



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

05/06/2020 10:00 A.M.

26 SOUTH B STREET, VIRGINIA CITY, NEVADA*

ADDITIONAL REGULAR MEETING AGENDA

No members of the public will be allowed in the BOCC Chambers due to concerns for public safety resulting from the COVID-19 emergency and pursuant to the Governor of Nevada's Declaration of Emergency Directive 006 Section 1 which suspends the requirement in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate.

Further, due to the Governor's mandated steps to protect against the spread of COVID-19, the Storey County Board of County Commissioners are hosting a teleconference meeting this month. Members of the public who wish to attend the meeting remotely, may do so by accessing the following meeting on Zoom.com. Public comment may be made by communication through zoom.

***Join Zoom Meeting:**

<https://zoom.us/j/597519448>

Meeting ID: 597 519 448

Dial by your location

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Meeting ID: 597 519 448

Find your local number: <https://zoom.us/j/597519448>

**For additional information or supporting documents please contact the
Storey County Clerk's Office at 775-847-0969.**

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

JAY CARMONA
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Members of the Board of County Commissioners also serve as the Board of Fire Commissioners for the Storey County Fire Protection District, Storey County Brothel License Board, Storey County

Water and Sewer System Board and the Storey County Liquor and Gaming Board and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda. All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. Pursuant to NRS 241.020 (2)(d)(6) Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Commission Chair reserves the right to limit the time allotted for each individual to speak.

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

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

2. **PLEDGE OF ALLEGIANCE**

3. **DISCUSSION/FOR POSSIBLE ACTION:**

Approval of the Agenda for May 6, 2020

4. **DISCUSSION ONLY (No Action – No Public Comment): Committee/Staff Reports**

5. **BOARD COMMENT (No Action – No Public Comment)**

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

7. **DISCUSSION/FOR POSSIBLE ACTION:**

Consideration and possible approval of Resolution 20-569 authorizing the Storey County Liquor Board to waive the requirement that a pub, winery, bar or brewery obtain an off-sale liquor license in order to provide curbside or home delivery during the COVID 19 emergency.

8. **RECESS TO RECONVENE AS THE STOREY COUNTY BOARD OF COUNTY COMMISSIONERS**

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

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

NOTICE:

- Anyone interested may request personal notice of the meetings.
- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.
- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon

which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.

- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.
- In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners' Office in writing at PO Box 176, Virginia City, Nevada 89440.

CERTIFICATION OF POSTING

I, Vanessa Stephens , Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before 05/01/2020; Virginia City Post Office at 132 S C St, Virginia City, NV, the Storey County Courthouse located at 26 S B St, Virginia City, NV, the Virginia City Fire Department located at 145 N C St, Virginia City, NV, the Virginia City

Highlands Fire Department located a 2610 Cartwright Rd, VC Highlands, NV and Lockwood Fire Department located at 431 Canyon Way, Lockwood, NV.

By Vanessa Stephens
Vanessa Stephens Clerk-Treasurer



Storey County Liquor Board of Storey County Agenda Action Report

Meeting date: May 6, 2020

Estimate of time required: 15 minutes

Agenda: Consent [] Regular agenda [X] Public hearing required []

1. **Title:** **FOR POSSIBLE ACTION:** Consideration and possible approval of Resolution 20-569 authorizing the Storey County Liquor Board to waive the requirement that a pub, winery, bar or brewery obtain an off-sale liquor license in order to provide curbside or home delivery during the COVID 19 emergency.

- 2.
3. **Recommended motion:** I _____ (Commissioner) move to approve Resolution 20-569 and authorize the chairman to sign.

3. **Prepared by:** Keith Loomis

4. **Department:** District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** The COVID 19 pandemic caused Governor Sisolak to issue an Emergency Declaration for the State of Nevada requiring non-essential businesses to shut down until further notice. Pubs, wineries, bars, and breweries that don't sell food on a take-out, drive-through, curbside pickup, or delivery basis were described as non-essential businesses. In Directive 016 Governor Sisolak authorized pubs, wineries, bars and breweries to resume retail sales to the extent of providing curbside or home delivery only. Under the Storey County code, pubs, wineries, bars and breweries are required to have an off-sale liquor license in order to sell alcoholic beverages by curbside or home delivery. SCC 5.12.160. The purpose of Resolution 20-569 is to waive the requirement of obtaining an off-sale license for existing pubs, wineries, bars or breweries until such time as such entities are allowed to reopen for on-site sales of alcoholic beverages.

6. **Supporting materials:** Resolution 20-569

7. **Fiscal impact:**

Funds Available:

Fund:

_____ Comptroller

8. **Legal review required:**

 X District Attorney

8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name: _____
Other agency review: _____

9.

Board action:

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

RESOLUTION NO. 20- 569

RESOLUTION **Waiving the requirement that pubs, wineries, bars and breweries obtain an off-sale liquor license in order to sell alcoholic beverages by curbside curbside or home delivery.**

WHEREAS, Governor Sisolak has issued a statewide emergency declaration regarding the COVID 19 pandemic; and,

WHEREAS, As part of that emergency declaration, Governor Sisolak required that all non-essential businesses close down; and,

WHEREAS; Pubs, wineries, bars and breweries that don't sell food on a take-out, drive-through, curbside pick-up or delivery basis were defined as non-essential businesses; and,

WHEREAS, By Directive 016 promulgated on April 29, 2020, Governor Sisolak authorized pubs, wineries, bars and breweries to resume business to the extent that they could sell alcoholic beverages by curbside or home delivery only; and,

WHEREAS, Under Storey County Code §5.12.160, a pub, winery, bar or brewery is required to have an off-sale liquor license in order to sell alcoholic beverages by curbside or home delivery which licensing requires licensing fees and hearings; and,

WHEREAS, Pubs, wineries, bars and breweries have been victims of the COVID 19 pandemic by their inability to conduct business causing them great difficulty in meeting their expenses, keeping their employees and earning revenue; and,

WHEREAS, NRS 14.090(3) allows the County to provide emergency assistance to victims of emergencies without regard to time-consuming procedures and formalities provided by law; and,

WHEREAS Waiving the requirement of obtaining an off-sale license would provide assistance to the pubs, wineries, bars and breweries during COVID 19 emergency.

NOW THEREFORE IS IT HEREBY RESOLVED that the requirement for obtaining an off sale liquor license by existing pubs, wineries, bars and breweries in order to provide curbside or home delivery is hereby waived until such time as these entities are allowed to engage in retail sales of alcoholic beverages from within their establishments.

ADOPTED this 6th day of May, 2020

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer