



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

SEPTEMBER 7, 2021 10:00 A.M.

800 S. C Street, Virginia City, Nevada

MEETING MINUTES

JAY CARMONA
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

CLAY MITCHELL
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Roll Call: Chairman Carmona, Vice-Chairman Mitchell, Commissioner Gilman, County Manager Austin Osborne, Clerk/Treasurer Vanessa Stephens, Human Resource Director Tobi Whitten, Community Relations Director Lara Mather, Acting Community Development Director Pete Renaud, IT Director James Deane, Project Manager Mike Northan, Emergency Management Director Joe Curtis, Planner Kathy Canfield, Water/Sewer Project Manager Mike Nevin, Employee Relations Jeanne Greene, Recorder Marney Hansen-Martinez, Fire Chief Jeremy Loncar, Communications Manager Becky Parsons, Sheriff Antinoro, Public Works Director Jason Wierzbicki, Deputy District Attorney Keith Loomis, Comptroller Jennifer McCain, Community Chest Director Erik Schoen, Senior Center Director Stacy York.

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

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

2. PLEDGE OF ALLEGIANCE

Commissioner Carmona led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for September 7, 2021.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve today's Agenda, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

4. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of Minutes for July 20, 2021.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Minutes for July 20, 2021 meeting, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

5. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of Minutes for August 3, 2021.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Minutes for August 3, 2021, meeting, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

6. CONSENT AGENDA

I Consideration and possible approval of contract renewal for Farr West Engineering.

II For consideration and possible action, approval of claims in the amount of \$2,188,777.54

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

- A. Engineered Products, A Pape' Company – Contractor / 9800 40th Ave. S. ~ Seattle, WA
- B. Nefab Packaging West, LLC – General / 1215 Alexandria Ct. ~ McCarran, NV
- C. Main Vein Coffee Company, LLC – Food Truck / 3025 Idlewild Dr. ~ Reno, NV
- D. Mountain West Heating and Air Conditioning – Contractor / 3025 Eastlake Blvd. ~ Washoe Valley, NV
- E. Papyrus Tax Inc. – General / 198 N. C St. ~ Virginia City, NV
- F. Rental Guys – Out of County / 1720 Nord Ave ~ Chico, CA
- G. Virginia's Mexican Restaurant – General / 65 N. C St. ~ Virginia City, NV

IV For consideration and approval of Update to Storey County Administrative Policies and Procedures, policy 308 - Applicant Selection, Offer of Employment, and Pre-Employment Drug Screen

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve today's Consent Agenda as presented, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

7. DISCUSSION/FOR POSSIBLE ACTION: The Board will deliberate and may take action regarding approval of a settlement agreement with former employee Anthony Francone, at no monetary cost to the county.

Jeanne Greene, Labor Relations, explained this item is approval of a compromise settlement agreement with former employee and Sheriff's Deputy, Anthony Francone. The attorney for the County, Brett South, negotiated the agreement. The agreement provides for Mr. Francone to dismiss his claims against the County and Sheriff in exchange for documents to be removed from his personnel file. There is no monetary cost to the County.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the compromise settlement agreement reached with Anthony Francone a former employee of the Sheriff's Office, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

- Former Sheriff, Bob DelCarlo passed away. He was the longest serving Sheriff in the history of the state of Nevada. Items from his retirement will be on display in the Sheriff's Office. There will be no public service.

Fire Chief Jeremy Loncar:

- Eleven fire personnel and multiple pieces of equipment are still out on the Caldor Fire. They should be back Tuesday or Wednesday. At that time, we will be holding up some resources as bigger events are scheduled - Camel Races, the hill climb, Grand Prix.
- The 20th anniversary of September 11th is the first day of the Camel Races.

Emergency Management Director Joe Curtis:

- A minimal EOC staff was set up to monitor the Caldor Fire when we were expecting possible influx of evacuees. This has been terminated as there is no longer a potential impact to the County.
- The emergency/evacuation trailer has been moved from Lockwood to Virginia City.
- All resource requests coming to the County from DEM during the course of the Caldor Fire, have been dropped.

Community Relations Coordinator Lara Mather:

- (The County) is still under the stricter (Covid) mask guidelines.
- The CDC risk level as of August 24th, the County was "high". For the period ending August 31st, the County was down slightly to "substantial".
- The County needs to move to the moderate or low categories for a minimum of two weeks, to be out of the stricter guideline restrictions.

