



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, FEBRUARY 18, 2020 10:00 A.M.

DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

MARSHALL MCBRIDE  
CHAIRMAN  
ATTORNEY

ANNE LANGER  
DISTRICT

JAY CARMONA  
VICE-CHAIRMAN

LANCE GILMAN  
COMMISSIONER  
TREASURER

VANESSA STEPHENS  
CLERK-

**ROLL CALL:** Chairman McBride, Vice Chairman Carmona, Commissioner Gilman, County Manager Austin Osborne, Deputy District Attorney Keith Loomis, Clerk-Treasurer Vanessa Stephens, Sheriff Antinoro, Public Works Director Jason Weizrbicki, IT Director James Deane, Fire Chief Jeff Nevin, Water/Sewer Project Manager Mike Nevin, Community Relations Director Lara Mathers, Senior Center Director Stacy York, Interim Comptroller Jennifer McCain, Communications Director Dave Ballard, Planner Kathy Canfield, Project Coordinator Mike Northan, Fire Marshal Martin Azevedo

### **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 February 18, 2020.

Public Comment:

**Nicole Barde, Storey County resident**, requested Item IV of the Consent Agenda be moved to the regular agenda.

**Motion:** I move to approve the Agenda with Item IV of the Consent Agenda moved to the regular agenda, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

### **4. CONSENT AGENDA:**

- I. For possible action, approval of claims in the amount of \$780,727.74.
- II. For possible action, approval of business license first readings:

- A. Berkley MF LLC - General / 2555 Peru ~ McCarran, NV
- B. Black Diamonds Cleaning Services- Out-of-County / 501 El Rancho Dr. Sp. 64 ~ Sparks,

NV

- C. Lakota HRM, LLC - Out-of-County / 1611 Sonoma St. ~ Carson City, NV
- D. Maverick Printing & Forms, Inc. - Out-of-County / 3430 Crabapple Hollow ~ Sparks, NV
- E. NTN Technical Service Corporation - Out-of-County / Japan
- F. Presence Therapy - Professional / 525 Plumas St. ~ Reno, NV
- G. Richard Joseph Construction, Inc. - Contractor / 1325 Airmotive Way # 375 ~ Reno NV
- H. Silver State Excavation - Contractor / 2587 Kelvin Rd ~ Carson City, NV
- I. Silveria Painting/Handyman - Home Business / 361 S. E St. # A ~ Virginia City, NV
- J. Velocitel, LLC - Contractor / 1150 First Avenue 600 ~ King of Prussia, PA

III. For possible action, approval 1st reading for general business license Battle Born Personal Protection. Owner Caidyn Edlund, PO Box 177, Virginia City, NV 89440

Public Comment: None

4. IV For possible action, appoint of Scott Jolcover to the Storey County Board of Equalization, pursuant to NRS 361.340 for a four-year term.

Nicole Barde asked if this appointment was posted. How was he selected and appointed?

Chairman McBride: This is different from like the Planning Commission. The Board of Equalization meets just twice a year and only if necessary. The selection process is going over a list of persons who may be interested and are contacted individually. Upon recommendation of staff, the decision is made.

Ms. Barde: How would (someone) know to present an interest to be considered if it's not posted? She would have an interest but did not know it was open. Why was this not public and why can't people apply and be considered?

Mr. Osborne explained with the departure of the person who was on (the Board) - there was not much time when it came to his attention last week to find someone who understood property and values in the area. This method was chosen and brought to him. This, along with other positions, can be looked at to see if there is another way. This (Board) only meets in February - someone was needed for that meeting.

Ms. Barde asked if this will stand and applications will not be taken? This is a four-year term.

Mr. Osborne said if this went any further there would not be someone on the Board for this year. There was a deadline that had to be met.

Chairman McBride: Time is of the essence - (this Board) meets next week. We did not have a long period of time to go through any process.

Ms. Barde commented there are many of these committees and groups that seem to never make it out there - there a lot of people in the County that may be interested.

Mr. Osborne: He does see an issue. If the Board wanted to have an interim (appointment) for this year then it could go out to the public for the rest of the four-year term.

Deputy District Attorney Loomis said he feels an interim appointment is an option for the Board - it is the Board's choice. The procedure provides that the nominations for this position will be made by the County Commission Chair.

