



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 1 min

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of the agenda for the December 6, 2022 meeting.
- **Recommended motion:** Approve or amend as necessary.
- **Prepared by:** Brandie Lopez

Department: **Contact Number:** 775-847-0968

- **Staff Summary:** See attached
- **Supporting Materials:** See attached
- **Fiscal Impact:** None
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 5 minutes

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of the minutes from the November 15, 2022 meeting.
- **Recommended motion:** Approve or amend as necessary
- **Prepared by:** Jim Hindle

Department: **Contact Number:** 17758470969

- **Staff Summary:** See attached
- **Supporting Materials:** See attached
- **Fiscal Impact:** none
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name: _____

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, NOV. 15, 2022, 10:00 A.M.

DISTRICT COURTROOM

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MEETING MINUTES

JAY CARMONA
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

CLAY MITCHELL
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER

JIM HINDLE
CLERK-TREASURER

Roll Call: Chairman Jay Carmona, Vice-Chairman Clay Mitchell, Commissioner Lance Gilman, Clerk/Treasurer Jim Hindle, District Attorney Anne Langer, Communications Director Becky Parsons, Sheriff Gerald Antinoro, Fire Chief Jeremy Loncar, Projects Coordinator Mike Northan, Business Development Director Lara Mather, Honey Menefee, Community Relations Director, Stacy York, Senior Center Director, Mitzi Carter, Human Resources Director, Austin Osborne, County Manager, Keith Loomis, Deputy District Attorney, Comptroller Jennifer McCain

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

Meeting was called to order by Chairman Carmona at 10:07 a.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Carmona led those present in the Pledge of Allegiance.

3. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the agenda for the Nov. 15, 2022, meeting.

Sheriff Gerald Antinoro said Item #11 should be a liquor board item.

County Manager Austin Osborne advised the commission to add a recess to convene as the liquor board after Item #10, than add recess to convene as the board of commissioners after Item #11.

Osborne also said a contract came in recently and that is posted online with an addendum to the agenda, and canvass of the vote is at the same place.

Remove #21, it was a clerical error.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve today's Agenda with noted changes. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

4. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes for the Oct. 4, 2022, minutes.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Oct. 4, 2022, meeting as presented. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

5. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes for the October 18, 2022, meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Oct. 18, 2022, meeting as presented. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

6. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes for the November 2, 2022, meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Nov. 2, 2022, meeting as presented. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

7. CONSENT AGENDA FOR POSSIBLE ACTION

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

- A. ArchModal – Contractor / 699 Hampshire Rd. #218 ~ Westlake Village, CA
- B. Aspen Electric – Contractor / 19 Glen Carran Cir. ~ Sparks, NV
- C. Earth Tech LLC – Professional / 681 Edison Way ~ Reno, NV
- D. Lugo Framing LLC – Contractor / 7761 Tulear St. ~ Reno, NV
- E. Palmetto Solar, LLC – Contractor / 997 Morrison Dr. #200 ~ Charleston, SC
- F. Picon FRP Inc. – Contractor / 20885 Redwood Rd. # 327 ~ Castro Valley, CA
- G. TLS Supply Chain Solutions Inc. – General / 2555 USA Parkway Ste\ . 100 ~ McCarran, NV

II. Approval of claims in the amount of \$4,373,725.78

Public Comment: None

Motion: I, Commissioner Mitchell move to approve the Consent Agenda as presented. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

8. PUBLIC COMMENT (NO ACTION):

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

Fire Chief Loncar

- The Fire District did a controlled burn at the slash piles in the Highlands. They will be also burning off the pit in Virginia City, in case someone sees smoke on Six Mile Canyon.
- The Fire District had seven applications for their cadet program.

- The Fire District hosted visitors from the Kansas Dept. Of Emergency Management.

Commissioner Jay Carmona thanked the chief because the burn pile was getting pretty big.

County Manager Austin Osborne for Lara Mather and Honey Menefee

- Senior Center Director Stacy York was credited with a successful Resource Fair in Mark Twain. Public Works was also thanked for their efforts.

Leah Cruse, VCTC

- Christmas on the Comstock begins soon. Lights will be put up at the Welcome Center in the North End of C Street tomorrow. The public is welcome to help. There will be coffee and refreshments. The lights will go on after Thanksgiving.
- The Community Tree Lighting will be 6 p.m. Dec. 2 at 6 p.m. in the Bucket of Blood Parking Lot.
- There will be two parades and two sets of fireworks, with the fireworks beginning after each parade. The parades will be on Dec. 3 and Dec. 10.
- The Grinch Made Me Do It Saloon Crawl will be on Dec. 3. Beginning at 11 a.m.
- A full listing of all Christmas events will be posted to the web site at visitvirginiacitynv.com as soon as possible. Call the Visitor's Center at 775-847-7500 for more information.

IT Director James Deane

- The IT Department is working to remove items from the Data Center and send to the Cloud option, and there will be 60 days of testing.
- Upgraded phone systems for Community Development and the Sheriff's Office will be installed tomorrow. IT is working with the Senior Center to get that building to transition phones and Internet.

Human Resources Director Mitzi Marie Carter

- Introduced as the new director, she was happy to be here.

Community Development Director Pete Renaud

- Three building inspectors with Community Development have passed their certification tests.

Storey County Senior Center Director Stacy York

- The Virginia City Senior Center will be closed Wednesday, Nov. 16 to install the new oven.
- There will be Flu/Covid Clinics from 9 a.m. to 11 a.m. Nov. 17 in Lockwood and 4:30 p.m. to 6:30 p.m. Nov. 30 in the Virginia City Highlands.

County Manager Osborne for Planning Manager Kathy Canfield

- The Planning Department will host an open house from noon to 5:30 p.m. Nov. 17 to let the public investigate the 2477 maps. Residents can contact the department for private viewing of maps.
- It is Flood Awareness Week, and residents can go to flood.gov for information. 2D modeling has been done for the Mark Twain Estates, so property owners can see what areas on their property are susceptible to flooding.

County Manager Austin Osborne

- The White Paper is close to publication standards.
- There will be town hall meetings on the request for a proposal for solid waste removal services and the one in Virginia City will include information on the public lands bill. The first town hall meeting will be at 5:30 p.m. Nov. 16 at Piper's Opera House in Virginia City; the second will be at 5:30 p.m. Nov. 17 at the Fire Station in the Virginia City Highlands; and the third will be at 5:30 p.m. Nov. 18 at the Mark Twain Community Center. There will be a Zoom call meeting at 10 a.m. Nov. 17 for the TRI Center and the River district.
- The Town Hall meeting for the county Strategic Plan will be at 5:30 p.m. Nov. 30 at Piper's Opera House in Virginia City.
- Posted online is a one-page summary of the lands bill that in 2018 that deeded land to the county by the federal government. County is in the process of deeding to property owners in Virginia City and Gold Hill.

Working to get a bill in the Legislature to clarify that transfer to property owners. The school district will get additional land for school expansion as a result of the Bill. At no time will Storey County own the transferred land. If anyone has questions call my office.

10. BOARD COMMENT (No Action – No Public Comment):

- Commissioner Jay Carmona reported that Richard St. Clair of Virginia City and Dennis John of the Virginia City Highlands have passed away.

11. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR BOARD.

12. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of a special application for an off-C Street liquor license for Virginia City Vineyards Resort & Spa, 408 North A Street, Virginia City NV 89440.

Sheriff Gerald Antinoro said the application was accepted and the Sheriff's Office was beginning the background check. He said in the ordinance, if a liquor establishment was off C Street, there needed to be a special application to the Liquor Board.

County Manager Osborne said the application was reviewed by the Planning Department and that a Special Use Permit was not needed since the project was in a CR zone.

The applicant, Heather Altepeter said she planned to bring a boutique winery to Virginia City. She said her family had sold their harvest winery in California and had inventory left over, so they want to bring it to Virginia City, putting a small resort and spa, with 10-12 rooms and are working with architects to ensure there are no traffic problems. She said because of her experience in the industry she was confident in her ability to manage and maintain a boutique winery. Before the project is built, she wanted to hold appointment-only wine tastings.

Commissioner Carmona asked if it would be a year-round operation and Ms. Altepeter said that it would.

Resident Cathy Lucich asked if it would be just a wine-tasting or a full-on bar, and Ms. Altepeter said it would just be for wine. She also asked if there are safeguards to ensure the applicants can't open a full speakeasy bar. Ms. Lucich indicated she was against it.

Sheriff Antinoro said there was no specific safeguard except the liquor license.

Commissioner Carmona said that it was his understanding they could have a bar.

County Manager Osborne said the zoning for the area is commercial/residential, with Bed and Breakfast, rooming/boarding and similar entities permitted. It does not mean it would be allowed in the liquor regulation.

Resident Edith Andreason said she was strongly opposed to approval of the application based on safety, peace and quiet, traffic, hazard and other concerns. She was also concerned about the effect of people drinking alcohol and driving on A Street or engaging in intemperate behavior. She said the neighborhood was made up of long-term residents, and short-term residents have no vested interest in the neighborhood. She also said once the license was approved, there was no reason for the applicants to sell more than wine.

Resident Fran Stokes, whose home abuts A Street, expressed concern about people who may be drinking, and the potential they would drive onto her property.

Sheriff Antinoro said he did speak with the applicants about traffic issues and that they are planning on designing a parking lot.

Resident Rob McMillian, complained of a lack of communication on the license. He also expressed concern that his grandchildren would not be safe riding their bicycles on the street if there was a liquor establishment there.

Mike Nevin, who owns property on A Street, also expressed concerns about losing the quiet as well as traffic and snow removal problems.

Resident Sarah Anderson expressed concern over drainage and winter hazards as well as losing the quiet character of the neighborhood.

Commissioner Gilman said that a B&B with no liquor license is an approved use in that corridor.

County Manager Osborne said the board's jurisdiction is just determining if a liquor license was appropriate off the C Street Corridor.

Commissioner Mitchell asked if there were different tiers or levels in the liquor license, and Sheriff Antinoro said no. He said the application is for a full license to include on- and off-site sales.

Commissioner Carmona asked if the liquor aspect were removed, would a the residents find a B&B acceptable? ,The residents in attendance said no.

Ms. Altepeter said she appreciated the feedback and reminded them she had a lot more to lose by allowing drunk drivers to leave the premises. She said she looked at traffic and said she is considering an entrance off Geiger Grade. She said with 10-12 rooms there would only be about five vehicles. The spa, or massage room and steam room, would only be for overnight guests. She said wine drinkers were different and would not cause difficulties. She said the wine tastings would be reservation only and not open to the public. Regarding development, Ms. Altepeter said they didn't want to spend the funds to get surveys, etc. until they received the liquor license. They wanted to do wine tastings in either a trailer or the old antique shop before continuing development. In response to a question from Commissioner Gilman, Altepeter said she mentioned that beer drinkers also could come in and she wanted to have craft beers. She said she had no intention of ever selling liquor. She also said they have not closed on the property, and if it is not approved, they will not proceed with the transaction. In response to a question from Commissioner Carmona, Altepeter said that developing the Geiger Grade access would take a long time and they would like to operate right away without that new access.

Commissioner Gilman expressed concern about the community reaction, and that there might eventually be a full bar in that neighborhood.

Sheriff Antinoro said this is not the approval of a liquor license, it was so they could pursue a liquor license.

County Manager Osborne said a hotel would be an allowed use already, but the license before the commissioners today was only to determine if a liquor license off-C-Street would be permitted.

Pete Renaud said he is aware of the situation but has had no formal meetings with the applicant.

Commissioner Carmona asked if there are still avenues to stop this later and Sheriff Antinoro said there would be.

County Manager Osborne said that if this board approves the liquor license application, it proceeds forward, but will be last time this board considers the application for this project. The question is whether or not an off-C Street liquor license at the proposed A Street location is appropriate. If it gets approved today, the board will have a chance to approve or not approve first and second readings for the business, but not reconsider the implication of approving a liquor license at this location.

Assistant District Attorney Keith Loomis said this is the time to consider if the location is appropriate.

Commissioner Mitchell said that as an allowed use, he didn't think the commission could condition or restrict activities. He said the commission needs to follow the rules that are in place.

Commissioner Gilman reiterated that he didn't have enough information and was unprepared to decide based on the reaction of the surrounding A Street residents.

Motion: I, Lance Gilman move to continue the issue to the Dec. 6 meeting.
Seconded by: Sheriff Antinoro **Vote:** Motion carried 3-1 vote, with Commissioner Mitchell voting Nay.

13. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS.

14. DISCUSSION/FOR POSSIBLE ACTION: Enter into a Memorandum of Understanding (MOU) with the Storey County Sheriff's Office Employees' Association/ Nevada Association of Police and Sheriff's Officers (NAPSO) to amend Article 11 to provide for pay out of annual leave over 240 hours

in December of 2022, and Article 13 to amend the county contribution for dependent health insurance coverage to 100%, and to allow for Deputies to cash out 40 hours of sick leave to be applied toward HSA contribution or certain insurance premiums.

Acting Human Resources Director Jeannie Green said the MOU was negotiated to address immediate recruitment and retention of officers. The MOU allows the County compensate covered union members for unused annual leave up to 240 hours. Workers could also cash out up to 30 hours of sick leave and have the money applied to their HSA or existing medical bills. The County would pay 100% of monthly health premiums for dependents.

Commissioners Gilman and Mitchell both supported the MOU.

Public Comment: None

Motion: I, Commissioner Mitchell move to approve the Memorandum of Understanding (MOU) with the Storey County Sheriff's Office Employees' Association/Nevada Association of Police and Sheriff's Officers (NAPSO) to amend Article 11 to provide for cash-out of unused annual leave up to 240 hours in December of 2022, and to amend Article 13 modifying the county contribution for dependent health insurance coverage to 100%, and to allow for Deputies to cash out 40 hours of sick leave to be applied toward HSA contribution or certain insurance premiums. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

15. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of Resolution No. 22-661, a resolution setting grade and salary range of employees fixed by ordinance or resolution per NRS 245-045 for appointed Storey County officials for the 2022-23 fiscal year and superseding prior year action by resolution for appointed Storey County employees with the title of Event and Business Development Manager being changed to Tourism and Event Manager, the grade level being increase from grade 131 to grade 135, and abolishing the Tourism Marketing Manager grade 135.

Ms. Green said this would abolish the Tourism & Marketing Manager position that has been vacant and is no longer needed.

Linda Ritter, Acting Tourism Director, said that a lot of the position's duties have shifted to the Event & Business Development Manager. A new contract with RAD Strategies delegating to them the lion's share of marketing activity, the Tourism & Marketing Manager is no longer needed. This will bump up the Event & Business Development Manager in recognition of expanded responsibility.

Public Comment: None

Motion: I, Commissioner Mitchell move to approve Resolution No. 22-661, a resolution setting grade and salary range of employees fixed by ordinance or resolution per NRS 245-045 for appointed Storey County officials for the 2022-23 fiscal year and superseding prior year action by resolution for appointed Storey County employees with the title of Event & Business Development Manager, the grade level being increase from grade 131 to grade 135, and abolishing the Tourism & Marketing Manager grade 135 position. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

16. DISCUSSION/FOR POSSIBLE ACTION: Consideration and approval to authorize the County Manager to sign and approve a contract with Lumos & Associates for approximately \$27,050 to conduct a boundary survey, split and separate portions of, and record a record-of-survey map for portions of two mining claims in accordance with a memorandum of understanding between Storey County and the Comstock Cemetery Foundation for the purposes of facilitating future modern burials and family plot area expansions at the Silver Terrace Cemeteries in Virginia City, Storey County.

County Manager Osborne said this was from the Nov. 2 approval of an MOU with the cemetery foundation for modern burials. Part of this requires a resurvey of two mining claims. This will fulfill the entirety of the MOU, which will be in effect for 99 years. Lumos is qualified, and the cost will be \$27,050.

Public Comment: None

Motion: I, commissioner Mitchell, approve to authorize the County Manager to sign and approve a contract with Lumos & Associates for approximately \$27,050 to conduct a boundary survey, split and separate portions of, and record a record-of-survey map for portions of two mining claims in accordance with a memorandum of understanding between Storey County and the Comstock Cemetery Foundation for the purposes of facilitating future modern burials and family plot area expansions at the Silver Terrace Cemeteries in Virginia City, Storey County. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

17. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of agreement with Tyler Technologies, Inc. (Tyler) whereby the Eagle Recorder software, utilized by the Recorder's and Clerk's offices, will be moved from on-site to a data server hosted by Tyler in the annual amount of \$27,663.00 for the five-year term of the contract and a one-time fee of \$9,000.

Assistant District Attorney Loomis said the information on the contract was available to the public, but he was focused on risk management. He included provision that the county has limits on liabilities and will not pay for anything except actual damage. He included a provision on force majeure, which is applied if something unforeseen prevents a party from paying.

County Recorder Dru McPherson requested approval and said both her department and the Clerk/Treasurer's Office utilize Tyler Technologies software.

Commissioner Carmona said it was good to get data out of the courthouse and onto more secure locations.

Public comment: None

Motion: I, Commissioner Mitchell move to approve the Tyler Software-As-A-Service agreement to move the Eagle Recorder software from an on-site environment to a hosted environment in the amount of \$27,663.00 annually for the five-year term of the contract and a one-time fee of \$9,000; with the included changes noted by Deputy DA Loomis to limitations on county liability and the force majeure clause. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

18. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of 6 replacement street light tops and 15 poles for the C Street gas lamp fixtures in the amount of \$47,397.00. This has been previously approved in the yearly budget for a total amount of \$50,000.00.

Jason Wierzbicki said that this is to purchase replacements for six tops and 15 posts for the vintage-looking C Street gas lamp fixtures previously approved in the budget for a cost of \$47,397, budget total \$50,000.

Public comment – no

Motion: I, Commissioner Mitchell move to approve the purchase of 6 tops and 15 poles for the C Street gas lamp fixtures. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

19. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of the final canvass of the results of the November 8th, 2022, General Election held in and for Storey County.

County Clerk/Treasurer Jim Hindle said the county had 3,536 registered voters, 2,575 who cast ballots, for a turnout of 72.82 percent. 66 percent of ballots were cast in person and 36 percent were mail-in ballots.

Commissioner Mitchell asked about anomalies and vote totals and what type of audit analysis is done to confirm results.

Mr. Hindle said that for a formal forensic analysis to be done, it would have to be directed by the courts. The County Clerk has no statutory latitude to conduct a forensic audit on its own.

Commissioner Mitchell said that although voting access has been expanding, turnout does not seem to be going up.

Mr. Hindle said the Commissioner is correct that we see no significant increase in turn-out given we now have 2 weeks of early voting, voting at any polling site in the County regardless of precinct residence, and mail-in ballots. We will continue to measure and track the data for trends as this is only the second election cycle employing mail-in ballots.

He noted the County web site has a direct link from the landing page to the page with Storey County results. Also the Clerk's webpage for 2022 Election Results Information provides County results and has a link to the Secretary of State's website with state-wide election results.

Mr. Hindle said The County Clerk's Office will continue to communicate to insure everyone understands the election process so they can be confident in the transparency and integrity of our elections. He also thanked the Poll Workers and Watchers for their participation is key to our ability to run free and fair elections. He praised his staff for their dedication and effort during the election.

In preparation of the motion to approve the canvass of the vote, Deputy DA Loomis said that it must include the provision that the County Clerk make a copy of the abstract and make a mechanical report of the abstract to the Secretary of State's office.

Public Comment: None

Motion: I, Commissioner Mitchell move to approve the final canvass of the November 8th, 2022, General Election held in and for Storey County and that the county clerk make a copy of the abstract and make a mechanical report of the abstract to the Secretary of State. **Seconded by:** Commissioner Gilman,
Vote: Motion carried by unanimous vote.

18. **DISCUSSION ONLY/NO POSSIBLE ACTION:** For consideration and possible approval of business license second readings:
- A. B Street Boardinghouse – Home Business / 116 N B St. ~ Virginia City, NV
 - B. Infinity Painting & Decorating Inc. – Contractor / 625 Spice Island Dr. Ste. G ~ Sparks, NV
 - C. Lima Land LLC – Out of County / 4007 Paramount Blvd Unit 109 ~ Lakewood, CA
 - D. NV Concrete Construction Inc. – Contractor / 3570 Barron Way Ste. D ~ Reno, NV
 - E. Pilot Travel Centers LLC – Contractor / 5508 Lonas Dr. ~ Knoxville, TN
 - F. Sterling Electric Inc. – Contractor / 102 Mountain View Dr. ~ Fernley, NV
 - G. Virginia City Bed & Breakfast -General / 226 N. B St. ~ Virginia City, NV

Public comment: None

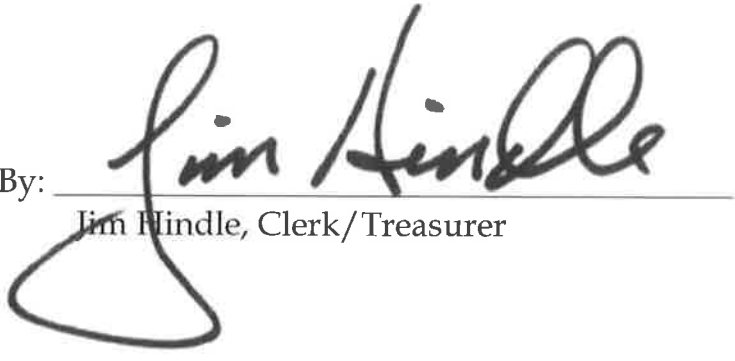
Motion: I, Commissioner Mitchell, move to approve the second readings of business licenses listed on the agenda as A through G. **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote.

19. PUBLIC COMMENT (No Action): None

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

Chairman Carmona adjourned the meeting at 12:54 p.m.

Respectfully submitted,

By: 
Jim Hindle, Clerk/Treasurer

Misc. Correspondence



STOREY COUNTY COMMISSIONERS' OFFICE

Storey County Courthouse
26 South "B" Street
P.O. Box 176 Virginia City, Nevada 89440
Phone: 775.847.0968 - Fax: 775.847.0949
commissioners@storeycounty.org

Jay Carmona, Chair
Clay Mitchell, Vice-Chair
Lance Gilman, Commissioner

Austin Osborne, County Manager

November 10, 2022

Re: Summary of Storey County Lands Transfer Nevada BDR

The following briefly summarizes the 2018 Storey County federal lands act transfer and proposed amendments to the Nevada Revised Statutes allowing the county to transfer the land to affected private landowners.

Federal Transfer Background

1. In the early 1900s, Virginia City and Gold Hill townsites were created over federal land without patents. This created clouded title between the federal government and private landowners.
2. Public Law 113-291, passed by Congress and the President in 2018, transferred by quit-claim deed federal interest of approximately 1,745 acres of land in Virginia City and Gold Hill.
3. The law in-part removed federal ownership clouded title on land already owned by private owners.
4. The law solved the issue by quit-claiming federal interest of these properties to Storey County so that the county could in-turn quit-claim its interest over to subject private property owners.
5. At no time did the county hold title over private properties in the area; it is quit-claim only.
6. Economic development, mining, and agricultural purposes were not the intention of land transfer.

NRS Amendments Needed to Complete Transfer

1. NRS 244 requires a fee to transfer land ownership, even for the purposes of clearing federal ownership as described above. The proposed bill would authorize such a transfer in bulk and at no-charge when land is transferred by quit-claim to remove federal clouded title.
2. Common law requires a deed to be accepted by a property owner to transfer title. There are hundreds of properties subject to the 2018 federal lands transfer, and it is virtually impossible to get all owners to accept deeds concurrently. The proposed bill would reverse this process by providing for recording first, delivering the recorded deed to affected landowners who may then opt to file a document declining to accept the deed.
3. NRS 375.090 has requirements for payment of real property transfer tax. The proposed bill would exempt this requirement under the subject circumstances.
4. A title search was done by Storey County on the subject land transfer area. Discussions are occurring about exempting further title searches on each subject property. Also discussed are potential waivers of land surveys as the action will have no effect on parcel boundaries.

The foregoing is not exhaustive. Please contact the Storey County Manager's Office at 775.847.0968 or countymanager@storeycounty.org for more information.

Austin Osborne,
Storey County Manager



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 0-5

Agenda Item Type: Consent Agenda

- **Title:** For possible action, approval of business license first readings:
- A. Bertani LLC – Contractor / 3125 Cantara Cir. ~ Sparks, NV
- B. Bjorkman Construction Inc. – Contractor / 3112 Skye Terrace ~ Sparks, NV
- C. Building Zone Industries LLC – Contractor / 1233 S. Old Hwy 91 ~ Kanarraville, UT
- D. CMC Steel Fabricators Inc. – General / 635 Denmark Dr. ~ Sparks, NV
- E. Disruption Road Tour – Home Business / 1050 Delta Dr. ~ Reno, NV
- F. Good’ Ol Boys – Home Business / 451 Canyon Way # 74 ~ Sparks, NV
- G. Things & Things & Things LLC – General / 122 S. C St. ~ Virginia City, NV
- H. Western Single Ply – Contractor / 3442 Neeham Rd. ~ N. Las Vegas, NV

- **Recommended motion:** None required (if approved as part of the Consent Agenda) I move to approve all first readings (if removed from consent agenda by request).

- **Prepared by:** Ashley Mead

Department:

Contact Number: 7758470966

- **Staff Summary:** First readings of submitted business license applications are normally approved on the consent agenda. The applications are then submitted at the next Commissioner's meeting for approval.
- **Supporting Materials:** See attached
- **Fiscal Impact:** None
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

Storey County Community Development

110 Toll Road ~ Gold Hill Divide
P O Box 526 ~ Virginia City NV 89440



(775) 847-0966 ~ Fax (775) 847-0935
CommunityDevelopment@storeycounty.org

To: Jim Hindle, Clerk's office
Austin Osborne, County Manager

November 28, 2022
Via Email

Fr: Ashley Mead

Please add the following item(s) to the **December 06, 2022**

COMMISSIONERS Consent Agenda:

FIRST READINGS:

- A. Bertani LLC** – Contractor / 3125 Cantara Cir. ~ Sparks, NV
- B. Bjorkman Construction Inc.** – Contractor / 3112 Skye Terrace ~ Sparks, NV
- C. Building Zone Industries LLC** – Contractor / 1233 S. Old Hwy 91 ~ Kanarrville, UT
- D. CMC Steel Fabricators Inc.** – General / 635 Denmark Dr. ~ Sparks, NV
- E. Disruption Road Tour** – Home Business / 1050 Delta Dr. ~ Reno, NV
- F. Good' Ol Boys** – Home Business / 451 Canyon Way # 74 ~ Sparks, NV
- G. Things & Things & Things LLC** – General / 122 S. C St. ~ Virginia City, NV
- H. Western Single Ply** – Contractor / 3442 Neeham Rd. ~ N. Las Vegas, NV

Ec: Community Development
Commissioner's Office

Planning Department
Comptroller's Office

Sheriff's Office



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 1

Agenda Item Type: Consent Agenda

- **Title:** 2023-24 NRS 361.300 Tax Roll Resolution
- **Recommended motion:** Approval
- **Prepared by:** Jana Seddon

Department:

Contact Number: 775-847-0961

- **Staff Summary:** This resolution is for the Commission to approve the tax roll being printed in the newspaper of record instead of being printed individually and mailed to each county resident. Please see attached NRS 361.300
- **Supporting Materials:** See attached
- **Fiscal Impact:**
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

STOREY COUNTY RESOLUTION # _____

A RESOLUTION REQUIRING THE COUNTY ASSESSOR TO PREPARE A LIST OF ALL TAXPAYERS ON THE SECURED ROLL IN STOREY COUNTY AND THE TOTAL VALUATION OF PROPERTY ON WHICH THEY SEVERALLY PAY TAXES

WHEREAS, pursuant to NRS 361.300, each board of county commissioners shall by resolution, before December 1 of any fiscal year in which assessment is made, require the county assessor to prepare a list of all taxpayers on the secured roll in the County and the total valuation of property on which they severally pay taxes and direct the county assessor to cause, on or before January 1 of the fiscal year in which assessment is made, such list and valuations to be: printed and delivered by the county assessor or mailed by him or her to each taxpayer in the county; or published once in a newspaper of general circulation in the county; or published on an internet website that is maintained by the county assessor or, if the county assessor does not maintain an internet website, on an internet website that is maintained by the county; and to cause such list and valuations to be posted in a public area of the public libraries and branch libraries located in the county, to be posted at the office of the county assessor; and, if the list and valuations are printed and delivered or mailed to each taxpayer in the county or published in a newspaper of general circulation in the county, then the list and valuations must be published on an internet website that is maintained by the county assessor or, if the county assessor does not maintain an internet website, on an internet website that is maintained by the county. The county assessor shall further be directed, in a county whose population is less than 100,000, to make not fewer than 10 copies of such list and valuations available to the public free of charge during normal business hours at the main administrative office of the county for at least 60 days after the date on which the list and valuations are made available to the public as provided above; and if the county assessor publishes the list and valuations on an Internet website that is maintained by the county assessor or the county, to provide notice in a newspaper of general circulation in the county, which:

1. Indicates that the list and valuations have been made available to the public on the Internet website maintained by the county assessor or the county;
2. Provides the address of the internet website on which the list and valuations may be accessed or retrieved; and
3. Is displayed in the format used for advertisements and printed in at least 10-point bold type or font.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Storey County as follows: That the County Assessor prepare a list of all taxpayers on the secured roll in the County and the total valuation of property on which they severally pay taxes and cause such list and valuations to be printed and delivered by the County Assessor or mailed by her on or before January 1, 2023, to each taxpayer in the County; or published once on or before January 1, 2023, in a newspaper of general circulation in the County; or published on the Storey County website; and to cause such list and valuations to be posted in a public area of the public libraries and branch libraries located in Storey County, to be posted at the office of the County Assessor; and if the list and valuations are printed and delivered or mailed or published in a newspaper of general circulation, to be published on the Storey County website. The Assessor is further directed to make not fewer than 10 copies of such list and valuations available to the public free of charge during normal business hours at the main administrative office of the County, i.e., the Storey County Courthouse located at 26 S. B Street in Virginia City, Nevada for at least 60 days after the date on which the list and valuations are made available to the public; and if the county assessor

publishes the list and valuations on the Storey County website, to provide notice in a newspaper of general circulation in the County, on or before January 1, 2023 which:

1. Indicates that the list and valuations have been made available to the public on the Internet website maintained by Storey County;
2. Provides the address of the Internet website on which the list and valuations may be accessed or retrieved; and
3. Is displayed in the format used for advertisements and printed in at least 10-point bold type or font.

ADOPTED this _____ day of _____ 2022

BOARD OF COMMISSIONERS OF STOREY COUNTY

By: _____

Jay Carmona, Chairman

ATTEST:

Jim Hindle, County Clerk/Treasurer

NRS 361.300 Time and manner for completion of secured tax roll; list of taxpayers and valuations; notice of assessed valuation.

1. On or before January 1 of each year, the county assessor shall transmit to the county clerk, post at the front door of the courthouse and publish in a newspaper published in the county a notice to the effect that the secured tax roll is completed and open for inspection by interested persons of the county. A notice issued pursuant to this subsection must include a statement that the secured tax roll is available for inspection as specified in paragraph (b) of subsection 3. The statement published in the newspaper must be displayed in the format used for advertisements and printed in at least 10-point bold type or font.

2. If the county assessor fails to complete the assessment roll in the manner and at the time specified in this section, the board of county commissioners shall not allow the county assessor a salary or other compensation for any day after January 1 during which the roll is not completed, unless excused by the board of county commissioners.

3. Except as otherwise provided in subsection 4, each board of county commissioners shall by resolution, before December 1 of any fiscal year in which assessment is made, require the county assessor to prepare a list of all the taxpayers on the secured roll in the county and the total valuation of property on which they severally pay taxes and direct the county assessor:

(a) To cause, on or before January 1 of the fiscal year in which assessment is made, such list and valuations to be:

- (1) Printed and delivered by the county assessor or mailed by him or her to each taxpayer in the county;
- (2) Published once in a newspaper of general circulation in the county; or

(3) Published on an Internet website that is maintained by the county assessor or, if the county assessor does not maintain an Internet website, on an Internet website that is maintained by the county; and

(b) To cause, on or before January 1 of the fiscal year in which assessment is made, such list and valuations to be:

- (1) Posted in a public area of the public libraries and branch libraries located in the county;
- (2) Posted at the office of the county assessor; and

(3) If the list and valuations are printed and delivered or mailed pursuant to subparagraph (1) of paragraph (a) or published in a newspaper of general circulation pursuant to subparagraph (2) of paragraph (a), published on an Internet website that is maintained by the county assessor or, if the county assessor does not maintain an Internet website, on an Internet website that is maintained by the county;

(c) In a county whose population is less than 100,000, to make not fewer than 10 copies of such list and valuations available to the public free of charge during normal business hours at the main administrative office of the county for at least 60 days after the date on which the list and valuations are made available to the public pursuant to paragraph (b); and

(d) If the county assessor publishes the list and valuations on an Internet website that is maintained by the county assessor or the county pursuant to subparagraph (3) of paragraph (a), to provide notice in a newspaper of general circulation in the county, on or before January 1 of the fiscal year in which assessment is made, which:

(1) Indicates that the list and valuations have been made available to the public on the Internet website maintained by the county assessor or the county;

(2) Provides the address of the Internet website on which the list and valuations may be accessed or retrieved; and

(3) Is displayed in the format used for advertisements and printed in at least 10-point bold type or font.

4. A board of county commissioners may, in the resolution required by subsection 3, authorize the county assessor not to deliver or mail the list, as provided in subparagraph (1) of paragraph (a) of subsection 3, to taxpayers whose property is assessed at \$1,000 or less and direct the county assessor to mail to each such taxpayer a statement of the amount of his or her assessment. Failure by a taxpayer to receive such a mailed statement does not invalidate any assessment.

5. The several boards of county commissioners in the State may allow the bill contracted with their approval by the county assessor under this section on a claim to be allowed and paid as are other claims against the county.

6. Whenever:

(a) Any property on the secured tax roll is appraised or reappraised pursuant to NRS 361.260, the county assessor shall, on or before December 18 of the fiscal year in which the appraisal or reappraisal is made, deliver or mail to each owner of such property a written notice stating the assessed valuation of the property as determined from the appraisal or reappraisal. A notice issued pursuant to this paragraph must include a statement that the secured tax roll will be available for inspection on or before January 1 as specified in paragraph (b) of subsection 3 and subparagraph (3) of paragraph (a) of subsection 3, if applicable, and must specify the locations at which the secured tax roll will be available for inspection, including the address of the Internet website on which the secured tax roll may be accessed or retrieved. If such a statement is published in a newspaper, the statement must be displayed in the format used for advertisements and printed in at least 10-point bold type or font.

(b) Any personal property billed on the unsecured tax roll is appraised or reappraised pursuant to NRS 361.260, the delivery or mailing to the owner of such property of an individual tax bill or individual tax notice for the property shall be deemed to constitute adequate notice to the owner of the assessed valuation of the property as determined from the appraisal or reappraisal.

7. If the secured tax roll is changed pursuant to NRS 361.310, the county assessor shall mail an amended notice of assessed valuation to each affected taxpayer. The notice must include:

(a) The information set forth in subsection 6 for the new assessed valuation.

(b) The dates for appealing the new assessed valuation.

8. Failure by the taxpayer to receive a notice required by this section does not invalidate the appraisal or reappraisal.

9. In addition to complying with subsections 6 and 7, a county assessor shall:

(a) Provide without charge a copy of a notice of assessed valuation to the owner of the property upon request.

(b) Post the information included in a notice of assessed valuation on a website or other Internet site, if any, that is operated or administered by or on behalf of the county or the county assessor.

[13:344:1953; A 1955, 327) - (NRS A 1967, 957; 1975, 67; 1981, 791; 1991, 1425; 2003, 2762; 2005, 1506; 2009, 1218; 2011, 3522; 2015, 2711, 2714.)



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10 min

Agenda Item Type: Discussion/Possible Action

- **Title:** Public Hearing on possible adoption of Ordinance 22-323 amending provisions of the county code to reflect that provisions of the county code addressing traffic and parking regulation violations which have been punished as misdemeanors will be treated as civil infractions. This proposal is in accordance with changes made in the 2021 Nevada legislative session.
- **Recommended motion:** No Motion Required
- **Prepared by:** Keith Loomis

Department:

Contact Number: 775-847-0964

- **Staff Summary:** Assembly Bill 116 of the 2021 legislative session amended the Nevada Revised Statutes (NRS) by reducing the severity of numerous traffic and parking offenses from misdemeanors to civil infractions. The changes in the law generally take effect on January 1, 2023. Ordinance 22-323 incorporates the provisions of the NRS which are now treated as civil infractions into the Storey County Code and makes conforming changes to the existing provisions of the Storey County Code (SCC) to reduce some SCC violations from misdemeanors to civil infractions. The SCC changes largely affect traffic and parking violations.
- **Supporting Materials:** See attached
- **Fiscal Impact:**
- **Legal review required:** TRUE
- **Reviewed by:**
____ Department Head
____ County Manager
- **Board Action:**

Department Name:

Other Agency Review: _____

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

Bill No. 135

ORDINANCE NO. 22-323

Summary

An ordinance incorporating civil infractions as they affect traffic regulations

Title

An Ordinance amending Chapters 1 and 10 of the Storey County Code to identify civil infractions under the Nevada Revised Statutes as civil infractions under the county code and providing that existing traffic and parking provisions of the County Code will be reduced from misdemeanors and treated as civil infractions, establishing the penalty for infractions, and other matters properly relating thereto.

Added language is *in blue italics*. Deletions are ~~in-strikethrough red~~.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION 1.

Storey County Code Section 1.08.010 is hereby amended as follows:

1.08.010 - Penalties defined.

A. Misdemeanor. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this code with a penalty specified as a misdemeanor, and the person is convicted of a misdemeanor under the provisions of this code, must be punished by a fine of not more than one thousand dollars or by imprisonment in the county jail for a period not exceeding six months, or by both fine and imprisonment.

B. Infraction. Any person convicted of an infraction for a violation of this code, as provided for in this code or specified by state law, may be punished by a fine up to one thousand dollars.

C. Civil infraction. Any person who is found to have committed a civil infraction as defined by subsection 3(a) of NRS 481.015 effective on January 1, 2023, shall be punished by a civil penalty of not more than \$500 per violation unless a greater civil penalty is authorized by specific statute.

~~C.~~ *D.* Separate offense. A person is guilty of a separate offense for each act and for each day, or during any portion of a day, for any violation of a provision of this code committed, continued or permitted by that person.

~~D.~~ **E.** The county, in addition to or in place of any criminal actions, may also pursue any allowed civil actions against the person.

SECTION 2.

Title 10 Chapter 4 of the Storey County Code is hereby amended by adding a new section as follows

All traffic acts and violations defined as civil infractions under NRS Chapters 484A, 484B, 484C, 484D, 484E and 486 are adopted as civil infractions in violation of this chapter unless otherwise prohibited by state law.

SECTION 3.

Storey County Code Section 10.08.020 is hereby amended as follows:

10.08.020 - Compliance required—Penalty for violation.

- A. It is unlawful for the driver of any vehicle to fail to stop in obedience to any sign erected in accordance with the provisions of this chapter, except where directed to proceed by a police officer or traffic-control signal.
- B. The stop required is a full and complete stop and must be made before entering the intersection on the near side of the intersection.
- C. Any person who violates any of the provisions of this section shall on conviction thereof be punished by a civil penalty not to exceed \$500.00 ~~is guilty of a misdemeanor.~~

SECTION 4.

Storey County Code Section 10.20.040 is hereby amended as follows:

10.20.040 - Freight or passenger loading zone—Unauthorized use prohibited.

- A. It is unlawful for any unauthorized vehicle to park in a passenger or freight curb loading zone, and the board of county commissioners is empowered to designate such loading zones as may be necessary. Authorized vehicles may remain in such loading zones for a reasonable length of time only for the purpose of loading and/or unloading, and shall load and unload in such zones only, unless otherwise authorized by law.
- ~~B. Every person violating the provisions of this section shall, on conviction thereof, be punished by a fine not to exceed one thousand dollars or by imprisonment in the county jail for a period not exceeding six months, or both such fine and imprisonment.~~

SECTION 5.

Storey County Code section 10.20.090 is hereby amended as follows:

10.20.090 - Violation—~~Criminal~~ *Civil* penalty.

Violation of Sections 10.20.010 to 10.20.080 inclusive by any ~~Any~~ person, firm or corporation ~~convicted of violating the provisions of this chapter is guilty of a misdemeanor except for violations of Section 10.20.065, which may be cited and is punishable by a twenty-five dollar fine for the first offense.~~ *commits a civil infraction which is punishable by a civil penalty not to exceed \$500.*

SECTION 6.

Storey County code section 10.24.030 is hereby amended as follows:

10.24.030 - Violation—~~Criminal~~ *penalty.*

~~Any person violating the provisions of this chapter is guilty of a misdemeanor.~~
Violation of any provision of this chapter is a civil infraction punishable by a civil penalty of not more than \$500 per violation.

SECTION 7.

Storey County code section 10.26.010 is hereby amended as follows:

10.26.010 - Motor vehicle restrictions.

- A. In order to protect and conserve the Lagomarsino Canyon Petroglyphs located in Storey County, it is unlawful for any person(s) to operate a motor vehicle, cycle, ATV, car, or truck within the gated property as described: The South one-half of the Northeast one-quarter of *Section 12*, Township 18 North, Range 21 East, M.D.B.M.
- B. Any other portion of the county that may from time to time be defined by resolution of the board of county commissioners.

C. Prohibited acts; penalties; exceptions; civil remedy.

1. ~~Violation of this section is punishable as a misdemeanor.~~ *Violation of any provision of this chapter is a civil infraction punishable by a civil penalty of not more than \$500 per violation.*

2. In addition to any other penalty, a person who violates a provision of this section is liable for civil damages to the county agency or political subdivision which has jurisdiction over the county land in an amount equal to the cost or, in the discretion of the court, an amount equal to the cost of the restoration, stabilization and interpretation of the site plus any court costs and fees.

Proposed on _____, 2022

By Commissioner _____

Vote: Ayes Commissioners

Nays Commissioners

Absent: Commissioners

Jay Carmona, Chair
Storey County Board of County Commissioners

Attest:

Jim Hindle,
Storey County Clerk/Treasurer

This Ordinance goes into effect on the _____ day of _____, 2022.



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10 min

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible adoption of ordinance 22-323 adopting portions of the NRS which are defined as civil infractions and amending portions of the Storey County Code addressing traffic and parking regulation violations as civil infractions rather than misdemeanors. This proposal is in accordance with changes made in the 2021 Nevada legislative session.
- **Recommended motion:** I (commissioner), move to approve Ordinance 22-323 adopting portions of the Nevada Revised Statutes which establish as civil infractions what were previously defined as misdemeanors and amending the provisions of the Storey County Code to make conforming changes to become effective on January 1, 2023.
- **Prepared by:** Keith Loomis

Department:

Contact Number: 775-847-0964

- **Staff Summary:** Assembly Bill 116 of the 2021 legislative session amended the Nevada Revised Statutes (NRS) by reducing the severity of numerous traffic, and parking offenses from misdemeanors to civil infractions. The changes in the law generally take effect on January 1, 2023. Ordinance 22-323 incorporates the provisions of the NRS which are now treated as civil infractions into the Storey County Code and makes conforming changes to the existing provisions of the Storey County Code (SCC) to reduce some SCC violations from misdemeanors to civil infractions. The SCC changes largely affect traffic and parking violations.
- **Supporting Materials:** See attached
- **Fiscal Impact:**
- **Legal review required:** TRUE
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

Bill No. 135

ORDINANCE NO. 22-323

Summary

An ordinance incorporating civil infractions as they affect traffic regulations

Title

An Ordinance amending Chapters 1 and 10 of the Storey County Code to identify civil infractions under the Nevada Revised Statutes as civil infractions under the county code and providing that existing traffic and parking provisions of the County Code will be reduced from misdemeanors and treated as civil infractions, establishing the penalty for infractions, and other matters properly relating thereto.

Added language is *in blue italics*. Deletions are ~~in-strikethrough red~~.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

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Storey County Code Section 1.08.010 is hereby amended as follows:

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A. Misdemeanor. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this code with a penalty specified as a misdemeanor, and the person is convicted of a misdemeanor under the provisions of this code, must be punished by a fine of not more than one thousand dollars or by imprisonment in the county jail for a period not exceeding six months, or by both fine and imprisonment.

B. Infraction. Any person convicted of an infraction for a violation of this code, as provided for in this code or specified by state law, may be punished by a fine up to one thousand dollars.

C. Civil infraction. Any person who is found to have committed a civil infraction as defined by subsection 3(a) of NRS 481.015 effective on January 1, 2023, shall be punished by a civil penalty of not more than \$500 per violation unless a greater civil penalty is authorized by specific statute.

~~C.~~ *D.* Separate offense. A person is guilty of a separate offense for each act and for each day, or during any portion of a day, for any violation of a provision of this code committed, continued or permitted by that person.

~~D.~~ *E.* The county, in addition to or in place of any criminal actions, may also pursue any allowed civil actions against the person.

SECTION 2.

Title 10 Chapter 4 of the Storey County Code is hereby amended by adding a new section as follows

All traffic acts and violations defined as civil infractions under NRS Chapters 484A, 484B, 484C, 484D, 484E and 486 are adopted as civil infractions in violation of this chapter unless otherwise prohibited by state law.

SECTION 3.

Storey County Code Section 10.08.020 is hereby amended as follows:

10.08.020 - Compliance required—Penalty for violation.

- A. It is unlawful for the driver of any vehicle to fail to stop in obedience to any sign erected in accordance with the provisions of this chapter, except where directed to proceed by a police officer or traffic-control signal.
- B. The stop required is a full and complete stop and must be made before entering the intersection on the near side of the intersection.
- C. Any person who violates any of the provisions of this section shall on conviction thereof be punished by a civil penalty not to exceed \$500.00 ~~is guilty of a misdemeanor.~~

SECTION 4.

Storey County Code Section 10.20.040 is hereby amended as follows:

10.20.040 - Freight or passenger loading zone—Unauthorized use prohibited.

- A. It is unlawful for any unauthorized vehicle to park in a passenger or freight curb loading zone, and the board of county commissioners is empowered to designate such loading zones as may be necessary. Authorized vehicles may remain in such loading zones for a reasonable length of time only for the purpose of loading and/or unloading, and shall load and unload in such zones only, unless otherwise authorized by law.

~~B. Every person violating the provisions of this section shall, on conviction thereof, be punished by a fine not to exceed one thousand dollars or by imprisonment in the county jail for a period not exceeding six months, or both such fine and imprisonment.~~

SECTION 5.

Storey County Code section 10.20.090 is hereby amended as follows:

10.20.090 - Violation—~~Criminal~~ *Civil* penalty.

Violation of Sections 10.20.010 to 10.20.080 inclusive by any ~~Any~~ person, firm or corporation ~~convicted of violating the provisions of this chapter is guilty of a misdemeanor except for violations of Section 10.20.065, which may be cited and is punishable by a twenty-five dollar fine for the first offense.~~ *commits a civil infraction which is punishable by a civil penalty not to exceed \$500.*

SECTION 6.

Storey County code section 10.24.030 is hereby amended as follows:

10.24.030 - Violation—~~Criminal~~ *penalty.*

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SECTION 7.

Storey County code section 10.26.010 is hereby amended as follows:

10.26.010 - Motor vehicle restrictions.

- A. In order to protect and conserve the Lagomarsino Canyon Petroglyphs located in Storey County, it is unlawful for any person(s) to operate a motor vehicle, cycle, ATV, car, or truck within the gated property as described: The South one-half of the Northeast one-quarter of *Section 12*, Township 18 North, Range 21 East, M.D.B.M.
- B. Any other portion of the county that may from time to time be defined by resolution of the board of county commissioners.

C. Prohibited acts; penalties; exceptions; civil remedy.

1. ~~Violation of this section is punishable as a misdemeanor.~~ *Violation of any provision of this chapter is a civil infraction punishable by a civil penalty of not more than \$500 per violation.*

2. In addition to any other penalty, a person who violates a provision of this section is liable for civil damages to the county agency or political subdivision which has jurisdiction over the county land in an amount equal to the cost or, in the discretion of the court, an amount equal to the cost of the restoration, stabilization and interpretation of the site plus any court costs and fees.

Proposed on _____, 2022

By Commissioner _____

Vote: Ayes Commissioners _____

Nays Commissioners _____

Absent: Commissioners _____

Jay Carmona, Chair
Storey County Board of County Commissioners

Attest:

Jim Hindle,
Storey County Clerk/Treasurer

This Ordinance goes into effect on the _____ day of _____, 2022.



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10 min

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of rental agreement with Nova Geotechnical and Inspection Service Northern Nevada, LLC (Nova) for the purpose of performing geological, geotechnical, environmental (Phase I and Phase II), engineering and related due diligence studies, analyses, surveys, and activities on the site of the Gooseberry Mine. It is believed that the evaluation is being done on behalf of Nova's client towards a possible acquisition of the site. The term of the agreement is for 180 days and for a rental amount of \$1,400.00.
- **Recommended motion:** I (commissioner), move to approve the rental agreement between the Storey County Treasurer and Nova for a site evaluation at the location of the Gooseberry mine and specifically approve the rental amount of \$1,400.00 and authorize the Storey County Treasurer to sign.
- **Prepared by:** Keith Loomis

Department:

Contact Number: 775-847-0964

- **Staff Summary:** The Storey County Treasurer presently holds in trust for the State and County the land on which the Gooseberry Mine is located for the nonpayment of taxes by Pallas Resources, the previous owner of the site. Pallas Resources declared bankruptcy and ultimately dissolved.
-
- NRS 361.605 provides as follows:
 -
 - NRS 361.605 Rental of property held in trust; application of rents. While property is held in trust as provided in this chapter, the county treasurer, or his or her successor in office, may collect any rents arising from the property during the time the property is subject to redemption. After the time of redemption has expired, until the property is sold, the county treasurer, or his or her successor in office, may rent the property, with the approval of the board of county commissioners, for a price to be fixed in its minutes. The rents must be paid out by the county treasurer, or his or her successor in office, for the payment of any taxes, penalties, interest and costs already assessed and afterward accruing upon the property.
 -
 - Nova is requesting access to the land for the purpose of doing an assessment of the condition of the site on behalf of its client with an eye towards a possible purchase of the

site by its client. The statute requires the Board to approve the agreement and the amount of the rent. The proposed rent is \$1,400.00.

- **Supporting Materials:** See attached

- **Fiscal Impact:**

- **Legal review required:** TRUE

- **Reviewed by:**

_____ Department Head

Department Name:

_____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

RENTAL AGREEMENT

THIS RENTAL AGREEMENT ("**Agreement**") is made and entered into as of the ____ day of _____, 2022 ("**Effective Date**"), by and between **JIM HINDLE, TREASURER OF STOREY COUNTY, STATE OF NEVADA, AS TRUSTEE** ("**Storey County**"), and Nova Geotechnical and Inspection Service Northern Nevada, LLC ("**Licensee**").

RECITALS

A. Pursuant to NRS 361.605, Storey County has the right to rent to third parties certain real property described on the attached **Exhibit A** (the "**Property**"), in which Storey County acquired rights pursuant to, among other things, that certain Deed, made June 5, 1998, by Doreen Bacus, the Treasurer and Ex-Officio Tax Receiver of Storey County, State of Nevada, as grantor, to Doreen Bacus, Treasurer of Storey County, State of Nevada, as Trustee as provided by NRS 361.585 and 361.590.

B. Licensee desires access to the Property to perform certain due diligence activities at the Property, and Storey County is willing to allow Licensee to access the Property to perform such activities subject to the terms and provisions of this Agreement.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the parties hereto agree as follows:

AGREEMENT

1. **Grant of Right.** Subject to the terms and conditions set forth in this Agreement, Storey County grants to Licensee a right during the Rental Period, as hereafter defined, to enter upon and access the Property for the purpose of performing geological, geotechnical, environmental (Phase I and Phase II), engineering and related due diligence studies, analyses, surveys and activities on the Property (the "**Permitted Use**"). Licensee shall use the Property for the Permitted Use and for no other purpose. All data, information, reports, and findings collected, generated, or produced as part of the Permitted Use shall remain in the sole custody of the Licensee at all times during the term of this Agreement and all times thereafter. Upon request, the licensee shall provide Storey County the ability to view the data, information, reports, and findings but will be under no obligation to provide digital or hard copies of the data, information, reports, or findings to Storey County.

2. **Term.** Licensee's right to use the Property shall commence on the Effective Date and shall continue for one hundred twenty (180) calendar days following the Effective Date, unless sooner terminated pursuant to this Agreement (the "**Rental Period**"). If Licensee fails to cease operations upon termination or expiration of this Agreement, Storey County shall be entitled to injunctive relief and the cost of obtaining such relief, including attorneys' fees, shall be paid by Licensee, and such possession shall not constitute a renewal or extension of the Rental Period.

3. **Acceptance/Removal/Surrender.** Licensee accepts the Property in its "as is" condition and acknowledges that Storey County shall have no obligation to improve the Property in any manner whatsoever. Licensee and Storey County acknowledge that the as-is condition of the Property is that of an abandoned/non-operating mine and that the Licensee does not intend to alter any feature of the abandoned/non-operating mine and the Licensee shall have no liability associated with the as-is condition of the Property during the Rental Period or anytime thereafter. All materials stored or left in the Property shall be at Licensee's sole risk. Licensee shall vacate the Property at the end of the Rental Period in the same condition as when received, ordinary wear and tear and disturbance from "Permitted Use" excepted, at Licensee's cost and expense, and shall remove, at Licensee's cost and expense, all of Licensee's personal property, so that Storey County can repossess the Property not later than midnight on the last day of the Rental Period.

4. Storey County shall have the same rights to enforce this covenant by ejectment and for damages or otherwise as for the breach of any other conditions or covenant of this Agreement.

5. **Rental Fee.** Within five (5) business days after the Effective Date (or such later date when Storey County provides its payment instructions to Licensee), Licensee shall pay to Storey County, in lawful money of the United States, good and valid check, or electronic funds transfer to a bank account as designated by Storey County in writing, \$1,400.00 for use of the Property ("**Rental Fee**").

6. **Conduct of Business; Indemnification.** Licensee agrees to: (a) furnish at its expense all labor, materials, supplies and equipment necessary to operate its Permitted Use and Storey County shall have no liability for any expense with regard to the Property or the Permitted Use, (b) confine its area of operation to the Property, (c) comply with all laws, regulations and ordinances and all rules and regulations of the Property, pertaining to its use of the Property, (d) maintain the Property in good condition and repair, at its sole cost and expense, in such manner so as not to conflict or interfere with the use of Storey County, (e) keep the Property free of any mechanics or materialmen's liens claimed against Storey County or its agents, contractors, employees or representatives, and (f) not impede, interfere or obstruct Storey County's activities on the remainder of the Property. Licensee agrees to defend, indemnify and hold harmless Storey County and their respective directors, officers, agents, employees, contractors, subsidiaries and affiliates (the "**Indemnatee Parties**") from and against any and all claims, liabilities, losses, damages, costs, fines and penalties (including reasonable attorney's fees) ("**Damages**"), which the Indemnatee Parties hereafter incur, suffer or are required to pay arising out of or relating to Licensee's negligent conduct, act or omission, except any Damages resulting solely from the Indemnatee Parties' gross negligence or willful misconduct. This indemnification shall survive the termination of this Agreement.

7. **Default by Licensee; Storey County's Remedies.** Licensee's failure to perform any agreement, term, covenant or condition, which continues beyond five (5) business days following receipt of written notice thereof, shall be an event of default, whereupon Storey County will have the right, at Storey County's election, to terminate this Agreement immediately by written notice to Licensee or to pursue any other remedy provided in law or in equity, including, without limitation, the rights to enjoin the violation, specifically enforce the provisions of this Agreement or to cure any such breach (including without limitation causing any required maintenance or repairs to be made or releasing any lien) and be reimbursed by Licensee for the costs and expenses related thereto, and Licensee shall immediately reimburse Storey County for all of Storey County's reasonable costs and expenses therein. Failure of a party to insist upon strict performance of any provisions of this Agreement shall not be construed as a waiver for future purposes with respect to any such provision or option. No provision of this Agreement shall be waived unless such waiver is in writing and signed by the party alleged to have waived its rights.

8. **Early Termination by Licensee.** The Licensee has the right to terminate the lease prior to the end of the 180 period calendar days without penalty. The Licensee must provide Storey County with a minimum of seven (7) days' notice of their intent to terminate the lease early. Early termination by the Licensee does not alter any other provision of this Agreement.

9. **Notice.** Any notice from Storey County to Licensee or from Licensee to Storey County will be in writing and may be served personally, by overnight courier service, or by certified mail. If served by overnight courier service, it shall be mailed to the party at the address set forth next to its signature below and be deemed received on the first business day after depositing same with the overnight courier service; if sent by certified mail, it will be mailed by registered or certified mail, return receipt requested, addressed to the party at the address set forth next to its signature below, and shall be deemed received on the third business day after mailing. Either party may change its address for notices by sending a notice in accordance with this Section.

10. **Assignment or Transfer.** Licensee shall not assign or transfer this Agreement or any interest therein without the prior written consent of Storey County. Licensee acknowledges and agrees that any such assignment, transfer or hypothecation shall, in Storey County's sole discretion, be void and of no further force and effect. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and permitted assigns.

11. Miscellaneous. The parties do not, by this Agreement nor by either parties' acts, become principal and agent, limited or general partners, joint venturers or any other similar relationship of each other in the conduct of their respective business or otherwise. The parties may amend this Agreement only by a written instrument executed by both parties. This Agreement shall be governed by Nevada law without giving effect to its choice of law provisions. If any provision of this Agreement or the application thereof to any person or circumstance shall to any extent be held invalid, the remainder of this Agreement or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby and each provision of this Agreement shall be valid and enforced to the fullest extent permitted by applicable law. This Agreement may be executed in one or more counterparts, which together shall constitute the Agreement. Time is of the essence with respect to all dates and deadlines in this Agreement. This Agreement shall not be recorded.

[Signatures on Following Page]

IN WITNESS WHEREOF, Storey County and Licensee have executed this Agreement as of the Effective Date.

STOREY COUNTY:

**JIM HINDLE, TREASURER OF STOREY
COUNTY, STATE OF NEVADA**

By: _____
Name: _____
Its: _____

Notice address:

**Nova Geotechnical and Inspection Service Northern
Nevada, LLC:**

By: _____
Name: _____
Its: _____

Notice address:

THIS AGREEMENT AND THE RENTAL FEE AMOUNT WERE APPROVED BY THE
STOREY COUNTY BOARD OF COMMISSIONERS
AT ITS DECEMBER 6, 2022 MEETING PURSUANT TO NRS 361.605

Jay Carmona, Chairman of the Board

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

PARCEL 1:

THE EAST ONE-HALF; THE NORTH ONE-HALF OF THE NORTHWEST QUARTER; THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF THE NORTHWEST QUARTER; THE SOUTH ONE-HALF OF THE NORTH ONE-HALF OF THE SOUTHWEST QUARTER; AND THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER, PART OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 22 EAST, M.D.B.&M., STOREY COUNTY, NEVADA.

PARCEL 2:

A NON-EXCLUSIVE RIGHT TO UTILIZE MINE ACCESS ROAD AS SET FORTH IN EASEMENT AGREEMENT RECORDED SEPTEMBER 4, 1997 IN BOOK 116, PAGE 983 AS DOCUMENT NO. 80890.



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of 2 mobile reader boards in the amount not to exceed \$44,000.00 that was previously approved in the yearly budget. Two quotes have been received. The lowest bid is for a total of \$37,070.00 through Wharton Concrete Forming Supply of Nevada.
- **Recommended motion:** I (Commissioner) make a motion to approve the purchase of 2 Reader Boards in the amount not to exceed \$44,000.00.
- **Prepared by:** Jason Wierzbicki

Department:

Contact Number: 7758470958

- **Staff Summary:** 2 Reader Boards were previously approved in the yearly budget in the amount of \$44,000.00. I received 2 quotes. The lowest bidder was Wharton Concrete Forming Supply for a total of \$37,070.00
- **Supporting Materials:** See attached
- **Fiscal Impact:** Budgeted
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

Wharton Concrete Forming Supply of Nevada, LLC

QUOTE 001800

40 Industrial Parkway * Mound House, NV 89706 * (775) 241-9494

www.WhartonHardware.com

BILL TO	SHIP TO	Customer:	77 00 761302
STOREY COUNTY PUBLIC	WILL CALL	Contact:	JASON
WORKS		Phone No:	(775) 847-0958
PO BOX 435, 100 TOLL ROAD		Fax Number:	() -
VIRGINIA CITY NV 89440		Delivery/Pick up	Customer pickup
		Quote by:	VICTOR MAGISTREL
		Sales Tax:	NO .000000

MATHIF

Quoted on 11/7/2022

Quoted Prices Valid for 30 days unless otherwise noted

Printed on 11/08/22 13:48:19.13

APPROXIMATE LEAD TIME IS 4 WEEKS

Product No	Description	Quantity	Unit Price	Amount
992	WANCO MESSAGE BOARD WTMME(A)	1.00	17,550.0000	17,550.00
993	WANCO SECURITY BATTERY BOX(OPTIONAL)	1.00	335.0000	335.00

Subtotal	17,885.00
Projected Sales Tax	.00
Shipping/Handling	650.00
TOTAL	18,535.00

SHIPPING & HANDLING

State sales tax will be added where applicable.

Page 1



Quote

To: Storey County Public Works
 Attn: Jason Wierzbicki
 Phone: 775-229-9920
 Email: jwierzbicki@storeycounty.org

Date: 11/7/22

Matt Reudelhuber

Job		Payment Terms	Due Date
Message Board		Net 30 O.A.C.	TBD

Item	Qty	Description	Unit Price	Line Total
WTMMB(A)	1	Wanco Full Size Matrix Message Board w/ Hydraulic Lift (Display Size: 76" x 138")	\$ 18,937.50	\$ 18,937.50
0	0	0	\$ -	\$ -
0	0	Full matrix display - 18" default font size, variable font sizes, full range of MUTCD graphics - One 130-watt solar panel - Four 6 volt Deep Cycle batteries, 400 Ah total capacity - 15 amp charger - Telescoping hydraulic tower with 360-degree rotation - Internal Touch-screen Sign Controller - Orange powder-coat finish - 2" Ball hitch - Removable draw bar - Galvanized swivel base and tower - High Density Polyethylene Fenders	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
0	0	0	\$ -	\$ -
DELIVERY/FREIGHT				\$ 650.00
Subtotal				\$ 19,587.50
Sales Tax				\$ -
Total				\$ 19,587.50

This is a quotation on the goods named, subject to the conditions noted below:

Notification of acceptance is required via E-mail, Contract or PO#

Pricing is effective for 30 days unless otherwise noted

To accept this quotation, sign here and return: _____

Thank you for your business!



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of a project to add piping and valves at the Hillside Tanks to increase our chlorine contact time for finished water treatment per NDEP in the amount not to exceed \$130,000.00 to Resource Development Corporation. This contract is being issued on an emergency basis.
- **Recommended motion:** I (Commissioner) motion to approve the Public Works Director to proceed with a project to add piping and valves at the Hillside Tanks to increase our chlorine contact time for finished water treatment per NDEP in the amount not to exceed \$130,000.00.
- **Prepared by:** Jason Wierzbicki

Department:

Contact Number: 7758470958

- **Staff Summary:** This project is an addition to the Hillside Tanks project to increase our treatment compliance with NDEP. This project will add piping and valving to the Hillside Tanks making the finished water from the filtration plant go directly into the tanks first increasing our chlorine contact time instead of having the possibility of bypassing the tanks going directly to the system. This addition will satisfy the treatment requirements set forth by NDEP.
- **Supporting Materials:** See attached
- **Fiscal Impact:** yes
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued



Storey County Board of Highway Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 5

Agenda Item Type: Discussion/Possible Action

- **Title:** Report of Public Works on the status of the roads in Storey County
- **Recommended motion:** No possible action.
- **Prepared by:** Jason Wierzbicki

Department:

Contact Number: 7758470958

- **Staff Summary:** Board is required to receive a report from Public Works the first meeting of every month on the status of the roads in the county.
- **Supporting Materials:** See attached
- **Fiscal Impact:** None
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of determination that continuation of the infrastructure tax is necessary for continued funding of infrastructure projects and if that determination is made possible approval of setting a public hearing to consider a new infrastructure tax expenditure plan for 10:30 a.m. on December 20, 2022 at the Storey County courthouse at 26 S. B Street in Virginia City, Nevada. The existence of the public hearing must be advertised in the local paper once a week for two consecutive weeks.
- **Recommended motion:** I, Commissioner _____ hereby move to make the determination that continuation of the infrastructure tax is necessary and further move to set November 1, 2022 at 10:30 a.m. at the Storey County courthouse at 26 S. B Street in Virginia City, Nevada as the date, place and time for a public hearing on the consideration and possible adoption of a new plan for the expenditure of infrastructure tax revenues. I further authorize the county clerk to advertise the existence of the public hearing in the local newspaper once a week for two consecutive weeks
- **Prepared by:** Jennifer McCain

Department:

Contact Number: 775-847-1133

- **Staff Summary:** In 2000 the Board of County Commissioners adopted ordinance 169 imposing an infrastructure tax in the amount of one quarter of 1% on the sale of personal property in Storey County as authorized by NRS Chapter 377B. That tax is currently codified in the Storey County Code Chapter 3.12. In enacting an infrastructure tax, the Board was required to approve a plan for allocation of the revenues to permissible infrastructure projects as allowed by NRS 377B.160 (attached). The Board did approve a plan for the expenditures of the revenues. Prior to the expiration of an approved plan, the Board is required to determine whether the continuation of the tax is necessary for infrastructure purposes. If so, then it is required to hold a public hearing to determine what the new plan for infrastructure expense should be, NRS 377B.100 (attached). The most recent plan was approved in 2020. That plan is contained in the Storey County Code section 3.12.012(attached). That plan expires January 2024. Some of the projects in this plan were completed while other have been continued. There are, however, new and continuing infrastructure needs. The issue before the Board then is whether continuation of the infrastructure tax is necessary for infrastructure expenses. If that determination is yes, then the Board needs to set a public hearing to determination what the new plan should be. If the determination that continuation of the tax is necessary, then it is

recommended that the public hearing be set for December 20, 2022 at 10:30 a.m. at the Storey County Courthouse in advance of the public hearing on Ordinance 22-322. While proposed ordinance 22-322 has a proposed

- **Supporting Materials:** See attached
- **Fiscal Impact:** yes
- **Legal review required:** False
- **Reviewed by:**

_____ Department Head

Department Name:

_____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

NRS 377B.100 County ordinance imposing tax: Enactment; contents; cessation; periodic review of necessity for continued imposition; public hearing; plan for expenditure of proceeds; periodic review of plan in certain counties; Impairment of outstanding obligations prohibited.

1. The board of county commissioners of any county may by ordinance, but not as in a case of emergency, impose a tax for infrastructure pursuant to this section and NRS 377B.110.

2. An ordinance enacted pursuant to this chapter may not become effective before a question concerning the imposition of the tax is approved by a two-thirds majority of the members of the board of county commissioners. Any proposal to increase the rate of the tax or change the previously approved uses for the proceeds of the tax must be approved by a two-thirds majority of the members of the board of county commissioners. The board of county commissioners shall not change a previously approved use for the proceeds of the tax to a use that is not authorized for that county pursuant to NRS 377B.160.

3. An ordinance enacted pursuant to this section must:

(a) Specify the date on which the tax must first be imposed or on which an increase in the rate of the tax becomes effective, which must occur on the first day of the first month of the next calendar quarter that is at least 120 days after the date on which a two-thirds majority of the board of county commissioners approved the question.

(b) In a county whose population is 700,000 or more, provide for the cessation of the tax not later than:

(1) The last day of the month in which the Department determines that the total sum collected since the tax was first imposed, exclusive of any penalties and interest, exceeds \$2.3 billion; or

(2) June 30, 2025,

È whichever occurs earlier.

4. Notwithstanding the provisions of an ordinance described in subsection 3, in a county whose population is 700,000 or more, the tax may continue to be imposed after the date set forth in the ordinance for the cessation of the tax if the board of county commissioners determines by an affirmative vote of at least two-thirds of its members that the cessation of the tax is not advisable.

5. The board of county commissioners in a county whose population is 700,000 or more and in which a water authority exists shall review the necessity for the continued imposition of the tax authorized pursuant to this chapter at least once every 10 years.

6. Before enacting an ordinance pursuant to this chapter, the board of county commissioners shall hold a public hearing regarding the imposition of a tax for infrastructure. In a county whose population is 700,000 or more and in which a water authority exists, the water authority shall also hold a public hearing regarding the tax for infrastructure. Notice of the time and place of each hearing must be:

(a) Published in a newspaper of general circulation in the county at least once a week for the 2 consecutive weeks immediately preceding the date of the hearing. Such notice must be a display advertisement of not less than 3 inches by 5 inches.

(b) Posted at the building in which the meeting is to be held and at not less than three other separate, prominent places within the county at least 2 weeks before the date of the hearing.

7. Before enacting an ordinance pursuant to this chapter, the board of county commissioners of a county whose population is less than 700,000 or a county whose population is 700,000 or more and in which no water authority exists, shall develop a plan for the expenditure of the proceeds of a tax imposed pursuant to this chapter for the purposes set forth in NRS 377B.160. The plan may include a regional project for which two or more such counties have entered into an interlocal agreement to expend jointly all or a portion of the proceeds of a tax imposed in each county pursuant to this chapter. Such a plan must include, without limitation, the date on which the plan expires, a description of each proposed project, the method of financing each project and the costs related to each project. Before adopting a plan pursuant to this subsection, the board of county commissioners of a county in which a regional planning commission has been established pursuant to NRS 278.0262 shall transmit to the regional planning commission a list of the proposed projects for which a tax for infrastructure may be imposed. The regional planning commission shall hold a public hearing at which it shall rank each project in relative priority. The regional planning commission shall transmit its rankings to the board of county commissioners. The recommendations of the regional planning commission regarding the priority of the proposed projects are not binding on the board of county commissioners. The board of county commissioners shall hold at least one public hearing on the plan. Notice of the time and place of the hearing must be provided in the manner set forth in subsection 6. The plan must be approved by the board of county commissioners at a public hearing. Subject to the provisions of subsection 9, on or before the date on which a plan expires, the board of county commissioners shall determine whether a necessity exists for the continued imposition of the tax. If the board determines that such a necessity does not exist, the board shall repeal the ordinance that enacted the tax. If the board of county commissioners determines that the tax must be continued for a purpose set forth in NRS 377B.160, the board shall adopt, in the manner prescribed in this subsection, a new plan for the expenditure of the proceeds of the tax for such a purpose.

8. If the plan approved pursuant to subsection 7 by the board of county commissioners of a county whose population is 100,000 or less includes the expenditure of the proceeds of a tax imposed pursuant to this chapter for a purpose set forth in paragraph (f) or (g) of subsection 3 of NRS 377B.160, the board must review the plan at least once every 4 years.

9. No ordinance imposing a tax which is enacted pursuant to this chapter may be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair any outstanding bonds or other obligations which are payable from or secured by a pledge of a tax enacted pursuant to this chapter until those bonds or other obligations have been discharged in full.

NRS 377B.160 Infrastructure fund: Expenditure of principal, interest and income. The money in the infrastructure fund, including interest and any other income from the fund:

1. In a county whose population is 700,000 or more, must only be expended by the water authority, distributed by the water authority to its members, distributed by the water authority pursuant to NRS 377B.170 to a city or town located in the county whose territory is not within the boundaries of the area served by the water authority or to a public entity in the county which provides water or wastewater services and which is not a member of the water authority or, if no water authority exists in the county, expended by the board of county commissioners for:

(a) The acquisition, establishment, construction, improvement or equipping of water and wastewater facilities;

(b) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects described in paragraph (a); or

(c) Any combination of those purposes.

È The board of county commissioners may only expend money from the infrastructure fund pursuant to this subsection in the manner set forth in the plan adopted pursuant to subsection 7 of NRS 377B.100.

2. In a county whose population is 100,000 or more but less than 700,000, must only be expended by the board of county commissioners in the manner set forth in the plan adopted pursuant to subsection 7 of NRS 377B.100 for:

(a) The acquisition, establishment, construction or expansion of:

(1) Projects for the management of floodplains or the prevention of floods; or

(2) Facilities relating to public safety;

(b) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects described in paragraph (a);

(c) The ongoing expenses of operation and maintenance of projects described in subparagraph (1) of paragraph (a), if such projects were included in a plan adopted by the board of county commissioners pursuant to subsection 7 of NRS 377B.100 before January 1, 2003;

(d) Any program to provide financial assistance to owners of public and private property in areas likely to be flooded in order to make such property resistant to flood damage that is established pursuant to NRS 244.3653; or

(e) Any combination of those purposes.