- (The County) is doing Covid vaccinations and testing twice a month. The next testing/vaccination date is September 15th at Mark Twain Community Center. Testing - 2pm to 3pm; vaccinations - 3:30pm to 4:30pm. No appointment necessary.
- Numbers are remaining steady. Over the last 4 weeks, new cases were: 8, 4, 5, and 3. Currently there are 3 new cases, 1 recovery, 11 active cases, 129 recoveries, a total of 144 cases.

Water/Sewer Project Manager Mike Nevin:

- Gold Hill Wastewater Treatment project is coming along. The building is about 94% complete with some electrical to be finished, installation of louver vents, interior painting, floor and ceiling. Fencing, manholes, and tie-in to the plant are complete.
- Perimeter paving is being done today by SNC.
- Start-up and training have been re-scheduled for September 27 and 28.
- Hopefully completion will be the end of this month.
- Due to supply issues a completion extension has been requested for the water tanks. This includes fencing. Post-holes have been dug.
- Both tanks are now on-line. An issue was found with the over-flow - this is being addressed by the contractor and is an approximate \$2,000 change order. Savings from some line-items will cover this.
- The hope is to complete this project by the end of the month.

Comptroller Jennifer McCain:

- The audit is moving along and is on track for a draft in mid-November.
- First quarter numbers should be available at the end of this month.

Recorder Marney Hansen-Martinez:

- The Recorder's Office welcomed a new employee, Debbie Haley.
- They continue to work on various projects and adding more record images on their website.
- A researcher came in looking for George Hearst's involvement on the Comstock with the Gould & Curry Mining Company. It was fun to see his excitement.

IT Director James Deane:

- They are about 90% moved into their new facility. Thank you to the Commissioners for making this happen.

Community Chest Director Erik Schoen:

- The Early Childhood Education Center is fully back open after being closed for possible Covid exposure.

Senior Center Director Stacy York:

- Flu clinics are scheduled for: September 30th, 9 to 11am at Mark Twain Community Center; October 7th, 3:30 to 4:30pm at Virginia City Senior Center; October 7th, 9am to 11 am at Lockwood Community Center; and, October 13th, 4:30 to 6:30PM at the Highlands Fire Station.

Deputy District Attorney Keith Loomis:

- A complaint has been filed for declaratory and injunctive relief to establish where Long Valley Road crosses the Mizarro (sp?) property is an RS2477 road.

County Manager Austin Osborne:

On behalf of Deny Dotson, Tourism Director:

- Reminder - On 9-11 there will be a remembrance at the Camel Races area at 10AM. A "fly-over" will also occur. First responders and other groups have a lot of things taking place down there.
- On Friday at 5PM there is a \$10 "locals" special at the Camel Races.

Mr. Osborne's update:

- Along with Linda Ritter, he has met with several department heads regarding the status of their strategic plan. This should be wrapped up in a couple of months and ready for Board consideration.
- Then they will meet with elected officials and take a different approach and work with them on strategic plans they would like.
- For next budget season, all department heads are looking at a long list of capital improvements, and other items - a "wish list". It is becoming a prioritized list starting off with essential items that need to be done in the next 1, 2, 5, and 10 years. Then down to a "wish list" of items. This will come to this Board for consideration and will be part of the next budget period.

Vice Chairman Mitchell: To clarify, the remembrance on 9-11 at the arena where the Camel Races take place - is that a separate event open to the public? Or is it part of the Camel Races?

Mr. Osborne: It will be a separate event open to the public.

9. BOARD COMMENT (No Action - No Public Comment): None

Commissioner Gilman: It's time to look at upgrading the Sheriff's substation in Lockwood. He would like this added to the CIP, with the blessing of the Sheriff and Commission. He is looking at giving financial assistance. He would consider a new sub-station. The people working there deserve it and it's time to be "shined-up". It would be the Sheriff's call, but he would appreciate the County looking at this and helping this facility.

Chairman Carmona: He was on C Street on Labor Day. The turn-out in town was nice with everyone in great spirits and happy to be in Virginia City.

10. PUBLIC COMMENT (No Action): None

Sheriff Antinoro: Believes that the sub-station is on the capital improvement list. Any improvements would be greatly appreciated.

Mr. Osborne concurs with the Sheriff's comment.

11. DISCUSSION/POSSIBLE ACTION: Consideration of appointment of Community Relations Coordinator Lara Mather to serve as Storey County's appointed official on the Western Nevada Development District (WNDD) board for the remainder of calendar year 2021. Commissioner Mitchell will continue to serve as the county's elected official on the WNDD board during this period

Mr. Osborne explained WNDD is primarily tasked with infrastructure projects. WNDD is asking the County to have an appointed official in addition to Commissioner Mitchell. Lara Mather is the person involved with grants, EDA funds, and other types of Federal funding. It is requested that she be the appointed representative. Being a member on the WNDD Board will give (the County) priority and eligibility for federal grants and money.

Public Comment: None

Vice Chairman Mitchell said he would welcome Ms. Mather. It makes sense to be involved in an organization like this.

Motion: I, Commissioner Mitchell, move to approve appointment of Community Relations Coordinator Lara Mather to serve as Storey County's appointed official on the Western Nevada Development District (WNDD) board for the remainder of calendar year 2021. Commissioner Mitchell will continue to serve as the County's elected official on the WNDD Board, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

12. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the Storey County Community Project Grant, granting \$30,000 total per fiscal year, \$10,000 to each of the three districts as follows: Area 1 Gold Hill, Mark Twain and Virginia City (Commissioner District 1,) Area 2 Lagomarsino and the Highlands (Commissioner District 2,) Area 3 Lockwood, Mustang, Painted Rock, and the Northeast (Commissioner District 3.)

Lara Mather, Community Relations Coordinator, explained this item will make this grant more structured and easier for the community to apply. A guideline has been established for the application steps. She will work with community members through the grant process and completion of projects. This will kick-start the process and enable projects to get done.

In this item, it is requested that the community show that their projects can be supported throughout its lifetime. She asked to amend this to "unless otherwise determined by the Board". Certain projects will be added to the maintenance the County already does.

Once approved, Ms. Mather will create timelines where dates have been left out. Timelines will be announced to the public giving enough time for submittal of applications. Applications will be reviewed by a committee of County employees, and then submitted to the Commission.

Commissioner Gilman: Assumes this is an amendment to the program already in place where each Commissioner has \$10,000 that can be dedicated to a project in each district. Is this in addition to the \$10,000 for each Commissioner, or is this in place of?

Ms. Mather: This is replacement of - not an addition. The goal is to make sure the communities are aware of these funds and have the guidelines for application. The district areas have been altered slightly.

Commissioner Gilman asked how the amount would be divided in each District. There could be three communities in a District asking for funds - would that be \$10,000 for each community or \$10,000 total for the District?

Ms. Mather: It depends on the project. The communities (in each District) can apply for multiple projects up to the \$10,000 - or one project for \$10,000. The point of this grant is to have a project that helps out the communities as a whole.

Commissioner Gilman: In the past, the Commissioners' \$10,000 grants could be used for facilities, senior centers, community centers, public projects like the garden or parks - whatever was requested. Is this similar?

Ms. Mather: Yes, and it is not just for existing Boards - community members can present a project they want. It is requested there be at least 5 people working together to present a project.

Commissioner Gilman is glad to see more structure being added but with the same amount of flexibility as in the past.

Public Comment: None

Vice Chairman Mitchell: Adding structure is the proper approach with ideas from the community and applying resources to help this happen. This avoids any sort of question or patronage.

Motion: I, Commissioner Mitchell move to approve the Storey County Community Project Grant, granting \$30,000 total per fiscal year - \$10,000 to each of the three districts as described in the Storey County Community Project Grant application, with one amendment that the section referring to community support of maintenance or upkeep on the project be amended to include a statement that this applies unless the Commission deems otherwise, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

13. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval for submission of the Historic Preservation Fund Grant application to the Nevada State Historic Preservation Office. This

grant application requests an award of \$50,000 to go towards the restoration of the block walkway in front of the Storey County Courthouse. The grant would require a minimum match of \$50,000.

Lara Mather: This grant is very specific as to what types of projects can be applied for. This year the entire amount for the State is small. We are requesting a lot considering what is available.

Ms. Mather described the condition of the (sidewalk) blocks in front of the courthouse. They are in poor condition. This grant would cover a portion of the blocks which are historic. The blocks would be removed and kept safe. The footing would be evened out and the blocks re-placed. They would be safer and ADA compliant. The \$50,000 match is requested as the total cost is unknown. The project needs to be done regardless.

Public Comment: None

Mr. Osborne clarified that the original blocks would be re-installed, just "evened out".

Commissioner Gilman: Believes there's a public safety element to this - with trips and falls. It's prudent to invest whatever needs to be to correct the problem. He feels this is timely and should be expedited.

Vice-Chairman Mitchell: Is there a way to leave the amount of the "match" open in the event it is much higher? This is going to be done but is wondering as a procedural matter.

Ms. Mather: Project Manager, Mike Northan, can explain the cost and why we are not sure what it will be. Jennifer McCain can clarify the funds are available since it has been known for some time this project needed to be done as it is a safety issue. Her goal was to find grant funds to apply to this project - this was the best match found.