**Motion:** I move to appoint Scott Jolcover to serve one year and re-post for the balance of the term (three years) after this year has concluded, **Action:** Approve, **Moved by:** Chairman McBride, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

### **Fire Marshal Martin Azevedo :**

- A public meeting was held in the Highlands to discuss fire prevention and clearing of properties. An arborist gave a presentation on clearing of shrubs and vegetation. A lot of comments have been received from people who attended.

### **Community Chest /Library Director Erik Schoen :**

- Library card holders increased in 2019 from 75 to 139. Youth are coming in and taking advantage of programs offered. Audible books are very popular.
- The medical clinic saw 332 patients, with 600+ visits, in 2019 - having their needs met in Virginia City and not having to go "off the hill".
- 15 or 16 children are enrolled at the Early Childhood Education Center. 7 or 8 full-time slots are still available.
- Thank you for hiring Lara (Mather) as the new Community Relations Director.

### **Lockwood Community, Edna Cudworth:**

- Thank you to everyone who has signed the letter expressing concerns about the off-ramp in Lockwood.

### **Community Relations Coordinator Lara Mather :**

- Attended the Nevada Emergency Preparedness Association meeting and met with people she will be working with on the emergency management side.
- A lot of meetings are scheduled for the Community Relations side.
- She will be monitoring the work regarding the Fourth Ward School's restoration grant. There have been concerns about the orange color of the roof - this is a primer. The official dark burgundy color will be done after the primer.

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

- Radon Presentation is this Thursday, 1PM, at the Senior Center.
- The Blood Drive will be held March 27<sup>th</sup> in the Senior Center parking lot.

### **Mike Nevin, Gold Hill Wastewater/Hillside Tank Project Manager:**

- The written report from Nova Geotechnical has been received. Conclusions from this report have been taken into consideration in the final engineering plan and bid packet information.
- A meeting is scheduled with Farr West to go over all information necessary to go out to bid. If all goes well, this should finally be put out to bid.
- There is an agenda item regarding the Gold Hill Wastewater for procurement of the equipment.

### **Louise Pena, RSVP Lockwood representative:**

- Thank you Storey County for support of RSVP.
- RSVP will have an Open House, Thursday 1PM, to discuss what RSVP has to offer in addition to transportation. Including respite care, housekeeping, and someone to check on seniors.

- Thank you to Beth Kempf who is working very hard for the people in Lockwood.
- Under Beth's direction, an "Odd Ball" luncheon will be held Friday the 29<sup>th</sup> for leap-year.
- A project for the kids making leprechaun traps at the park will be held with a Pot of Gold potluck for families that night.

**County Manager Austin Osborne:**

- The budget team will meet soon with all departments. Updates will be provided to the Board.
- Surveying will be done in areas south of Virginia City and Gold Hill. Comstock Mining is looking at some potential underground workings, a tunnel or something, 1,000 feet below. No surface operations. If there is any drilling, they will apply for a special use permit.
- Notice of an intermittent power outage has been sent out to parts of Virginia City and Gold Hill due to work on utilities by NVEnergy. This will occur on the 19<sup>th</sup> between 8AM and 4PM. Community Development and Public Works are set up with generators.
- Hashtag Storey Facts will be "popping up" periodically with a "blast" of information such as the power outage.
- Welcome Lara Mather. She has an abundance of projects to jump into and we're very excited to work with her.

**6. BOARD COMMENT (No Action - No Public Comment):**

**Chairman McBride:**

- Long-time resident Mimi Patrick passed away. She was an amazing pottery and well-known folk artist. She served on several Boards over the years, including as Director of St. Mary's Art Center for years.
- The March 2<sup>nd</sup> Commission meeting is cancelled due to other meetings being attended by Commissioners and County Manager. If necessary, a special meeting can be set and would be posted.

**7. DISCUSSION/POSSIBLE ACTION:** Acceptance of dedication of Non-Exclusive Easement for Use and Maintenance of Peri Ranch Road between Lockwood Community Corporation (LLC) and Storey County. This easement will enable Storey County to maintain, repair, enforce regulation, and utilize Peri Ranch Road from Canyon Way to Louise Peri Park as desired by the LCC community.

Mr. Osborne explained essentially this is Lockwood's arterial road. The Commission has previously directed funds be available for projects across the County. Peri Ranch Road is most important in Lockwood. This road is located on property owned Lockwood Community Corporation (LCC) - an easement is being created on that property allowing the County to maintain the road, enforce law including speed limit, weight limits, and other items requested by the LCC. LCC will still own the road. The County will reimburse LCC for paving work done on a portion of the road.

Public Comment: None

**Motion:** Based on the recommendation by staff, I, Jay Carmona, move to approve acceptance of dedication of non-exclusive easement for use and maintenance of Peri Ranch Road between Lockwood Community Corporation and Storey County. This easement enables Storey County to maintain, repair, enforce regulation, and utilize Peri Ranch Road from Canyon Way to Louise Peri Park as desired by the LCC community, **Action:** Approve, **Moved by:** Chairman McBride, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**8. DISCUSSION/POSSIBLE ACTION:** Acceptance of dedication of Non-Exclusive Access Easement for Use and Maintenance of Garbage Truck Turnaround between Lockwood Community Corporation (LCC) and Storey County. This easement will enable Storey County to construct,

maintain, repair, and allow garbage truck access, egress, and turnaround on a segment of roadway owned by the LCC community.

Austin Osborne explained as part of the Franchise Agreement with Waste Management, an easement will be created over the upper bench road inside the LCC in order for Waste Management to provide curbside pickup service on that road. Waste Management has asked Storey County to provide a turn-around for their trucks. The County has worked with the LCC to provide development and maintenance of a turn-around area. The turnaround will be built this spring once the easement allows for it.

Public Comment:

**Tom Minkler, Lockwood resident:** Is there going to be an access road out of the turnaround? For fire, etc.

Mr. Osborne: There will not. This will be almost a cul-de-sac with a retaining wall to make it flat enough. The "team" is okay with this.

Fire Chief Nevin: Currently what is there is not accessible to fire apparatus. Making this a turnaround will make it a lot easier.

**Edna Cudworth:** There is a road that Waste Management used to come down - is that going to be paved?

Mr. Osborne said that was talked about in negotiations with Waste Management to see if their truck could get up and down that road. It would be impossible - it's too steep. A turnaround will allow them to back in and back out. At the end of the cul-de-sac there will be a good-sized retaining wall so nothing can go off that. Thank you to everyone, a lot of work went into this project.

Chairman McBride commented this will be a nice improvement for the community and will alleviate some of the problems with residents having to drag trash cans down.

**Motion:** In accordance with recommendation by staff, I, Jay Carmona, motion to approve acceptance of dedication of non-exclusive access easement for use and maintenance of garbage truck turn-around between Lockwood Community Corporation and Storey County. This easement will enable Storey County to construct, maintain, repair, and allow garbage truck access, egress, and turn-around on a segment of roadway owned by the LCC community, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**9. DISCUSSION/POSSIBLE ACTION :** Consideration and possible approval of Equipment Procurement Contract between Storey County and Aeromix Systems dba Fluence USA for treatment plant equipment for the Gold Hill Wastewater Treatment Project and authorize the Board Chairman or County Manager to sign all documents associated with said contract in the amount of \$206,750.00.

Link to document: <https://farrwestengineering-my.sharepoint.com/:b:/p/alex/EUmu8AgJNAZLn9g0TnrzBCsBDdyNOMaOu0GottfBW8PiPUg?e=Fr1cLx>

Mike Nevin: This item was continued from a previous meeting to address concerns expressed by the Deputy District Attorney which have been resolved. This item is for the package plant equipment procurement contract. Three proposals were received. The Fluence proposal is the low bid - the same manufacturer used for the purchase of equipment for the Virginia City wastewater treatment facility. It would be good to stay with equipment everyone is familiar with. After approval, shop drawings can be submitted. They have 30 days to submit drawings to the engineer.

Hopefully this can go out bid soon. An issue is there are two funding entities - USDA and State Revolving Fund and everything had to be reviewed. Both entities approve.

Deputy District Attorney Loomis said there is a requirement for a performance bond in this contract. Fluence has requested substitution of a letter of credit for the performance bond. USDA has approved subject to approval of the District Attorney's Office.

Public Comment: None

**Motion:** I, Jay Carmona, move to approve the contract with Fluence USA for the purchase of treatment plant equipment for the Gold Hill Wastewater treatment project and authorize the Chairman to sign all documents associated with the purchase, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**10. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of amendment to Interlocal agreement with NDOT for signal maintenance services by which NDOT will be authorized to pay for signal maintenance services incurred by Storey County.