3. In a county whose population is less than 100,000, must only be expended by the board of county commissioners in the manner set forth in the plan adopted pursuant to subsection 7 of NRS 377B.100 for:

(a) The acquisition, establishment, construction, improvement or equipping of:

(1) Water facilities; or

(2) Wastewater facilities;

(b) The acquisition, establishment, construction, operation, maintenance or expansion of:

(1) Projects for the management of floodplains or the prevention of floods; or

(2) Facilities for the disposal of solid waste;

(c) The construction or renovation of facilities for schools;

(d) The construction or renovation of facilities having cultural or historical value;

(e) Projects described in subsection 2 of NRS 373.028;

(f) The acquisition, establishment, construction, expansion, improvement or equipping of facilities relating to public safety or to cultural and recreational, judicial or health and welfare functions;

(g) The ongoing expenses of operation and maintenance for services and supplies of facilities described in paragraph (f), excluding salaries and benefits;

(h) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects, facilities and activities described in paragraphs (a) to (g), inclusive; or

(i) Any combination of those purposes.

3.12.012- Purpose of infrastructure tax

The proceeds of the infrastructure tax under NRS 377B may only be expended for the specific purposes allowed by law. The board has adopted a plan for expenditures out of the infrastructure special revenue fund which may include:

Infrastructure Ordinance 2023-2027

Water/Sewer

Sewer Bond Payments	1,040,000	
Water Projects	1,720,000	
		<hr/>
		2,760,000

Roads

Farr West Road CIP	2,019,588	
		<hr/>
		2,019,588

Buildings & Grounds

LKWD Sub Station	495,000.00	
VCH Community Ctr	300,000.00	
		<hr/>
		795,000

Contingency for inflation		261,863
		<hr/>
		5,836,451

These are not to exceed totals with the possibility of the board changing the cost estimates and financing coming from other sources.



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of first reading of Ordinance 22-322 regarding allocation of infrastructure tax revenues on infrastructure projects within the County pursuant to an adopted plan of expenditures.
- **Recommended motion:** I, Commissioner _____ hereby approve the first reading of the Ordinance 22-322 providing for the allocation of infrastructure tax revenues to infrastructure projects in Storey County.
- **Prepared by:** Jennifer McCain

Department:

Contact Number: 775-847-1133322

- **Staff Summary:** Chapter 377B of the Nevada Revised Statutes authorizes counties to enact a sales tax on sales of personal property for the purpose of paying for infrastructure improvements. Storey County adopted Ordinance 169 in the year 2000 imposing an infrastructure tax in the amount of one quarter of 1% on the sale of personal property in Store County. That ordinance with subsequent amendments is currently codified in Chapter 3.12 of the Storey County Code. In order to impose the tax, the County also has to adopt a plan of expenditures to determine what infrastructure projects the County will spend the revenues on. The current plan of expenditures was adopted in 2020 and is set out in SCC 3.12.012 (attached). That plan expires in January 2024. Pursuant to NRS 377B.100(7) on or before the date on which the plan expires, the Board is to consider whether there is a need for the continuation of the tax. In this case, most of the projects identified in the 2020 plan have been completed or changed direction. There exists, however, a number of ongoing infrastructure needs. If the Board determine that the tax must be continued for a purpose allowed by NRS 377B.160(infrastructure needs) then the Board is to adopt a new plan for the expenditure of the proceeds of the tax. The current ordinance sets out a new purposed plan of infrastructure expenditures in line with the CIP. Essentially the proposed plan is a placeholder for an actual new plan of expenditures which will be adopted following a public hearing on the proposed plan of expenditures. That public hearing will be addressed in a separate agenda item.
- **Supporting Materials:** See attached
- **Fiscal Impact:** yes

- **Legal review required:** False

- **Reviewed by:**

_____ Department Head

Department Name:

_____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

NRS 377B.100 County ordinance imposing tax: Enactment; contents; cessation; periodic review of necessity for continued imposition; public hearing; plan for expenditure of proceeds; periodic review of plan in certain counties; impairment of outstanding obligations prohibited.

1. The board of county commissioners of any county may by ordinance, but not as in a case of emergency, impose a tax for infrastructure pursuant to this section and NRS 377B.110.

2. An ordinance enacted pursuant to this chapter may not become effective before a question concerning the imposition of the tax is approved by a two-thirds majority of the members of the board of county commissioners. Any proposal to increase the rate of the tax or change the previously approved uses for the proceeds of the tax must be approved by a two-thirds majority of the members of the board of county commissioners. The board of county commissioners shall not change a previously approved use for the proceeds of the tax to a use that is not authorized for that county pursuant to NRS 377B.160.

3. An ordinance enacted pursuant to this section must:

(a) Specify the date on which the tax must first be imposed or on which an increase in the rate of the tax becomes effective, which must occur on the first day of the first month of the next calendar quarter that is at least 120 days after the date on which a two-thirds majority of the board of county commissioners approved the question.

(b) In a county whose population is 700,000 or more, provide for the cessation of the tax not later than:

(1) The last day of the month in which the Department determines that the total sum collected since the tax was first imposed, exclusive of any penalties and interest, exceeds \$2.3 billion; or

(2) June 30, 2025,

£ whichever occurs earlier.

4. Notwithstanding the provisions of an ordinance described in subsection 3, in a county whose population is 700,000 or more, the tax may continue to be imposed after the date set forth in the ordinance for the cessation of the tax if the board of county commissioners determines by an affirmative vote of at least two-thirds of its members that the cessation of the tax is not advisable.

5. The board of county commissioners in a county whose population is 700,000 or more and in which a water authority exists shall review the necessity for the continued imposition of the tax authorized pursuant to this chapter at least once every 10 years.

6. Before enacting an ordinance pursuant to this chapter, the board of county commissioners shall hold a public hearing regarding the imposition of a tax for infrastructure. In a county whose population is 700,000 or more and in which a water authority exists, the water authority shall also hold a public hearing regarding the tax for infrastructure. Notice of the time and place of each hearing must be:

(a) Published in a newspaper of general circulation in the county at least once a week for the 2 consecutive weeks immediately preceding the date of the hearing. Such notice must be a display advertisement of not less than 3 inches by 5 inches.

(b) Posted at the building in which the meeting is to be held and at not less than three other separate, prominent places within the county at least 2 weeks before the date of the hearing.

7. Before enacting an ordinance pursuant to this chapter, the board of county commissioners of a county whose population is less than 700,000 or a county whose population is 700,000 or more and in which no water authority exists, shall develop a plan for the expenditure of the proceeds of a tax imposed pursuant to this chapter for the purposes set forth in NRS 377B.160. The plan may include a regional project for which two or more such counties have entered into an interlocal agreement to expend jointly all or a portion of the proceeds of a tax imposed in each county pursuant to this chapter. Such a plan must include, without limitation, the date on which the plan expires, a description of each proposed project, the method of financing each project and the costs related to each project. Before adopting a plan pursuant to this subsection, the board of county commissioners of a county in which a regional planning commission has been established pursuant to NRS 278.0262 shall transmit to the regional planning commission a list of the proposed projects for which a tax for infrastructure may be imposed. The regional planning commission shall hold a public hearing at which it shall rank each project in relative priority. The regional planning commission shall transmit its rankings to the board of county commissioners. The recommendations of the regional planning commission regarding the priority of the proposed projects are not binding on the board of county commissioners. The board of county commissioners shall hold at least one public hearing on the plan. Notice of the time and place of the hearing must be provided in the manner set forth in subsection 6. The plan must be approved by the board of county commissioners at a public hearing. Subject to the provisions of subsection 9, on or before the date on which a plan expires, the board of county commissioners shall determine whether a necessity exists for the continued imposition of the tax. If the board determines that such a necessity does not exist, the board shall repeal the ordinance that enacted the tax. If the board of county commissioners determines that the tax must be continued for a purpose set forth in NRS 377B.160, the board shall adopt, in the manner prescribed in this subsection, a new plan for the expenditure of the proceeds of the tax for such a purpose.

8. If the plan approved pursuant to subsection 7 by the board of county commissioners of a county whose population is 100,000 or less includes the expenditure of the proceeds of a tax imposed pursuant to this chapter for a purpose set forth in paragraph (f) or (g) of subsection 3 of NRS 377B.160, the board must review the plan at least once every 4 years.

9. No ordinance imposing a tax which is enacted pursuant to this chapter may be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair any outstanding bonds or other obligations which are payable from or secured by a pledge of a tax enacted pursuant to this chapter until those bonds or other obligations have been discharged in full.

NRS 377B.160 Infrastructure fund: Expenditure of principal, interest and income. The money in the infrastructure fund, including interest and any other income from the fund:

1. In a county whose population is 700,000 or more, must only be expended by the water authority, distributed by the water authority to its members, distributed by the water authority pursuant to NRS 377B.170 to a city or town located in the county whose territory is not within the boundaries of the area served by the water authority or to a public entity in the county which provides water or wastewater services and which is not a member of the water authority or, if no water authority exists in the county, expended by the board of county commissioners for:

(a) The acquisition, establishment, construction, improvement or equipping of water and wastewater facilities;

(b) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects described in paragraph (a); or

(c) Any combination of those purposes.

£ The board of county commissioners may only expend money from the infrastructure fund pursuant to this subsection in the manner set forth in the plan adopted pursuant to subsection 7 of NRS 377B.100.

2. In a county whose population is 100,000 or more but less than 700,000, must only be expended by the board of county commissioners in the manner set forth in the plan adopted pursuant to subsection 7 of NRS 377B.100 for:

(a) The acquisition, establishment, construction or expansion of:

(1) Projects for the management of floodplains or the prevention of floods; or

(2) Facilities relating to public safety;

(b) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects described in paragraph (a);

(c) The ongoing expenses of operation and maintenance of projects described in subparagraph (1) of paragraph (a), if such projects were included in a plan adopted by the board of county commissioners pursuant to subsection 7 of NRS 377B.100 before January 1, 2003;

(d) Any program to provide financial assistance to owners of public and private property in areas likely to be flooded in order to make such property resistant to flood damage that is established pursuant to NRS 244.3653; or

(e) Any combination of those purposes.

3. In a county whose population is less than 100,000, must only be expended by the board of county commissioners in the manner set forth in the plan adopted pursuant to subsection 7 of NRS 377B.100 for:

(a) The acquisition, establishment, construction, improvement or equipping of:

(1) Water facilities; or

(2) Wastewater facilities;

(b) The acquisition, establishment, construction, operation, maintenance or expansion of:

(1) Projects for the management of floodplains or the prevention of floods; or

(2) Facilities for the disposal of solid waste;

(c) The construction or renovation of facilities for schools;

(d) The construction or renovation of facilities having cultural or historical value;

(e) Projects described in subsection 2 of NRS 373.028;

(f) The acquisition, establishment, construction, expansion, improvement or equipping of facilities relating to public safety or to cultural and recreational, judicial or health and welfare functions;

(g) The ongoing expenses of operation and maintenance for services and supplies of facilities described in paragraph (f), excluding salaries and benefits;

(h) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects, facilities and activities described in paragraphs (a) to (g), inclusive; or

(i) Any combination of those purposes.

3.12.012- Purpose of infrastructure tax

The proceeds of the infrastructure tax under NRS 377B may only be expended for the specific purposes allowed by law. The board has adopted a plan for expenditures out of the infrastructure special revenue fund which may include:

Infrastructure Ordinance 2023-2027

Water/Sewer

Sewer Bond Payments	1,040,000	
Water Projects	1,720,000	
		2,760,000

Roads

Farr West Road CIP	2,019,588	
		2,019,588

Buildings & Grounds

LKWD Sub Station	495,000.00	
VCH Community Ctr	300,000.00	
		795,000

Contingency for inflation		261,863
		5,836,451

These are not to exceed totals with the possibility of the board changing the cost estimates and financing coming from other sources.

Ordinance No. 22-322

Summary

An ordinance amending Storey County Code section 3.12.012 updating the plan of projects for the proceeds of the infrastructure tax

Title

An ordinance amending Storey County Code section 3.12.012 updating the plan of projects for the proceeds of the infrastructure tax and providing for other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I: section 3.12.012 is amended to as follows:

3.12.012 Purpose of infrastructure tax.

The proceeds of the infrastructure tax under NRS 377B may only be expended for the specific purposes allowed by law. The board has adopted a plan for expenditures out of the Infrastructure Special Revenue Fund which may include:

Infrastructure Ordinance 2023-2027

Water/Sewer

Sewer Bond Payments	1,040,000
Water Projects	1,720,000
	<u>2,760,000</u>

Roads

Farr West Road CIP	2,019,588
	<u>2,019,588</u>

Buildings & Grounds

LKWD Sub Station	495,000.00
VCH Community Ctr	300,000.00
	<u>795,000</u>

Contingency for inflation	261,863
	<u>5,836,451</u>

These are not to exceed totals with the possibility of the Board changing the cost estimates and financing coming from other sources. Total for this plan is \$5,836,451.

