



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, OCTOBER 1, 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, Assistant Comptroller Jennifer McCain, Fire Marshal Martin Azevedo, VCTC Director Deny Dotson, Water/Sewer Project Manager Mike Nevin, IT Director James Deane, Fire Chief Jeff Nevin, Administrative Officer Jen Chapman, Communications Director Dave Ballard, Assessor Jana Seddon, Senior Planner Kathy Canfield

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 October 1, 2019.

Mr. Osborne requested items 15 and 16 be combined.

Public Comment: None

Motion: I move to approve Agenda for October 1, 2019, combining items 15 and 17, **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 September 3, 2019.

Public Comment: None

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

5. CONSENT AGENDA:

I For possible action: approval of claims in the amount of \$1,985,286.90.

II For possible action, approval of Interlocal Agreement with Washoe County Human Services Agency for Senior Nutrition Meals at the Lockwood Senior Center.

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

- A. Bonanno Concrete, Inc. - Contractor / 36 Glen Carran Circle ~ Reno, NV
- B. Fraternal Order of Eagles- Non-Profit / 36 N. B Street ~ Virginia City, NV
- C. Nevada ICF, LLC- Contractor / 1491 Serendipity Ct. ~ Sparks, NV
- D. Transport Refrigeration Services, Inc. - General / 2195 USA Parkway ~ McCarran, NV
- E. Chromatic Software Solutions, LLC- General / 748 S. Meadows Pkwy ~ Reno, NV
- F. Cybermetrics Corporation. - General / 1523 W. Whispering Wind Dr. ~ Phoenix, AZ

Public Comment: None

Motion: I move to approve the Consent Agenda for October 1, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

Sheriff Antinoro:

- Reported that Street Vibrations was rather quiet and uneventful.

Chairman McBride said Sheriff's deputies did a fine job with crowd control. The Fire side was busy with several incidents - they also did a great job.

IT Director James Deane :

- In 2018 the County had everything audited from WiFi to public access. As a result, fire walls were updated and anti-virus was changed.
- Thank you Vanessa Stephens for her efforts in getting the Department of Homeland Security to actively scan the (County's) network from the outside. This first report has been received - the most comprehensive security report he has seen. The reports are done bi-weekly and there has not been a lot of major issues found. One issue found was the old exchange server, which is scheduled to be replaced. The fee is normally \$10,000 but Vanessa was able to get for free through the State level. Storey County is taking cyber-security very seriously.
- Working with Austin Osborne and Jen Chapman on Office 365 - they have been able to reduce the projected cost for exchange about 30% for this coming year (approximately \$20,000). Thank you to Fire Chief Nevin for transitioning off career and seasonals resulting in cost savings.
- County wide security is training is being looked at and we are working with the Office of Cyber-Security (State level), who provide resources to all Nevada counties. Cyper security training will be given to our users.
- Department heads have been asked to pass on to staff how well we really are doing with security. Security awareness has increased substantially.

Water/Sewer Project Manager Mike Nevin :

- Ames Construction will start this week addressing issues in the recent wastewater/sewer project. Mostly ground subsidence and pavement settling issues.
- The 30% drawing review has been completed for the Hillside Water Tank replacement project. The 60% drawings should be complete within the next few weeks. Because water storage volume is being increased, these tanks will be four times the amount of the current tanks. This creates a need to look into a “tank mixing operation”. The mixing system is being designed by Farr West. This will be an “add on” cost, but is something that can’t be overlooked.
- Since trenching has to be done from the outlet down to Hwy. 341, conduits for fiber and power will be added. This will provide option to someday remove antenna networks currently on top of the tanks.
- The original alignment will be maintained due to USDA concerns about going through undisturbed areas.
- Great Basin Consulting services will be the on-site archaeological monitor.
- The geo-technical site survey has been completed for the Hillside tanks. It was determined that additional investigation by a geologist is needed to look at potential for landslides.
- Site renderings have been completed by Farr West to be presented to the Comstock Historic District. The CHD and the BLM must approve the color selection for the tanks, the retaining wall, and any other issues related to the view-shed.
- Walk-through with Ames Construction and USDA is scheduled for the pipeline portion on October 15th to address any warranty issues found.