Mr. Loomis referred to the Signal Maintenance Service Agreement approved a few months ago. This is a revision to allow NDOT to reimburse the County for any expenses incurred maintaining the signals in TRI. This is not covered by any other source.

Public Comment: None

**Motion:** I, Jay Carmona, move to approve the amendment to the Interlocal Agreement with NDOT for signal maintenance services, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**11. DISCUSSION/POSSIBLE ACTION:** Consideration and Possible approval of Resolution 20-565 providing for termination of the non-exclusive easement provided by the Nevada Division of State Lands (State Lands) to Storey County for maintenance of the bridge where the USA Parkway crosses the Truckee River; and providing for the execution of a quitclaim deed conveying the easement back to State Lands.

Mr. Loomis explained there is currently a provision that the County will maintain the bridge across the Truckee River. NDOT has requested to take this over. Because the easement provided by State Lands is not assignable, the County cannot assign the obligation to NDOT. It has to be returned to State Lands - State Lands intend to reissue the easement to NDOT for maintenance. This will necessitate a new interlocal agreement between the County and NDOT regarding maintenance which will be addressed at a later date.

Mr. Loomis read the title: Resolution declaring the intention of Storey County to terminate its non-exclusive bridge easement from Nevada Division of State Lands.

Public Comment: None

**Motion:** I, Jay Carmona, move to approve Resolution 20-565 and authorize the Chairman to sign the Resolution as well as a quitclaim deed conveying the bridge maintenance easement back to State Lands, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**12. DISCUSSION/POSSIBLE ACTION:** Approve and authorize the County Manager to sign a contract between Storey County and Central Nevada GIS and Cartography Services, LLC to perform charting and inventory of roads in Storey County that could meet the standard of RS2477 designation, services not to exceed \$45,000.

Mr. Osborne explained this contract allows the County to work with a qualified person who will inventory and map RS2477 eligible roads known to exist prior to 1976 and with other criteria. If the BLM were to close these roads in the future, for whatever reason, this will provide the County an inventory and defense to keep these roads open. This will also be beneficial when issues arise regarding roads existing prior to 1976. Other counties are also conducting similar projects dealing with this issue. SLUPAC has recommended this action for years.

Public Comment: None

**Motion:** I, Jay Carmona, authorize the County Manager to sign a contract between Storey County and Central Nevada GIS and Cartography Services, LLC, to perform charting and inventory of roads in Storey County that could meet the standard of RS2477 designation, services not to exceed \$45,000,

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

**13. DISCUSSION/POSSIBLE ACTION:** Confirmation of an Interim Comptroller chosen by the County Manager in accordance with appointment procedures in NRS 251.170

Mr. Osborne said he has appointed Jennifer McCain as Interim Comptroller. Pursuant to NRS 251.170, this action must be confirmed by the Board.

Public Comment: None

Vice Chairman Carmona thanked Ms. McCain for stepping up and for the great work so far.

**Motion:** In accordance with the procedures set forth by NRS 251.170, I, Jay Carmona, motion to confirm the County Manager's appointment of Jennifer McCain as an interim Storey County Comptroller until a permanent Comptroller is appointed and confirmed, **Moved by:** Vice Chairman Carmona **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**14. DISCUSSION/POSSIBLE ACTION:** Review and possible approval directing the Comptroller to notify the Nevada Department of Taxation that the county will not be changing the property tax rate for Fiscal Year 2020-2021.

Jennifer McCain explained a letter must be submitted by February 21 to the Department of Taxation advising whether or not the tax rate would be changed. A letter was submitted to keep the rate the same.

Chairman McBride commented the rate hasn't changed in many years.

Public Comment: None

**Motion:** I, Jay Carmona, hereby approve the Comptroller to send to the Nevada Department of Taxation the attached letter notifying the Nevada Department of Taxation the property tax will remain at 3.4607% for fiscal year 20 - 21, **Moved by:** Vice Chairman Carmona **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**15. DISCUSSION/POSSIBLE ACTION:** Special Use Permit 2020-005 request by the applicant Brad and Brenda Shell to allow for a watchman's dwelling for a proposed 150 space Recreational Vehicle (RV) Park. The watchman's dwelling is a requirement of Chapter 8.24 (Mobile Homes and Recreational Vehicles) of the Storey County Code. The subject property located at 580 East Sydney Drive within the Tahoe Reno Industrial Center, McCarran area of Storey County, Nevada and having Assessor's Parcel Number 005-091-14.

Senior Planner Kathy Canfield reviewed this request for a Special Use Permit for a watchman's dwelling at a proposed 150-unit RV park. Storey County Code requires management offices in a dwelling used exclusively for management. Property is located in TRIC and subject to the 1999 Dwelling Code and the Development Agreement. RV parks are an allowed use in this zoning district. The manager's unit/watchman's dwelling requires a Special Use Permit. This application addresses the watchman's dwelling only. The RV park request is currently under review. Staff believes the watchman's dwelling is an appropriate use for an RV park. The Sheriff submitted in opposition addressing concerns about the RV Park - not necessarily the watchman's dwelling.

The Planning Commission reviewed this request. There were concerns about the RV Park versus the watchman's dwelling. The Commission did approve the request for the watchman's dwelling as an accessory dwelling to the RV Park. Vote was 5-0, 2 absent.

**Sheriff Antinoro** commented that one cannot exist without the other (the watchman's dwelling and the RV Park) - this is why he is addressing the matter on the SUP portion. There are problems with the whole thing and potentially some ordinance issues. This should be addressed before going too far down this road. The County has a dismal history with code enforcement.

Public Comment:

**Kris Thompson, TRIC Project Manager:** We fully support the applicant. It has always been forecast that there will be some sort of RV Park in TRIC to support the construction industry. There has been a lot of interest. It takes a lot of work and is expensive, but it is key. There is a misunderstanding by those who object. This is not a vacation spot - the location is outside Tesla and will be great for the trades, contractors, and laborers. They can stay right in the park for all the construction that will be coming into the park. This applicant is working hard and it will be a good thing for the park. Watchman's quarters are a good thing - a lot of companies use them. This should not be an issue.

**Jim Hindle, Storey County Planning Commission Chair:** The Planning Commission did vote for approval of this by the merits of the SUP application. Because of the code, this makes sense to do for this type of development. There was considerable discussion regarding an RV park in the area including some conflict in the code. It's requested that staff look at code - if an RV park is an approved development in this area, the fact that the watchman's dwelling had to have a SUP didn't make a lot of sense. If you can develop an RV park, management quarters should be allowed on site. Discussion was mostly about Chapter 8 and having an RV park within the industrial area of the industrial center, seeming to be in conflict with the Master Plan. This has a residential feel. The Master Plan specifically highlights areas for this type of development. Within the commercial area of TRI makes sense; within the industrial area, this may not fit. This is an approved application in the



Industrial Center's plan. The concern is with looking at residential or this type of development and the fit with the Master Plan long term. Along with staff, this will be looked at to make sure where development is going in the County, as well as potential conflicts of land use.

Vice Chairman Carmona asked if construction has started on the RV park.

Ms. Canfield: Permits have not yet been received from the building department. Some grading work has been done. Per the building department, none of the work done so far has required permits.

Mr. Osborne: The application today is only for a watchman's dwelling which has been in the code since 1999. The purpose is known - to keep an eye on things. To remind us, there is a Studio 6 out there - 28 day stay per code. This RV park would be 28 day stay per code. It is not believed that the watchman's dwelling is a residential use. We can discuss how this Board would like to treat all codes in the county at a later time.

Mr. Osborne said he is not aware of any other watchman's dwelling currently under permit or special use permit in TRIC.

Vice Chair Carmona asked the owner, Brad Shell, if there would be security on-site - is the "watchman" going to play that role? Do you have any experience?

Mr. Shell: That's the watchman. People will be checked in and out, rent roles will be kept current, make sure nothing is going on, and keep the place clean.

Mr. Shell said he currently has a 298 unit mini-storage with a watchman on site for 16 years. He does not see how you could have a facility like this without a watchman. Most every RV park has someone. He is looking for someone who will be there for many years - that's why they would want a dwelling.

Chairman McBride: Even though this item is just about the watchman's quarters, the entire project does have controversy. The Sheriff has concerns about crime in the park. The School District may have concerns about children needing to be in school. There are concerns about creating a "low rent" neighborhood.