Comptroller Jennifer McCain: There is \$150,000 in the capital improvement budget for this project. She recommends that it is stated the match has to be between \$50,000 and (not to exceed) \$150,000.

Vice Chairman Mitchell asked if anyone knew where the blocks were originally quarried?

Project Manager Mike Northan: Understands the rocks were quarried locally from a pit that is to the southeast. There is native material available, if allowed. The blocks there now would have to be treated - either planed or the pits filled as part of the project.

Ms. Mather: The two scenarios are presented in the grant application. Typically, SHIPO does not want anything done to historic items that cannot be reversed. Sometimes the safety issue overrides regulations. Once the grant application is reviewed by SHIPO, they can guide (the County) on how to handle that.

Motion: I, Commissioner Mitchell, move to approve the submission of the Historic Historic Preservation Fund Grant application to the Nevada State Historic Preservation Office. The grant application requests an award of \$50,000 to go towards the restoration of the block walkway in front of the Storey County Courthouse, with a minimum match of \$50,000 and a maximum match of \$150,000, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

14. DISCUSSION/POSSIBLE ACTION: Update, discussion, and provide direction to county staff and lobbyists regarding SCR 11 (formerly BDR 1109 and 1148) interim legislative committee to study Innovation Zone draft legislation, and other properly related matters.

Commissioner Gilman recused himself from this item.

County Manager Osborne: Preparations are being made for a September meeting where Storey County will give a presentation to the interim committee on our position regarding innovation zones, and other related matters. Preparation meetings are held weekly or as needed. He is requesting reaffirmation from the Board supporting residential development in Painted Rock; supporting crypto-currency and other such currency determined to be properly regulated by the state; and supporting independent technologies and innovative types of uses in TRI Center.

Vice-Chairman Mitchell: Compliments to County Manager Osborne for the attached timeline reviewing some of the interaction on this project specific to Painted Rock. It will be helpful to the Legislative Committee, and anyone interested.

Public Comment: None

Eileen Gay, Painted Rock resident: She has encouraged neighbors to write to the Legislators involved in the innovation zone study, and to share their thoughts on the concept. She has written to all participants with her thoughts opposing the innovation zone concept. She supports the county's continued position to the adoption of any sort of succession from Storey County when there are already efficient, helpful structures in place to handle development within the county.

Chairman Carmona: He appreciates that (staff) are keeping an eye out for (the County) and working with our lobbyists - who are on the right track.

Vice Chairman Mitchell: Thanks to Ms. Gay for the level of engagement. It is helpful in issues that are important as this one.

Motion: I, Commissioner Mitchell, move to direct County staff, lobbyists and professional services to consider appropriate research, analysis, and action on SCR11 Innovation Zone interim study which will best protect and represent the county to continue to oppose separatist government concepts, and to promote economic and land development through existing legal framework in the 2016 Master Plan of Storey County, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Chairman Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

15. RECESS TO CONVENE AS THE STOREY COUNTY FIRE PROTECTION DISTRICT BOARD

16. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of the District Fire Chief to make modification to the NV Energy Master Service Agreement as it applies to increases in funding, staffing, and equipment for the duration of the agreement.

Fire Chief Loncar explained in order to save time and not hold things up, he is looking for approval to make changes to this Service Agreement. If something is needed and he can show that to NVEnergy, they will approve it. This will save time at Commission meetings.

Public Comment: None

Commissioner Gilman asked if there would be a financial impact to the County.

Chief Loncar: No. This would be additional funding (grant money) from NVEnergy under the new Fire District grant fund. Nothing out of the current budget.

Comptroller McCain: NVEnergy is under the new Fire District grant fund. If equipment or something is purchased before the end of the year - it can take 30 days for repayment. Moving to the end of the year it can look like an outstanding debt. It could show up in the final audit.

Commissioner Gilman: If it showed up in the current (audit) - repayment would still be expected from NVEnergy? It will be clear in the description looking at the "quarterlies"? Chief - how would purchasing this equipment impact hiring? Would it require more staffing to operate?

Comptroller McCain: Repayment would be expected. If it crossed the fiscal year, it would impact the end-of-year audit. She has talked with Chief Loncar and Chris Barton and they are aware of the timeline, and know it would be better to not purchase equipment toward the end of the year. If there was a need, it would not be stopped - everyone would be advised that it will appear to be out of budget.

Chief Loncar: No, it would be additional equipment. As example, in a recent fire, there was need for a grappling hook - he would be able to go to NVEnergy and it could be approved right then. Not requiring additional personnel, it's just more tools to get the job done faster.

