B. Dianne S. Drinkwater PC - General / 2490 Keystone Ave. ~ Reno, NV
- C. MG Builders LLC- Contractor / 8345 Opal Ranch Way ~ Reno, NV
- D. Nevada Recycling & Salvage Ltd. - General/ 1085 Telegraph St. ~ Reno, NV
- E. Ventura Transfer Company - Transportation/ 750 Freeport Blvd. ~ Sparks, NV
- F. W A Rasic Construction Company Inc. - Contractor / 4150 Long Beach Blvd. ~ Long Beach, CA

Public Comment:
None

Motion: I move to approve the Consent Agenda for September 17, 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 - No Public Comment): Committee/Staff Reports

Sheriff Antinoro:

- There has been a report of damage to the gates near the petroglyphs. There may need to be some sort of better monitoring of this area.
- Longtime Lockwood resident Laura Hansen passed away.
- Street Vibrations is a week away.

Operations/Projects Coordinator Mike Northan :

- Work continues on the design for the Divide building. The site plan is coming together and public and employee parking will be added. Handicap accessible spaces will be provided.
- A meeting was held with the owner's representative on the Six Mile Canyon improvement project. There were some design concerns that are being addressed. A meeting is set for October 1 in hopes to obtain an easement that will allow the project to move forward.
- Comstock Historic District has approved final design for the Sharon House steps. The engineer is also working on the design for the Divide building which is a priority. Upon completion of that work, he will work up the design for the steps.
- At a previous meeting, there was inquiry about the County negotiating for residential rates for gasoline and diesel fuel as is done with propane. A fuel supplier was contacted and advised that they would be happy to look into this. The main consideration is volume and frequency. The more there is, the better the rate. There are many more propane tanks than gasoline/diesel tanks.
- Water damage at the VCTC is being addressed. During testing, mold and lead paint in some areas was discovered. SHPO directives have been revised to include abatement of the mold

and removal of the lead-based paint. Plastic has been put up in the building in such a way that there is access to the Visitor's Center, including to the public restrooms.

- A meeting was held to discuss strategical goals and sequencing of work at the freight depot. Priority is security, fire, and weather protection of the building. Quotes will be solicited for a dry-pipe fire sprinkler system. Next step will be a new fire resistive roof. Vegetation will be removed from around the property which will be leveled for parking. A drainage plan will be developed to prevent water runoff. The tenant has one year to vacate.

Chairman McBride said he believes the tenant has a house in escrow and may be vacating the property sooner than one year.

Community Chest Director Erik Schoen :

- Reminded everyone to get a flu shot.
- The Early Childhood Education Center has passed all inspections and they're waiting for the State permit to open. This should be within the next 30 days.
- People are responding to tele-health options provided by Community Chest. This enables them to be seen by a doctor via phone. There is currently an issue with not enough band-width - this is being worked on.
- Over 100 people from around the region attended the Thrive Conference celebrating the value of health and human service providers. Thank you to Judge Herrington for changes in the court to make it more inclusive and accessible.

Community Relations Director Cherie Nevin :

- October 25th will be the unveiling of the Miner in the Park statute in Miner's Park.
- The County-wide Casper Survey (for emergency preparedness) has been completed. Thank you to the volunteers who helped.
- The Hazard Mitigation Plan update is underway. A good response was received to our survey.
- Flu shot clinics will be held as follows: October 2nd - 9 to 11 AM at Lockwood Community Center; October 3rd - 9 to 11 AM, Virginia City Senior Center; October 16 - 9:30 to 11 AM, at Mark Twain Community Center, and 4:30 - 6:30 PM at Highlands Fire Station.
- Ms. Nevin finished working with UNR on the Nevada Economic Assessment Project, providing all Nevada counties with data to be used for planning, land use, grant writing, policy assessment by looking at demographics - social, economic, and environmental. They will be in Storey County between April and June 2020.

Public Works Director Jason Wie zrbicki:

- Road work on Six Mile Canyon will resume next with 30 minute delays possible.
- Drainage work is on-going in Mark Twain.