Fire Marshal Martin Azevedo :

- The Fire Prevention Trailer will be going to the schools during Fire Prevention week.
- With winter coming up, have furnaces checked, wood stoves and fireplaces cleaned. These are top areas for fires.

Fire Chief Jeff Nevin :

- ISO (Insurance Services Organization) recently did a review - a report will be sent to the Commission. He doesn’t think the ratings will change much. This review is done every five years.
- Pile burning will open October 12 in Mark Twain and Painted Rock in conjunction with Lyon County. Permits available beginning today.
- The Fire Department was busy during Street Vibrations. There were two Care Flight calls at the same time.
- Transitioning in to fuel management season - working along the grade.

Tourism Director Deny Dotson :

- The community participation, led by Jeff Wood, in picking up garbage during Street Vibrations really helped out. This may be something to look at in the future.
- Virginia City special events do not wind down in September. There are a lot more things to come. This weekend’s Outhouse Races will be held between Sutton & Union, with an overnight closure. Detours will be in place through B Street.
- Hauntober will include: line dancing at Pipers, parade, and Thomas the Train, along with other things.
- New lights will be purchased for Christmas - a lot of merchants and non-profits are signed up and involved in three weekends of Christmas on the Comstock.

Administrative Officer Jen Chapman :

- Working with the Comptroller and A&H Insurance on insurance renewal to insure all (County) real and personal property, and equipment, is insured - and things that don't need to be insured aren't.
- Department job descriptions are being updated. Job descriptions will be posted on-line on the County website.

Community Relations Director Cherie Nevin :

- Unveiling of the statute in Miners Park will be held October 25th at 11 AM.
- Saturday the County is hosting the Quad County exercise in TRI.
- The Virginia City sewer improvement project was discussed at the annual Public Works Association conference. The archaeological report has been approved by the National Park Service. We are working on a list of artifacts that were found and on displays that will probably be in the Slammer and Fourth Ward School museums.
- Annual flu vaccine clinics: October 2nd at Lockwood Community Center; October 3rd at Virginia City Senior Center; October 16th at Mark Twain Community Center (9:30 am to 11 am) and at Virginia City Highlands Fire Station (4:30 pm to 6:30PM).
- The State Superintendent of Public Education was in Virginia City touring the schools, holding a community forum after.

Interim Recorder Marney Hansen-Martinez :

- The historic records (1859 to 1974) imaging project should wind up in the next week or so.
- Attended Power I at NACO.
- The Recorder's Office is back to full staff with the hiring of Veronica Martinez.

Deputy District Attorney Keith Loomis :

- The Attorney General's Office has advised an Open Meeting Law complaint has been filed against the County, requesting response by October 11th. He does not anticipate any problems.

County Manager Austin Osborne:

- We continue to work with Linda Ritter developing a contract for her to work with the County on a Strategic Plan
- Along with Linda Ritter, met with Carson City Sheriff Ken Furlong going through his strategic plan, benchmarks, and score carding process he has. It was a great and interesting meeting and how he can analyze data relating to situations. It's an idea of what the County may want to build in a Strategic Plan, or something similar. The time Sheriff Furlong and Linda Ritter spent is greatly appreciated.
- Along with the Comptroller's Office, work is being done on a Capital Improvement Plan - looking at all five communities, being able to measure what budget monies are going in to the communities, how much is being spent, what type of return is the County getting. This can be tied into the Strategic Plan.

7. BOARD COMMENT (No Action - No Public Comment)

Commissioner Carmona:

- Thank you to everyone who was out there this last weekend patrolling the town.

8. DISCUSSION/POSSIBLE ACTION : Approval of contract with Summit Food Service for providing meals for inmates.

Sheriff Antinoro said the previous service had raised shipping costs, so meals were being purchased locally from WalMart. Summit Food Service, one of two providing this service in this area, contacted

the Sheriff. Using this company will be within the budget for this year. Sheriff requests approval of this contract.

Chairman McBride asked if the last contract expired.

Sheriff Antinoro: That contract was on a month to month basis.

Commissioner Carmona: What is the average cost of a meal?

Sheriff Antinoro: It is broken down in the contract - \$4.99 per meal.