Mr. Shell said this will not be a "children friendly" park with no way to get a bus from TRI to any school. Most workers there are there for 3 or 4 months - then gone and back again. Not a good environment for kids. This will be a "stand alone" with the only services being sewer, water, and power from the County. Hopefully people will come and go without any police interaction.

Commissioner Gilman: It appears this is not a mobile home park - it's an RV park for transient folks with a limited time for stay. There is no need of conversation about residency - that's why the 28 day stay is in place for an RV park.

Ms. Canfield read an additional condition to be included in the Findings:

The proposed watchman's dwelling is considered an accessory use for the recreational vehicle park. As an accessory use the watchman's dwelling shall not be operated independently from the recreational vehicle park. Accessory use shall be operated concurrently with the recreational vehicle park and shall not be considered an independent use. The watchman's dwelling shall be utilized exclusively for management of the recreational vehicle park. Only personnel associated with the management of the park shall be eligible to occupy the watchman's dwelling consistent with Section 8.24.030.c

Ms. Canfield read the Findings:

Special Use Permit 2020-005 is a request to allow for a watchman's dwelling for a proposed **150 space Recreational Vehicle (RV) Park**. The watchman's dwelling is a requirement of **Chapter 8.24 (Mobile Homes and Recreational Vehicles) of the Storey County Code**. The subject property is located at 580 East Sydney Drive within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada and having Assessor's Parcel Number 005-091-14.

**The Special Use Permit conforms to the 2016 Storey County Master Plan for the McCarran planning 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 minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial and 17.62 Special Uses.

**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, Jay Carmona, move to approve Special Use Permit 2020-005, a request to allow a watchman's dwelling for a proposed **150 space Recreational Vehicle (RV) Park**. The watchman's dwelling is a requirement of **Chapter 8.24 (Mobile Homes and Recreational Vehicles) of the Storey County Code**. The subject property is located at 580 East Sydney Drive within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada and having Assessor's Parcel Number 005-091-14, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**16. DISCUSSION/POSSIBLE ACTION:** Review and possible approval of a Memorandum of Understanding (MOU) between Comstock Mining LLC and Storey County related to Special Use

Permit Amendment 2000-222-A-4, and as amended by SUP 2000-222-A-6-2018, Condition 8.5. The MOU is referenced in Condition 8.5 to document the monetary contribution to historic preservation and/or restoration project within the historic district of Storey County.

Ms. Canfield: This item relates to the Special Use Permit relating to Comstock Mining activities in Gold Hill formalizing the condition of the permit regarding monetary contribution to historic preservation. The condition has been in effect since 2014 - however, formal documentation was overlooked. The Board modified Condition 8.5 in 2018 to exclude future projects in Lyon County. This MOU includes the provision that any monies spent prior to 2018 and met original conditions of approval, would still be applicable.

An inquiry was received relating to auditing of Condition 8.5 regarding monies generated and spent. The audit is on-going - results received will not affect the requirement to formalize this special use condition of the MOU.

Public Comment: None

Mr. Osborne explained his response to Erich Obermayr, Silver City resident, who requested status of the County's assessment making sure Comstock Mining had left money in the foundation and that it had gone into historic preservation. It is believed that Comstock Mining has done this - a review/assessment is on-going. This review is being done by a CPA including analysis of all documentation submitted by Comstock Mining. As the condition stood in 2014, some of the money could go to Silver City as part of the Comstock. When the assessment is complete, a summary will be presented to this Board.

**Motion:** In accordance to recommendation by staff and in compliance with the recommendation of approval, I, Jay Carmona, move to approve the Memorandum of Understanding between Comstock Mining LLC and Storey County, documenting Comstock Mining LLC's contribution to historic preservation and/or restoration as documented in the Special Use Permit Amendment, 2000-222-A-4 as amended in Special Use Permit Amendment 2000-222-A-6-2018 as it relates to condition A-25, **Moved by:** Vice Chairman Carmona **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

- A. **Blue Cross of Idaho Health Serv Inc.** - General / 3000 E Pine Ave. ~ Meridian, ID
- B. **Day Wireless Systems** - General / 4700 SE International Way ~ Milwaukie, OR
- C. **Fortis Construction Group, Inc.** - Contractor / 1705 SW Taylor St. Ste. 200 ~ Portland, OR
- D. **RADCO Communications, LLC** - Contractor / 450 US Hwy 395 N. ~ Carson City, NV
- E. **The Virginia City Vault LLC** - General / 145 S. C St. Ste. A ~ Virginia City, NV
- F. **Virginia City Escape Room** - General / 184 S. C St. ~ Virginia City, NV
- G. **Calamco** - General / 1776 W. March Lane 420 ~ Stockton, CA

Mr. Osborne: Community Development recommends approval of all licenses A through G.