Virginia City Senior Center Director Stacy York :

- Save the date for: Lasagna Cookoff - October 4th; Calendar Premiere party - October 24th; Veteran's Day Spaghetti Feed - November 11th, after the parade; Craft fair-bake sale - December 7 and 8.
- Memorial for Lamar Baxwell will be held at the Ponderosa on September 22nd. This is a pot-luck.

Interim County Recorder Marney Martinez :

- The Recorder's Office is working on scanning all historical records that have not been digitally available in the past.

Comptroller Hugh Gallagher:

- The County Fiscal Officers Association met last week in Elko.
- As part of this conference, Tyler Technologies representatives held meetings to help with current problems:
 1. Those Comptrollers and other fiscal officers found out that all of their issues were the same. Certain Counties have already corrected the problems.
 2. Tyler representatives indicated that by the beginning of the next year, the Nevada user group will have a meeting to address problems only in Nevada.
 3. This was a very productive conference.

County Manager Austin Osborne:

- Update on the Lands Bill (Virginia City & Gold Hill):
 1. There appears to be a way to get through the existing Federal bureaucratic structures, which should ultimately lead to a resolution of this bill. This is looking at about 18 months for surveys, right of ways, easements, encroachments, power utilities, and such in the subject area. We can then work with the applicable agencies to begin transfer of the land over to Storey County, then Storey County transfer of the land over to the respective private property owners throughout the area.
 2. So far, Ames Construction is the number one bid for the effluent line project. It has not been awarded yet, but it is looking like they will be the chosen bid.
 3. There will be about a 30 day delay in the Marlette Study as the scope of work is being developed. This is a two-fold study - one for water resources of the Marlette system as applicable to Virginia City, Gold Hill, and Silver City; the other half is to look at water resources that may be available for the Highlands and Mark Twain. This will come before the Board to discuss.
 4. The Waste Management Franchise Agreement negotiations are on-going. Although outside of the agreement, Waste Management is looking at working with us on the lower-upper road above Peri Ranch Road in order to resume trash service to that area.
 5. Cartwright and Lousetown Roads - working with District Attorney Loomis to get easement transferred to the County so the County can begin paving and maintaining those roads.
 6. Also working with the District Attorney regarding Peri Ranch Road to address language. When this is done, the County can also pave and maintain that road.
 7. Working with Linda Ritter on the County Strategic Plan. A scope of work and contract should be available by October 1st meeting.

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

Chairman McBride:

- The Camel Races sold out this year. They will have to figure out more seating in the future. People from all over the world attended.
- The Air Races in Reno also drew a lot of people to town last week.

9. WORKSHOP/DISCUSSION ONLY (No Action): Presentation and community discussion of Virginia City and Gold Hill Water and Sewer Rate Assessment.

Cherie Nevin said Farr West Engineering completed an assessment of water and sewer rates for Gold Hill. This is required by both major grant and loan funders - USDA and State Revolving Fund to make sure the County has rates in place to fund these systems to operate on a daily basis, make improvements, and make payments on its obligations.

Lucas Tipton reviewed the Farr West Engineering assessment. This was a rate assessment, not a study. The last rate study was in 2011, recommending a series of rate adjustments and re-structuring of rates. This assessment was a review to make sure rates were appropriate moving forward - that revenues were covering expenses at a minimum 5 year window. Key recommendations were minor, **including: 1 to 2 ½% increase for the water system, starting in 2021 - ending in 2024; annual increase of 3% for the sewer system.** Starting in 2025, the County will look to adjusting rates according to the Consumer Price Index - Urban for the Western Region. The County does not have the highest rates in the region, and will not have the highest rates in 2024.

Chairman McBride said there have been a lot of infrastructure improvements over the last few years. The wastewater treatment plant, new sewer system, and improvements to the water system, including the new tanks to be built, and water line on Ophir Grade. Looking at all of the improvements it seems like a nominal increase.

Ms. Nevin commented that they were very mindful when looking at this (increase). There is a very small base to be relied on for these rates - water and sewer paying their way. Without the large grants received, the rates would be much higher.