Commissioner Gilman: This wouldn't include a new fire truck?

Chief Loncar: That's a possibility and something down-the-road to be looked at. Currently, Storey County equipment is being used and NVEnergy is being billed. We would replace County equipment with new "grant funded" equipment, with no additional personnel required. He is happy to present any large financial items or staffing changes to the Board. This is just lower-level equipment and on an "as needed" basis.

Commissioner Gilman: This caveat should be added to any motion.

There was discussion regarding wording of the motion.

Motion: I, Fire Commissioner Mitchell, move to approve the District Fire Chief to make modifications to the NV Energy Master Service Agreement as it applies to increases in funding, limited staffing, and equipment purchases under \$100,000 for the duration of the agreement,

Action: Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman,

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

17. DISCUSSION/POSSIBLE ACTION: Consideration and possible action to approve the District Fire Chief to sign an intrastate interlocal contract with the Nevada Department of Public Safety to assist with transporting mobile training props.

Chief Loncar: This agreement has previously been before the Board. The State has since indicated they want to ensure the County is covered for fuel expenses, and has recommended adding 57 1/2 cents per mile - up to \$5,000 per year in fuel, so the State can adequately reimburse (the County) for any costs we may have. This insures we are helping neighbors without financial impact to the County.

Public Comment: None

Motion: I, Fire Commissioner Mitchell, move to approve Fire Chief to enter into an agreement with the Nevada Department of Public Safety to assist in transporting mobile training props, **Action:**

Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:**

Motion carried by unanimous vote, **(Summary:** Yes=3)

18. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD

19. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of 2nd reading for Off-Sale Liquor License for V City Gas, 351 N C St., Virginia City, NV 89440. Applicant is Jaswinder Singh.

Sheriff Antinoro: Applicant has had several other businesses within the state. Background investigations are complete - nothing has been found that would disqualify them from holding a liquor license. Final approval is recommended.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the second reading of Off-Sale Liquor License for V City Gas, 351 N C St., Virginia City, NV 89440. Applicant is Jaswinder Singh, **Action:**

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

20. RECESS TO RECONVENE AS THE STOREY COUNTY BOARD OF COUNTY COMMISSIONERS

21. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of 2nd reading for General Business License for V City Gas, 351 N C St., Virginia City, NV 89440. Applicant is Jaswinder Singh.

Sheriff Antinoro said there is nothing to preclude applicant from holding a General Business License. Approval is recommended.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve 2nd reading for General Business License for V City Gas, 351 N C St., Virginia City, NV 89440. Applicant is Jaswinder Singh, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

22. DISCUSSION/POSSIBLE ACTION: Consideration and possible action of Resolution No. 21-631 of the Board of Commissioners of Storey County, Nevada, reaffirming the board's request to the Nevada Delegation to advance federal public lands legislation commonly referred to as the Truckee Meadows Public Lands Management Act to support conservation, recreation, and economic development in Washoe County.

County Manager Osborne explained that last year this Board took action to support the Sparks Lands Bill or the Truckee Meadows Public Lands Management Act. This is land east of Sparks that would eventually facilitate the extension of USA Parkway through the LaPosada route. The Bill addresses environmental, recreational issues and use of public lands.

With a new Board member, Mr. Osborne feels it would be good to reaffirm this action. This will be submitted to the offices of Congressman Amodei, Senator Cortez-Masto, and Senator Rosen advising that this county still supports that Lands Bill.

Vice Chairman Mitchell: Supports the Board taking an active approach to overall support of the region.

Chairman Carmona: If this project comes to fruition, it will take a great load off of Interstate 80. Residents in Lockwood would greatly appreciate it. Support of this program is a good thing.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Resolution No. 21-631 of the Board of Commissioners of Storey County, Nevada, reaffirming this board's request to the Nevada Delegation to advance federal public lands legislation commonly referred to as the Truckee Meadows Public

Lands Management Act to support conservation, recreation, and economic development in Washoe County, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Chairman Carmona called for a recess at 11:20 AM

Meeting resumed at 11:28 AM

23. DISCUSSION/POSSIBLE ACTION: Consideration and possible related to letters of interest for the appointment of board members to the board of directors of the Carson Water Subconservancy District representing Storey County to serve a four-year term with possible re-appointment following expiration of the term.

Senior Planner Kathy Canfield explained that the County, now a full-fledged member of the Carson Water Subconservancy District, has two Board seats to fill. We advertised for interested parties to fill the positions. A letter of interest was received from Jim Hindle. Staff has reviewed the County's expectations with Mr. Hindle and feels he would be a valuable asset to this Board.