Public Comment: None

**Motion:** I, Commissioner Carmona, move to approve the second reading of Business Licenses A through G, **Moved by:** Vice Chairman Carmona **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**Louise Pena** , Lockwood resident: Recently two semi-trucks, whose drivers said they were directed by the Highway Patrol to detour and exit through the community, were stuck on streets within the community. The streets are very narrow. She is not sure how they got out of the area. Again, this is an issue with traffic and semi's being diverted through the communities - both are private property. At a "town hall" meeting, the Sheriff said he would make sure a deputy would be there to stop this from happening. When called, the deputy was in TRI. A resident deputy was able to come and help. There was damage to property - any help from the County to stop this is appreciated. The community is a big enough area and deserves to have patrol by Storey County deputies 24/7 - not private patrol.

Mr. Osborne said he would be happy to draft a letter to NHP on behalf of the County, requesting they inform their people not to direct that kind of traffic into that area.

Sheriff Antinoro: They have had conversations with Highway Patrol in the past. One of the truck drivers was helped out of the area and said it was his GPS that routed him that way. One (driver) had already left the area. There's a need for signage. It's not economically feasible to have resident deputy in Lockwood/Rainbow Bend 24 hours a day. The sub-station was kept in Lockwood so that deputies would be in and out all of the time. Concerns regarding the GPS have been communicated to the Highway Patrol many times. This problem is "hit and miss" depending on traffic on the interstate. He has discussed this with the District Attorney's office. Not much can be done with the normal traffic and vehicles - definitely can't have the commercial traffic and semi-trucks.

Chairman McBride suggested a weight limit sign on the bridge.

Vice Chairman Carmona commented that's not always followed.

Commissioner Gilman said staff could concentrate on this, maybe with NDOT and highway patrol, to see if there is something available that could be enforced. Until accident problems on I-80 are resolved there will be traffic situations.

**Edna Cudworth, LCC Treasurer:** Commends the Sheriff - she has called a lot of times when seeing the 18-wheelers on their roads. Children get out of school at 3:30 - "they" have no compassion for these kids. Storey County had to fix the bridge because an 18-wheeler tore it out. Hopefully the easement will take care of some of that. When there's an accident (on I-80), the 18-wheelers start. FedEx, who is in the area, is one of the worse.

**Scott Jolcover:** Comstock Mining spent over \$1 million between 2012-2016 that went into the Foundation from royalties. Over \$120,000 was spent on the Upper Yellowjacket project. Funds have been given to Gold Hill Depot, St. Mary's, 4<sup>th</sup> Ward School, and more. Ron James bought the Donovan Mill to save it - it is one of the most complete mills on the Comstock, a gateway to the Comstock and Virginia City. Since 2016, the foundation has spent almost as much as did from the royalty without a penny paid in from Comstock Mining royalties. Donors include: John Snow Foundation, Barrick Gold, NVEnergy, Briggs Electric, and Lee Halavais, private shareholder in Newmont Mining. He finds it offensive when Erich Obermayr says it's a money-laundering scheme.

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

The meeting was adjourned by the Chair at 11:40 AM

Respectfully submitted,

By: \_\_\_\_\_

Vanessa Stephens Clerk-Treasurer

## **20. CLOSED SESSION AS THE 474 FIRE PROTECTION DISTRICT BOARD**

Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with district and county management and legal counsel regarding labor negotiations with the Storey County Firefighters Association IAFF Local 4227. This meeting will commence immediately following the regular commission meeting.

**21. CLOSED SESSION AS THE BOARD OF STOREY COUNTY COMMISSIONERS**

Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding labor negotiations with the Storey County Sheriff's Office Employees Association NAPSO Local 9110. This meeting will commence immediately following the regular commissioner meeting and after the closed session with the 474 Fire Protection District Board