Public Comment:

Nicole Barde, Storey County resident: The increase for water is from 2021 to 2024. Is the 3% increase for sewer the same dates? Does this include the cost of the Gold Hill facility?

Mr. Tipton said that (cost) is included in the 3%.

Mr. Osborne commented there have been challenges with the historic nature of the existing system, as well as the topography and archaeological considerations, as well as many other challenges. Part of the study incorporates and understands all of the elements making this an expensive system to put in and to operate.

Mr. Tipton added that rate payers will ask how rates can be reduced - that would be reducing expenses. The County has pursued funding options as well as increasing efficiencies in operating the system. Looking at the affordability index, the rates are extremely affordable - **1 to 1 ½ percent of the median household income.** Most **systems are 1 ½ to 2 percent.** There is not a guarantee that there will not be future increases. The rates should be looked at every five years.

Chairman McBride: If the rules (EPA, etc.) become more stringent, it will cost more to maintain the system.

Mr. Osborne added that cost saving measures are being looked at, including having water treatment personnel being certified at the sewer level rather than going to an outside source.

10. DISCUSSION/POSSIBLE APPROVAL: Possible approval of an easement for pipeline facilities to the TRI General Improvement District (TRI GID) where the pipeline crosses the Louise Peri Park, owned by Storey County, which will be used to transport effluent from the Truckee Meadows Water Reclamation Facility (TMWRF) in Sparks to the TRI GID facility in the Tahoe Reno Industrial Center.

Vice Chairman Gilman recused himself from discussion and vote on this item.

Mr. Loomis explained the TRI GID is responsible for constructing the pipeline from TMWRF in Sparks to the GID. There is a restriction in the Deed of Louise Peri Park if the park is used for anything else,

the Federal Government has the right to ask for the return of the park to the Federal Government. This has been an issue.

Attorney John Gezelin, retained by TRI GID to acquire the rights of way for the pipeline: The Nevada Division of Parks has indicated the pipeline easement is in compliance with State regulations. He spoke with a U. S. Parks System representative regarding the deed restriction being used for recreational purposes and whether or not this (pipeline) would have any effect on it. Once the pipeline is completed there will be no effect on the park. We are waiting to hear back from the representative with a written confirmation - when speaking to him he had no objection with the easement.

Chairman McBride asked if there was a time issue in waiting for written confirmation.

Mr. Loomis said he also tried to contact the U. S. Parks System representative but has not heard back. He feels risk is minimal having received the verbal approval along with the written approval from the State Parks.

Mr. Gezelin explained the 1981 deed from the U. S. Government to Storey County, contains an exception that the Federal Government approved all existing underground easements and utilities that were in the parcel. This request is consistent with that use - there is no effect on the land use for the recreation and park system.

Public Comment: None

Motion: I, Jay Carmona, move to approve the grant for easement for pipeline facilities to the TRI General Improvement District (TRI GID) where the pipeline crosses the Louise Peri Park, and authorize the Chairman to sign, **Action:** Approve, **Moved by:** Commissioner Carmona, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

11. DISCUSSION/POSSIBLE ACTION: Consideration of letters of interest and the appointment of a qualified person to fill the existing Storey County Recorder vacancy in the Storey County Recorder's Office. The appointee will fill the vacancy until January 4, 2021.
ITEM CONTINUED TO October 1, 2019

12. DISCUSSION/POSSIBLE ACTION: Authorize County Manager to extend and modify previously approved purchase of up to two years of PERS retirement credit for Comptroller Hugh Gallagher pursuant to his retirement from county employment. This action will change previously approved two years of PERS buy-out effective about September 30, 2019 upon retirement on October 1, 2019 to: (a) one year of PERS buy-out credit effective about September 30, 2019; (b) retirement from Storey County employment on April 30, 2020; and (c) seven months of PERS buy-out credit effective about April 29, 2020 contingent on his retirement on April 30, 2020. The combined total amount remains not to exceed \$73,000.00.

Mr. Osborne explained the date of Comptroller Hugh Gallagher's retirement has been changed to April 29, 2020. This is due to training of a successor and also the transition to and coordination of the undertaking of the Tyler System and Devnet conversion. Mr. Gallagher agrees that an April 30, 2020 retirement is more appropriate.

Mr. Osborne said as an adjustment to this amendment, he believes a one year PERS buy-out effective on or about September 30th, instead of a two-year, would be consistent with what was

already approved. Pro-rate the remaining seven months with a remaining PERS buy-out on April 29th. This would be a one year/five month buy-out rather than a two year buyout.

Commissioner Carmona asked if a replacement was being looked for. Are there any suitable candidates so far?

Mr. Osborne: Yes. There are qualified candidates in the pool right now.

Vice Chairman Gilman said he was concerned about the transition, and is happy it is going to be April. Thank you Mr. Gallagher.

Public Comment: None

Chairman McBride explained he always votes no on buy-outs for County officials. The Board has already approved this buy-out, this is an adjustment of the terms.

Motion: In accordance with the recommendation by staff, I, Lance Gilman, motion to approve authorizing County Manager to extend and modify previously approved purchase of up to two years of PERS retirement credit for Comptroller Hugh Gallagher pursuant to his retirement from county employment. This action will change previously approved two years of PERS buy-out effective about September 30, 2019 upon retirement on October 1, 2019 to: (a) one year of PERS buy-out credit effective about September 30, 2019; (b) retirement from Storey County employment on April 30, 2020; and (c) seven months of PERS buy-out credit effective about April 29, 2020 contingent on his retirement on April 30, 2020. The combined total amount remains not to exceed \$73,000.00, **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 2nd reading for General Business License for Virginia City Gun Works, 145 S C St. Unit #C, Virginia City, NV 89440. Applicants are Erin Stoneback & TJ Lord.

Sheriff Antinoro said all concerns have been resolved and recommends approval of the General Business License for Virginia City Gun Works - applicants Erin Stoneback & T.J. Lord.

Public Comment: None

Motion: Approve 2nd reading for General Business License for Virginia City Gun Works, 145 S C St. Unit #C, Virginia City, NV 89440. Applicants are Erin Stoneback & TJ Lord, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

14. DISCUSSION/POSSIBLE ACTION: Variance request (Variance 2019-038) by applicants Larry and Beth Austin to allow for a reduced front yard setback to construct a detached garage. The applicants are proposing a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highlands Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10.

Mr. Osborne reviewed this request for setback variance reducing front yard setback for a detached garage. The topography and septic location are problematic in order to build the garage anywhere else. No objections from residents were received and the Planning Commission unanimously approved.

Public Comment: None

Mr. Osborne read the Findings of Fact:

This variance (Variance 2019-038) is to allow for a reduced front yard setback to construct detached garage. The applicant proposes a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN)003-410-10

The subject property is located within Estates E-10 VR zoning in which single family residences are an allowed use and detached garages are an allowed accessory use.

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

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

That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property.

The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations.

The proposed Variance is in compliance with Storey County Code 17.03.140 Variances and 17.12 General Provisions and 17.40 E Estate Zone when all Conditions of Approval are met.

The proposed Variance is in compliance with and supports the goals, objectives and policies of the 2016 Storey County Master Plan.

Public Comment: None

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 Variance 2019-038 to allow for a reduced front yard setback to construct a detached garage. The applicant proposes a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10 **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

- A. Kelley Erosion Control, Inc. - Contractor / 2395 B Tampa St. ~ Reno, NV
- B. N J B Electric LLC - Contractor / 5250 Palo Alto Circle ~ Sparks, NV
- C. Peak Builders Co. - Contractor / 2004 Michael Dr. ~ Carson City, NV

D. Splendid Cup - Home Business / 2530 Flatiron Rd ~ Virginia City Highlands, NV

E. Sunlit USA, Inc. - General / 1400 Waltham Way

F. Zayo Group, LLC - General / 1821 30th St. ~ Boulder, CO

On behalf of Community Development, Mr. Osborne recommended approval of items A. through F.

Public Comment: None

Motion: I move 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)

16. PUBLIC COMMENT (No Action) None

The meeting was adjourned by the Chair at 11:00 AM

Respectfully submitted,

By: _____
Vanessa Stephens Clerk-Treasurer