Public Comment: None

Commissioner Gilman believes Mr. Hindle is an excellent representative of County issues.

Vice Chairman Mitchell concurs - he will be a good fit.

Motion: In accordance with the recommendation by staff, I, Commissioner Mitchell, move to appoint Jim Hindle as board member to serve on the Carson Water Subconservancy District representing Storey County for a four year term, with possible re-appointment following expiration, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

24. DISCUSSION/POSSIBLE ACTION: Consideration and possible action on Special Use Permit Amendment 2000-217-A2-2021 request by the applicant Basalite Concrete Products, LLC., to increase the annual mining capacity from the 2017 Storey County approved 500,000 tons per year to 1,200,000 tons per year. The project includes additional equipment to be added to the site that will assist in processing the additional material being generated including silos that may exceed 75-feet in height. The property is located at 1150 N. Pinenut Road, Mark Twain area, Storey County, Nevada, APNs 004-291-09, 13, 25, 45 and 47.

Ms. Canfield: This Special Use amendment request is to increase Basalite's annual mining capacity from 500,000 tons per year to 1,200,000 tons per year. This includes additional equipment including silos that may extent to 170 feet in height. This Special Use Permit addresses the additional height. The facility has been there about 75 years and the Master Plan supports this operation. Areas surrounding this facility have been re-zoned "forestry" to provide a buffer between this and the

residential area of Mark Twain. Pursuant to required notice, one letter was received in support of the project. Lyon County has contacted applicant regarding using a portion of the roadway.

At the Planning Commission meeting, questions were raised about noise, the septic system, and appearance of the project. The Planning Commission voted 7-0, recommending approval. A question was raised about a bond. NDEP does not require a bond, but there is a bond in place for the County's special use permit.

Vice Chairman Mitchell asked if there was going to be changes in time of use at the facility. Will there be any impacts on surrounding residential use? Do the products being produced benefit local development or are they sent out?

Applicant's representative, Jeremy Anthony explained there will be more activity and more truck traffic. He feels the number being asked for will actually be less. About one-third is used in their Carson City block plant - a lightweight aggregate for concrete products. A third goes to their plant in northern California. The bulk of the increased product will go to Nevada Cement.

Findings of facts were read into the record by Kathy Canfield:

This approval is for Second Amended Special Use Permit 2000-217-A2-2021, a request by the applicant Basalite Concrete Products, LLC., to increase the annual mining capacity from the 2017 Storey County approved 500,000 tons per year to 1,200,000 tons per year. The project includes additional equipment to be added to the site that will assist in processing the additional material being generated including silos that may extend to 170-feet in height. The property is located at 1150 N. Pinenut Road, Mark Twain area, Storey County, Nevada, APNs 004-291-09, 13, 25, 45 and 47.

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

The subject property is located within I2-Heavy Industrial and Forestry zoning in the Mark Twain area of Storey County. The project is identified as Large Operation per Section 17.92 of the Storey County Zoning Ordinance. A Special Use Permit is required for both the zoning districts and the Large Operation use.)

Granting of the Second Amended Special Use Permit, with the conditions of approval listed in Section 4 of this report, will not under the circumstances of the particular case adversely affect to a material degree the health or safety of persons/property in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood or area of the subject property. The project is expected to meet the safety and health requirements for the subject area.

The Second Amended Special Use Permit will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area, and it will comply with all federal, state and county regulations.

The conditions under the Second Amended Special Use Permit do not conflict with the minimum requirements in the Storey County Zoning Ordinance Section 17.35 – I2 Heavy Industrial Zone, Section 17.32 - F Forestry Zone, Section 17.92 – Mineral Exploration, Mining, and Extraction and Section 17.03.150 Special Uses.

Certain mineral and surface property rights exist across the county and the Zoning Ordinance serves to protect those rights. The Zoning Ordinance also recognizes and serves to abide by the Mining Law of 1872 which provides mineral property owners the right to mine where the property is a mine patent pursuant to Title 30 of the United States Code Section 29, or an unpatented mining claim located pursuant to Section 23, as well as the right to milling and ancillary uses pursuant to Section 42(a).

The county has a diversified economy including agriculture, commercial, industrial, tourism, recreation, and mining. Permitted uses under these categories are found to be economically and socially beneficial to the county, directly and indirectly, when they are appropriately regulated so that they do not cause substantial adverse impacts to adjacent uses and are not detrimental to the health, safety, and general welfare of citizens, property owners, scholars, and businesses in the county.

The provisions of the Zoning Ordinance serve to address and mitigate potential adverse impacts that mining and related activities may have on the natural and historic environment and adjacent land uses (e.g. residential, commercial, tourism, etc...)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, Title 17, and any other plan, 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.