Public Comment: None

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

9. DISCUSSION/POSSIBLE APPROVAL: 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.

Mr. Osborne explained based on the vacancy in the County Recorder's Office, the position of Interim Recorder was posted. Two letters of interest were received: one from Marney Martinez, the current Interim Recorder, and from Jim Hindle, applicant. It was not an easy decision. Marney Martinez is recommended - she has been the Deputy Recorder since 2013. The appointment will be through January 4, 2021 to align with the normal election cycle.

Public Comment:

Jim Hindle, Virginia City resident : Thank you for the opportunity. The Recorder's Office has a stellar reputation. Being on the Planning Commission, he is able to look forward to what is coming at the County - the development. Mr. Hindle discussed some of his experience with the Technology Committee of the (State) Senate. Storey County is an epicenter for technology. He explained and reviewed his interests in the County Recorder's Office and thanked the (County) for its consideration.

Marney Hansen-Martinez, current Interim Recorder : Ms. Martinez expressed her interest in the long-term appoint of this position. She has had the opportunity to get to know the greater functions of the office as well as manage and collaborate with other County Recorders. Ms. Martinez discussed the Tyler system that was set up last year. She would enjoy continuing in the position and thanked the Board for its consideration.

Commissioner Carmona asked if Ms. Martinez intended on running in the next election cycle. Whoever is appointed has to run for office - correct?

Chairman McBride: Yes, in the next election cycle.

Ms. Martinez: Yes, that is my intention.

Chairman McBride commented that he is happy to have more than one applicant for this position.

Motion: In accordance with the recommendation by staff, I Lance Gilman, motion to appoint Marney Hansen-Martinez, current Deputy Recorder, to fill the existing County Recorder vacancy in the Storey County Recorder's Office. The appointment will fill the vacancy until January 4, 2021, **Action:** Approve, **Moved by:** Vice Chairman Gilman,

Commissioner Carmona commented that both candidates are equally qualified and hopes that Mr. Hindle will run in January if he is still interested,

Seconded by: Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

10. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of Memorandum of Understanding between Storey County and the Virginia Township Justice's Court regarding the handling of additional fees to be generated by the Court's adoption of new fees.

Deputy District Attorney Keith Loomis reviewed the background regarding a Justice Court's authority to establish its own fees. Judge Herrington is following other Justice Courts in asking for an order to impose additional fees for mental health evaluations and pretrial services. A Memorandum of Understanding is required to deal with the fees collected by the court. The fees will be put into a separate fund to be used for the additional fees.

Public Comment:
None

Motion: I, Lance Gilman, move to approve the Memorandum of Understanding with the Virginia Township Justice Court and authorize the Chairman to sign, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

11. DISCUSSION/POSSIBLE ACTION: Approval and acceptance of grant of easement from Joyce and Larry Herceg across their property in Washoe County for the purpose of constructing, maintaining, repairing, and servicing a water pipe and related equipment.

Mike Northan explained this item addresses the waterline failure that occurred under the Herceg's house. This item relinquishes the existing easement that was on the Herceg's property and grants the easement for the new location of the waterline.

Public Comment: None

Motion: I, Lance Gilman, move to approve and accept the grant of easement from Joyce and Larry Herceg across their property in Washoe County for the purpose of maintaining, repairing, and servicing a water pipe and related equipment, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

12. DISCUSSION/POSSIBLE ACTION: Abandonment request (File 2019-042) to abandon a portion of unimproved Main Street right-of-way, located within Gold Hill. The right-of-way abandonment is approximately 25-feet in width and extends from the developed intersection at Main Street adjacent to the northern most point of APN 002-113-02 to the southern boundary of APN 002-111-08. The right-of-way abandonment is located adjacent to parcels owned by Storey County and

the DuFresnes, adjacent to 2377 Main Street, Gold Hill, Storey County, Nevada and borders Assessor's Parcel Numbers (APNs) 002-111-07, 002-111-08 and 002-113-02.

Senior Planner Kathy Canfield reviewed this request for a roadway abandonment and gave a slide show presentation with an overview description of the property. The utility companies have nothing in this area. The abandonment will help facilitate the new Public Works sewer system. The Planning Commission heard this request, with one public comment. A driveway access easement will be recorded to allow access on an existing driveway to a residence. Planning Commission recommended approval.