This project is not located within the Virginia City National Historic Landmark, nor is it part of the Comstock Historic Preservation Area identified in Chapter 17.92 of the Storey County Code.

This mine has been in operation for approximately 75 years. The 2016 Storey County Master Plan states the mine should be a continued use and Storey County should protect the long-term well-being of the quarry mine

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 Commissioner Mitchell, move to approve the Second Amended Special Use Permit 2000-217-A2-2021 request by the applicant Basalite Concrete Products, LLC., to increase the annual mining capacity from the 2017 Storey County approved 500,000 tons per year to 1,200,000 tons per year. The project includes additional equipment to be added to the site that will assist in processing the additional material being generated including silos that may extend to 170-feet in height. The property is located at 1150 N. Pinenut Road, Mark Twain area, Storey County, Nevada, APNs 004-291-09, 13, 25, 45 and 47. **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

25. DISCUSSION/POSSIBLE ACTION: Consideration and possible action on 2021-32 Road Abandonment request by applicants Barbara Steele Lavake and Nicholas and Jessica Fain. The applicants request to abandon the undeveloped, approximate 50-foot wide by 100-foot length public right-of-way associated with Ridge Street located between C Street and the undeveloped A Street right-of-way in the Divide neighborhood of Virginia City, Storey County. The area of the abandoned right-of-way will be split evenly and consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-052-01 (Lavake) and 001-042-14 (Fain).

Ms. Canfield reviewed this request for abandonment of an undeveloped area on Ridge Street. It appears there has never been any access through this property. A building that has been there since the early 1900's encroaches into this right-of-way. Applicants have requested abandonment of this area, with one-half going to each side pursuant to Nevada State Law. Required noticing has been done. An utility easement will be required for an overhead line.

Survey of the property was not requested due to cost. Therefore, the exact amount of the encroachment is uncertain.

One public comment was received, however it was about abandonments in general - not necessarily this one.

Ms. Canfield reminded the public that abandonment of public lands and public access is taken seriously. (Abandonments) are looked at on a case-by case basis. For every one looked at, about ten are told "no". In this case, the structure has been in the right-of-way for many years. In addition, the property drops off into the "pit". Chances of anything being build there are very slim.

The Planning Commission recommended approval.

Public Comment: None

Mr. Osborne: Work is being done regarding future expansion of the Justice Center parking lot, which would also go down into that area. We do not believe this abandonment would have any effect on that plan.

Ms. Canfield read the Findings of Fact:

This approval is to abandon the undeveloped, approximate 50-foot wide by 100-foot length public right-of-way associated with Ridge Street located between C Street and the undeveloped A Street right-of-way in the Divide neighborhood of Virginia City. The area of the abandoned right-of-way will be split evenly and consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-052-01 (Lavake) and 001-042-14 (Fain).

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 Provisions – Access and Right-of-Ways, or any other Federal, State, or County regulations.

Public Comment: None

Motion: In accordance with the recommendation by staff and the Planning Commission, the Findings of Fact under Section 3.A of the Staff report, and in compliance with the conditions of approval, I Commissioner Mitchell, hereby move to approve an abandonment of the undeveloped, approximate 50-foot wide by 100-foot length public right-of-way associated with Ridge Street located between C Street and the undeveloped A Street right-of-way in the Divide neighborhood of Virginia City. The area of the abandoned right-of-way will be split evenly and consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-052-01 (Lavake) and 001-042-14 (Fain)

Action: Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman,

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

26. DISCUSSION/POSSIBLE ACTION: Consideration and possible action on 2021-37 Parcel Map request by applicant Nikolai Travis. The applicant is requesting a Parcel Map to return previously consolidated (two) parcels of land back into two legal lots of record. The parcel map alters the original lot line configuration slightly to allow for easier parcel access. The property is located at 21430 Saddleback Road in the Virginia City Highlands neighborhood of Storey County, Nevada, Assessor's Parcel Number 003-101-69.

Ms. Canfield reviewed applicant's (new owner) request to split a lot back into two parcels that were consolidated into one in 2013. There have been several owners since that time. No development has taken place. Because of the simplicity of this consolidation, waiver of the requirement for a tentative map is requested. Staff will review the final map for conformance with NRS.

No public comments were received and the Planning Commission recommended approval.

Vice Chairman Mitchell: Seeing the reorientation of the lot line looks like it maintains the same surface area in each lot.

Ms. Canfield: It's about an equal area - not changing the size.

Public Comment: None

Ms. Canfield read the Findings of Fact:

This approval is for a Parcel Map to return two previously consolidated two parcels of land back into two legal lots of record. The parcel map alters the original lot line configuration slightly to allow for easier parcel access. The property is located at 21430 Saddleback Road in the Virginia City Highlands neighborhood of Storey County, Nevada, Assessor's Parcel Number 003-101-69.

The Parcel Map complies with NRS 278.461 through 278.469 relating to Parcel Maps and Chapter 16.30 of the Storey County Code, including the specific criteria outlined in Section 2.D of this staff report.

The Parcel Map complies with all Federal, State, and County regulations pertaining to Parcel Maps.

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

The Parcel Map will not cause the public to be materially injured.

The conditions of approval for the requested Parcel Map do not conflict with the minimum requirements in Storey County Code Chapters 17.40 E Estates zone or any other Federal, State, or County regulations.

Motion: In accordance with the recommendation by the Planning Commission and staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I, Commissioner Mitchell, hereby waive the requirement for a Tentative Map and move to approve a Parcel Map to return previously consolidated two parcels of land back into two legal lots of record. The parcel map alters the original lot line configuration slightly to allow for easier parcel access. The

property is located at 21430 Saddleback Road in the Virginia City Highlands neighborhood of Storey County, Nevada, Assessor's Parcel Number 003-101-69, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

27. DISCUSSION/POSSIBLE ACTION: Consideration and possible action on a Letter to Congressman Amodei, Senator Cortez Masto, and Senator Rosen supporting technical amendments to the 2018 Storey County Lands Act or FY-2021/22 Lands Bill Congressional action to re-introduce a 40-acre parcel in Mark Twain to the list of parcels being quit-claim deeded from federal ownership.

County Manager Osborne requested approval of a letter to be sent to Congressman Amodei, Senator Cortez Masto, and Senator Rosen asking for support of the transfer of a parcel in Mark Twain Estates. This was originally part of the Virginia City/Gold Hill Lands Bill which was removed - remaining under federal ownership. It encroaches into parcels in Mark Twain Estates, causing "clouded property title" issues for resident. Transferring to County ownership will remove those issues allowing transfer of property to the owners, with the remaining portion of the parcel to be used for flood detention basins per the Mark Twain Estates Flood Management Program.

Public Comment: None

Motion: I, Commissioner Mitchell, move to sign and send the attached letters to Congressman Amodei, Senator Cortez Masto, and Senator Rosen supporting technical amendments to the 2018 Storey County Lands Act or FY-2021/22 Lands Bill Congressional action to re-introduce a 40-acre parcel in Mark Twain to the list of parcels being quit-claim deeded from federal ownership **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

28. DISCUSSION/POSSIBLE ACTION: Consideration and possible action to authorize the County Manager to approve a change order to the contract with Sierra Builders of Nevada for permanent repair to the fractured columns in the V&T Freight Depot in an amount not to exceed \$16,500.00.

Mike Northan, Operations/Projects Coordinator, explained that columns in the V&T Freight Depot have been damaged by seismic events with some danger of localized collapse. Sierra Builders provided emergency shoring at a cost of \$3,568, to prevent further deterioration or collapse. Several contractors were contacted to provide quotes for permanent repair. Quotes were received from Sierra Builders and EC Construction. Both include engineering and permanent repair of the columns. Sierra Builders' quote is \$15,550; EC Construction is \$16,336. Staff recommends acceptance of Sierra Builders quote and authorization for County Manager to accept the change order.

Public Comment: None

Motion: I, Commissioner Mitchell, move to authorize the County Manager to approve a change order to the contract with Sierra Builders of Nevada for permanent repair to the fractured columns in the V&T Freight Depot in an amount not to exceed \$16,500.00, **Action:** Approve, **Moved by:** Vice

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

29. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of business license Second Readings:

- A. All 5s Construction LLC – Contractor / 181 E Warm Springs Rd ~ Las Vegas, NV
- B. Battle Born Gifts – General / 160 S. C St. ~ Virginia City, NV
- C. Darren Leitzke – Home Business / 355 N. F St # 46 ~ Virginia City, NV
- D. Empienada – Food Truck / 3683 Kings Row ~ Reno, NV
- E. Redwood Materials Inc. – General / 1201 Norway Dr ~ McCarran, NV

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the second reading of business licenses listed as items #A through #E, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

21. PUBLIC COMMENT (No Action)

None

22. ADJOURNMENT of all active and recessed Boards on the Agenda

Chairman Carmona adjourned the meeting at 12:06 PM

Respectfully submitted,

By: _____
Vanessa Stephens Clerk-Treasurer