Public Comment: None

Motion: In accordance with the recommendation by staff and the Planning Commission, the findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I, Lance Gilman, move to approve the abandonment of a portion of unimproved Main Street right-of-way, located within Gold Hill. The right-of-way abandonment is approximately 25 feet in width and extends from the developed intersection at Main Street adjacent to the northern most point of APN 002-113-02 to the southern boundary of APN 002-111-008. The right-of-way abandonment is located adjacent to parcels owned by Storey County and the DuFresnes, adjacent to 2377 Main Street, Gold Hill, Storey County, Nevada and borders Assessor's Parcel Numbers (APNs) 002-111-07, 002-111-08, and 002-113-02, **Action:** Approve, **Moved by:** Vice Chairman Gilman,

Ms. Canfield read the Findings of Fact:

This approval is to abandon a portion of unimproved Main Street right-of-way, located within Gold Hill. The right-of-way abandonment is approximately 25-feet in width and extends from the developed intersection at Main Street adjacent to the northern most point of APN 002-113-02 to the southern boundary of APN 002-111-08. The right-of-way abandonment is located adjacent to parcels owned by the Storey County and the DuFresnes, adjacent to 2377 Main Street, Gold Hill, Storey County, Nevada and borders Assessor's Parcel Numbers (APNs) 002-111-07, 002-111-08 and 002-113-02.

The Abandonment complies with NRS 278.480 relating to Abandonment of a street or easement.

The Abandonment complies with all Federal, State, and County regulations pertaining to vacation or abandonment of streets or easements, including NRS 278.240.

The Abandonment will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.

The Abandonment will not cause the public to be materially injured by the proposed abandonment.

The conditions of approval for the requested Abandonment do not conflict with the minimum requirements in Storey County Code Chapters 17.12.090, General Provision - Access and Right-of-Ways, or any other Federal, State, or County regulations.

Seconded by: Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

13. DISCUSSION/POSSIBLE ACTION: Zone Map Amendment request (File 2019-029) to rezone two Commercial- Residential (CR) zoned parcels, and a portion of abandoned right-of-way between the two parcels, to Public (P) zoning. The existing parcels have been owned by Storey County since 1993/94 and are either vacant or are associated with the Gold Hill wastewater system. No modifications to the existing conditions are proposed with this zone map amendment application. The property is located at 2377 Main Street, Gold Hill, Storey County, Nevada, and has Assessor's Parcel Numbers 002-111-08 and 002-113-02.

Ms. Canfield reviewed this request. When the Zoning Code was adopted in 1999, the referenced parcels should have been zoned as public-type zone - this was an oversight. This re-zoning is for the parcel just approved to be abandoned, plus the two parcels owned by the County. Ms. Canfield reviewed the zoning map shown in the power-point. There are other public properties in the area. Staff and the Planning Commission recommend approval of the zoning change.

Public Comment: None

Ms. Canfield read the Findings of Fact:

The proposed Zone Map Amendment complies with all Federal, Nevada State, and Storey County regulations;

The proposed Zone Map Amendment will not impose substantial adverse impacts or safety hazards on the abutting properties;

The conditions of approval of the Zone Map Amendment require compliance with the applicable codes;

The conditions of approval of the Zone Map Amendment do not conflict with the minimum requirements in Chapter 17.15 P Public Zone or Chapter 17.03.220 Zone map amendments and zone text amendments;

The uses allowed by the new zone do not appear to cause substantial adverse impacts to the uses allowed in abutting zones;

The proposed Zone Map Amendment is in substantial compliance with and supports the goals, objectives and recommendations of the 2016 Storey County Master Plan;

The proposed Zone Map Amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity;

The proposed Zone Map Amendment will not cause uses that will negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare;

The proposed Zone Map Amendment will not create any non-conforming conditions, such as non-conforming setbacks distances or minimum parcel area and width requirements.

Motion for approval: 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

Planning Commission, and in compliance with the conditions of approval, I, Lance Gilman, move to approve Zone Map Amendment (File 2019-029) to rezone two Commercial- Residential (CR) zoned parcels, and a portion of abandoned right-of-way between the two parcels, to Public (P) zoning. The existing parcels have been owned by Storey County since 1993/94 and are either vacant or are associated with the Gold Hill wastewater system. No modifications to the existing conditions are proposed with this zone map amendment application. The property is located at 2377 Main Street, Gold Hill, Storey County, Nevada, and has Assessor's Parcel Numbers 002-111-08 and 002-113-02, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

14. DISCUSSION/POSSIBLE ACTION: Special Use Permit request (2019-030) to replace the existing sewage septic system with a surface discharge package wastewater treatment plant facility. The facility includes an approximate 40-foot by 60-foot building and associated driveway, parking area and fencing. The property is owned by Storey County and is located at 2377 Main Street, Gold Hill, Storey County, Nevada, Assessor's Parcel Number (APN) 002-111-08 and 002-113-02.

Kathy Canfield explained this is the third portion of this project. The Special Use Permit is for replacement of the existing septic system with surface discharge package wastewater treatment plant. The new plant will be contained within a single building. Ms. Canfield reviewed the power point showing the existing area and proposed building. Several different options were considered. The building will serve the current 27 residents on the system. At this time, no additional hookups to the site can be provided because of funding. The Comstock Historic District has approved the preliminary design of the building. It will be designed to in a mechanical system if needed. The Planning Commission approved.

Commissioner Carmona asked what the mechanical system is or would be, and can it be added.

Ms. Canfield: Right now nothing additional can be added due to funding. The building has been designed so it could be added on to.

Mike Nevin thanked Ms. Canfield for her efforts on this project. The existing building will house the package plant with the ability to add 6 to 8 hookups. However, existing USDA funding cannot be used to do that. It would be at homeowner's expense if requesting to hook up into the Gold Hill main at the small treatment facility. The plant is anticipated to be 12,000 gallons per day. To expand in the future, would probably require additional approvals from NDEP. Currently, we're up against the Clean Water Act requirement and the fact that Gold Canyon Creek enters the Carson watershed and river.

Mr. Osborne clarified that 7 or 8 additional (hookups) go into this plant, it's at capacity. If 30 or more homes were to be built in Gold Hill, there would have to be an expansion of the plant. The plant could be expanded, but with substantial work.

Vice Chairman Gilman thanked staff - when this process started, the surrounding neighbors were very concerned with the impact of this project. It's commendable that there is now no opposition and everyone seems to be in agreement.

Ms. Canfield read the Findings of Fact:

This approval is for Special Use Permit 2019-030 to replace the existing sewage septic system with a surface discharge package wastewater treatment plant facility. The facility includes an approximate 40-foot by 60-foot building and associated driveway, parking area and fencing. The property is owned by Storey County and is located at 2377 Main Street, Gold Hill, Storey County, Nevada, Assessor's Parcel Number (APN) 002-111-08 and 002-113-02.

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 Gold Hill portion of the Comstock Area Plan 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 and Section 17.15 P - Public Zone.

Motion for approval: 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 2019-030 to replace the existing sewage septic system with a **surface discharge package wastewater treatment plant facility. The facility includes an approximate 40-foot by 60-foot building and associated driveway, parking area and fencing. The property is owned by Storey County and is located at 2377 Main Street, Gold Hill, Storey County, Nevada, Assessor's Parcel Number (APN) 002-111-08 and 002-113-02, Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

15. DISCUSSION/POSSIBLE ACTION: Special Use Permit request (File 2019-039) to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-291-02, located in Section 1, Township 17 North, Range 22 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates.

Ms. Canfield said this application was approved in 2017. The Permit has expired and applicant has asked to renew. The conditions are the same as before with the exception that applicant is requesting

that each parcel have its own permit. Ms. Canfield described the property as shown on a power-point presentation. The property is in the Mark Twain Estates area. The applicant has been working with Lyon County on several accesses to the area. Adjacent property owners were noticed - no concerns were expressed. The Planning Commission recommended approval for both applications.

Public Comment:

Tom Zachary: Has concerns with the roads in the area and wants to be sure that no one is going to lose access to the roads. He commented about a recent lawsuit over Sutro Springs Road. There are roads where this project is located on the same map used to prove Sutro Springs Road was a public road. He referred to the road that was on all maps and then was removed. He explained how notification was done in that Sutro Springs Road issue.

Chairman McBride commented that this is ancient history.

Mr. Zachary said a lot of the roads are ancient history. He explained the cost of the lawsuit and how it affected him.

Mr. Osborne explained this was discussed at the Planning Commission. This item is not looking at a map or map change, subdivision, or anything that would change the status of any roads existing on the subject properties. Mr. Zachary is saying there may be historic routes across these properties the maybe he or others had the right to use. This is not an argument either way. A meeting was held to discuss a comprehensive road inventory in the County for this purpose - to be able to identify roads in the County that may have RS2477 status, or other rights. This is what will be done to remedy any problems - it is not being talked about today.

Ms. Canfield read the Findings of Fact:

This approval is for Special Use Permit 2019-039 to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-291-02, located in Section 1, Township 17 North, Range 22 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates.

The Special Use Permit conforms to the 2016 Storey County Master Plan for the Transition **from Resources to Industrial designated area in which the subject property is located.** A discussion supporting this finding for the Special Use Permit is provided in Section 2.D of this **staff report and the contents thereof are cited in an approval of this Special Use Permit.** The Special Use Permit complies with the general purpose, goals, objectives, and standards of the county master plan, the zoning ordinance and any other plan, program, map or ordinance adopted, or under consideration pursuant to the 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 Special Use Permit 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, with the recommended conditions of approval, complies with the requirements of Chapters 17.03.150 - Special Use Permit, 17.12 - General Provisions, and 17.34 - Light Industrial 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 2019-039 to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-291-02, located in Section 1, Township 17 North, Range 22 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

16. DISCUSSION/POSSIBLE ACTION: Special Use Permit request (File 2019-040) to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-181-02, located in Section 31, Township 18 North, Range 23 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates.

Items 15 and 16 were combined.

Ms. Canfield read the Findings of Fact:

This approval is for Special Use Permit 2019-040 to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-181-02, located in Section 31, Township 18 North, Range 23 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates.

The Special Use Permit conforms to the 2016 Storey County Master Plan for the Transition from Resources to Industrial designated area in which the subject property is located. A discussion supporting this finding for the Special Use Permit is provided in Section 2.D of this staff report and the contents thereof are cited in an approval of this Special Use Permit. The Special Use Permit complies with the general purpose, goals, objectives, and standards of the county master plan, the zoning ordinance and any other plan, program, map or ordinance adopted, or under consideration pursuant to the 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 Special Use Permit 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, with the recommended conditions of approval, complies with the requirements of Chapters 17.03.150 - Special Use Permit, 17.12 - General Provisions, and **17.34 Light Industrial Zone.**

Motion for approval: 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 2019-040 to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-181-02, located in Section 31, Township 18 North, Range 23 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

- A. 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
- G. A & J Paving - Contractor / 1490 Cherokee Trail ~ Reno, NV
- H. Big Johnson Construction, LLC - Contractor / 138 West St. ~ Ft. Morgan, CO
- I. Burke Roofing, Inc. - Contractor / 109 Shadow Mountain Dr ~ Fernley, NV
- J. E & M Contracting, LLC - Contractor / 4880 Donovan Way ~ N. Las Vegas, NV
- K. Gerhardt & Berry Construction, Inc. - Contractor / PO Box 51749 ~ Sparks, NV
- L. Phillip Joel Kasper - Contractor / 3131 Oreana Dr ~ Carson City, NV
- M. Qumulo, Inc. - General / 1501 4th Avenue Ste. 1600 ~ Seattle, WA
- N. Sick Inc. - General / 6900 W 110th St. ~ Bloomington, MN
- O. Wetzel Tank Construction CO, Inc. - Contractor / 105 W Cherokee St. ~ Southwest City, MO
- P. Capital Machinery Systems, Inc. - General / 3207 Angle Road ~ Pendleton, IN
- Q. Centimark Corporation - Contractor / 1010 Winding Creed Rd. Ste. 130 ~ Roseville, CA

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

Public Comment: None

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

18. PUBLIC COMMENT (No Action) None

19. ADJOURNMENT OF ALL ACTIVE AND RECESSED BOARDS ON THE AGENDA

The meeting was adjourned by the Chair at 11:35 AM

Respectfully submitted,

By: _____
Vanessa Stephens Clerk-Treasurer