Proposed on _____, 2022

By Commissioner _____

Vote: Ayes

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 15 min

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of the Memorandum of Understanding (MOU) to the collective bargaining agreement between Storey County and Storey County Employees' Association AFSCME Local 4041 to add fully 100% Health Insurance coverage to eligible dependents for the purpose of maintaining competitiveness in the region for employee attraction and retention.
- **Recommended motion:** I (commissioner), move to approve the MOU to add full Health Insurance for dependents.
- **Prepared by:** Mitzi Carter

Department:

Contact Number: 775-847-0968

- **Staff Summary:** In order to address exigent issues in recruitment and retention of County personnel, we met with the Comstock Chapter, AFSCME Local 4041 and together we are requesting approval of the attached MOU to amend Article 35, Section 5, amending the County contribution for dependent health insurance coverage to 100%. We are hopeful this action will help with successful recruitment and retention until the successor Collective Bargaining Agreement is renegotiated in 2025.
- **Supporting Materials:** See attached
- **Fiscal Impact:** UNK at this time
- **Legal review required:** TRUE
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

☐ Approved

☐ Approved with Modification

<input type="checkbox"/> Denied	<input type="checkbox"/> Continued
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ARTICLE 35. BENEFITS INSURANCE

1. Employee eligibility for health insurance benefits shall commence 60 days after hire, and to the first day of the next month.
2. Full-time employee premiums. The employer agrees to pay 100 percent of the monthly premiums for health insurance (to include hospitalization, major medical, dental, and vision) for regular full-time employees.
3. Regular part-time employee premiums. The employer agrees to pay a prorated percentage of monthly premiums for health insurance based on actual hours scheduled to be worked for regular part-time employees working an average of at least 20 hours but less than 40 hours per workweek hired on or after July 1, 2005.
4. Employer agrees to pay \$30,000 in Life and Accidental Death and Dismemberment (AD&D) for regular full-time employee for the term of this agreement.
5. Dependent and spouse premiums.

~~Fiscal Year 2022-2023 (first of the month after signing of contract)~~

For regular full-time employees ~~hired before July 1, 2014~~, the employer agrees to pay ~~85~~ 100 percent of the monthly premiums for health insurance *(to include hospitalization, major medical, dental, and vision)* for the employee's dependents (up to age 26) and ~~85~~ 100 percent for the employee's spouse who is not eligible for any other health insurance or Medicare Part A or B coverage.

~~For employees hired on, or after, July 1, 2014 the employer will pay 60 percent of the monthly health insurance premiums for the employee's dependents (up to age 26) and 60 percent for the employee's spouse who is not eligible for any other health insurance or Medicare Part A or B coverage.~~

~~Beginning July 1, 2023~~

~~For regular full-time employees the employer agrees to pay 70 percent of the monthly premiums for health insurance for the employee's dependents (up to age 26) and 70 percent for the employee's spouse who is not eligible for any other health insurance or Medicare Part A or B coverage.~~

6. Effective May 1, 2012, if the employee's spouse is eligible for any other health insurance coverage, the employee may choose to cover his/her spouse on employer's plan for a charge equal to 50 percent of the cost of the spouse's coverage.

Each employee shall provide on a county-provided affidavit to the Personnel Office annual certification stating whether his/her spouses is eligible for any other health insurance coverage.

7. Sick Leave HSA/Premium Contribution – Employees may utilize up to 40 hours of his/her accrued sick leave to be utilized as an HSA contribution or toward their monthly insurance premium provided that the employee has 240 hours of sick leave in their bank at the time of contribution. This election takes place twice annually in the second full pay period in June and December. Signed requests must be submitted with the employee's timecard. Total annual contributions cannot exceed the limits outlined in law.
8. In the event that the bargaining unit of the Storey County Sheriff's Office, and/or any other collective bargaining unit recognized by the employer, negotiates a higher level of spousal and/or dependent coverage than is provided in this Article, or that said level of coverage is offered to any employees excluded from coverage by collective bargaining agreement (with exception of those subject to statutory requirements), the union under this agreement will negotiate this Article. The Storey County Fire Protection District is a separate local government, is not recognized by Storey County for this reason, and therefore is not subject to this article.
9. As allowed by law and without federal penalties to the employer, an employee may opt out of employer-paid health insurance coverage and accordingly may receive 50 percent of the premium that the employer would have paid for employee only coverage. Premium percentage will be paid to the employee via payroll once per month and will be considered taxable income. Employee opt-out may only be done once per year during the open-enrollment period. Any employee opting out of health benefits coverage must complete an employer-provided affidavit stating that the employee and his/her tax-family (e.g., spouse and dependents) will maintain minimum essential health coverage, other than coverage purchased in the individual market and Medicare, as required by the Affordable Care Act.
10. The employer shall allow one representative from the union to communicate with the employer and participate in a representative advisory role with the employer in decision making pertaining to changes to employee health benefits, including medical, dental, and vision.
11. Legal Liability - NRS Chapter 41 shall apply to represented employees, as appropriate



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 15

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of an amendment to Storey County Administrative Policies and Procedures, Number 701, "Health Insurance Coverage" to amend the county contribution for dependent health insurance coverage to 100% in accordance with similar action taken for other employee groups and for the purpose of maintaining competitiveness in the region for employee attraction and retention.
- **Recommended motion:** I (commissioner), move to approve the amended health insurance coverage for dependents to 100%.
- **Prepared by:** Mitzi Carter

Department:

Contact Number: 775-847-0968

- **Staff Summary:** In order to address exigent issues in recruitment and retention of county personnel, we are requesting approval to the Storey County Administrative Policies and Procedures, No. 701, "Health Insurance Coverage" to amend the county contribution for dependent health insurance coverage to 100%, effective January 1, 2023. We are hopeful these actions will help with successful recruitment and retention of current personnel.
- **Supporting Materials:** See attached
- **Fiscal Impact:** UNK
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

**STOREY COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

NUMBER 701
EFFECTIVE DATE: 12-2-08
REVISED: 08-02-11/01-05-15
01-02-18/06-21-22
08-02-22/12-06-22

AUTHORITY: BOC

COUNTY MANAGER: AO

SUBJECT: Health Insurance Coverage

1. PURPOSE

To establish eligibility for health insurance benefits. Health insurance benefits is to include hospitalization, major medical, dental and vision, and prescription medications.

2. POLICY

2.1 Definitions

- **Health Insurance:** Insurance coverage for medical, dental, vision, and prescription consistent with active employee coverage.
- **Initial Date of Hire:** The first date on which a regular employee in a position which is considered more than half-time (average 21 hours or more per week) is employed.
- **Medicare Eligible:** The point when a retiree or dependent is eligible to enroll in Medicare Part A and Part B; this may be because the retiree has reached age 65 or because s/he has been granted Medicare Part A and Part B due to a disability before reaching age 65. All questions about Medicare should be directed to the Centers for Medicare & Medicaid Service.
- **Open Enrollment:** The period designated annually by the HR Director during which changes in coverage under county plans may be made by participants.
- **Plan year:** The period set forth by the Storey County Board of Commissioners in which program benefits and rates are offered for enrollment.

2.2 Benefits

The specific terms and conditions of coverage are specified in the plan document for medical, dental, vision, prescription drug, and Accidental Death and Dismemberment (AD&D) insurance issued by the insurance company. See policy 702 for Life and AD&D insurance.

2.3 Eligibility

Elected officers of the county are eligible to enroll in the group health insurance plan effective the first day of the month following the official administration of the oath of office. Full-time regular employees and part-time regular employees who are regularly scheduled to work at least an average of 21 hours per week are eligible to enroll in the group health insurance plan effective the first of the month following 60 days of employment. Employee's spouse and dependents are also eligible for coverage under the insurance plan as allowable by the provisions of this policy and the applicable collective bargaining agreement.

2.4 Employee Coverage

- The employer will pay one hundred percent 100 percent of the monthly premiums for health insurance for all regular full-time employees.
- For employees hired on or after July 1, 2005, the employer will pay a prorated percentage of monthly health insurance premiums based on actual hours scheduled to be worked for regular part-time employees working at least an average of 21 hours, but less than 40 hours, per workweek.
- Employees must authorize a payroll deduction of any share of the health coverage premium which is to be paid by the employee.

2.5 Dependent and Spouse Coverage

~~Fiscal Year 2022 – 2023 –~~

- ~~T~~For employees hired before July 1, 2014, the employer will pay ~~8100~~ 5 percent of the monthly health insurance premiums for the employee's dependents (up to age 26) and ~~10085~~ percent for the employee's spouse who is not eligible for any other health insurance or Medicare Part A and Part B coverage. This provision also applies to elected officials.
- ~~For employees hired on, or after, July 1, 2014, the employer will pay 60 percent of the monthly health insurance premiums for the employee's dependents (up to age 26) and 60 percent for the employee's spouse who is not eligible for any other health insurance or Medicare Part A and Part B coverage.~~

~~Beginning July 1, 2023~~

- ~~For all employees, the employer will pay 70% percent of the monthly health insurance premiums for the employee's dependents (up to age 26) and 70% for the employee's spouse who is not eligible for any other health insurance or Medicare Part A and Part B coverage.~~
- ~~Effective May 1, 2012, if the employee's spouse is eligible for any other health insurance coverage, or Medicare Part A and Part B, the employee may choose to cover his/her spouse on the employer's health, dental, and/or vision plan for a charge equal to 50 percent of the cost of the spouse's coverage under the employer's plan. The employee shall provide to the HR office on a county provided affidavit annual~~

certification stating whether his/her spouses is eligible for any other health insurance or Medicare coverage.

2.6 Elected Officials

- ~~For elected officials that take office, or were hired, prior to July 2014, the employer will pay 100 percent of the monthly health insurance premiums for the employee's dependents (up to age 26) and 100 percent for the employee's spouse who is not eligible for any other health insurance or Medicare Part A and Part B coverage. When salaries are increased per NRS 245.043, this policy will be reconsidered.~~
- ~~Elected officials taking office, or hired, after July 2014 will be required to pay dependent coverage as provided in 2.5 of this policy.~~

2.67 Pay In-Lieu of Benefit (Health insurance medical coverage)

- The employee may opt out of employer provided insurance plan coverage. Doing so, the employee is required to opt out of all three insurance plans, including health, dental, and vision. The employee opting out of this program will receive 50 percent of the insurance premium attributable to the medical and prescription coverage, that the employer would have paid for employee for the employer provided insurance coverage. Premium percentage will be paid to the employee via payroll once per month and will be considered taxable income. The amount paid will be included in calculating the employee's regular rate of pay for the purposes of calculating overtime. Opt out may only be done annually during the open enrollment period or upon an employee becoming newly eligible for coverage.
- No employee who is in any way covered under the county insurance plan may receive Pay In-Lieu of Benefit.

2.78 Sick Leave HSA Contribution

Employees may utilize up to 40 hours of his/her accrued sick leave to be utilized as an HSA contribution or toward their monthly insurance premium, provided that the employee maintains 240 hours of sick leave in their bank. This election take place twice annually in the second full pay period in June and December. Signed requests must be submitted with the employee's timecard. Total annual contributions to the HSA cannot exceed limits outlined in law.

2.89 Plan Changes

The employer will periodically evaluate the health coverage plan that is offered and make adjustments, as the employer deems appropriate, in the level of coverage and the amount of premium cost to be paid by the employer.

RESPONSIBILITY FOR REVIEW: The County HR Director will review this policy every 5 years or sooner as necessary.



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10 min

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval for Task Order 49 with Farr West Engineering, relating to B Street Water Main Replacement, in the amount of \$321,826.00.
- **Recommended motion:** I (commissioner), move to approve Task Order 49 with Farr West Engineering, relating to B Street Water Main Replacement, in the amount of \$321,826.00.
- **Prepared by:** Honey Menefee

Department:

Contact Number: 7758470986

- **Staff Summary:** B Street's distribution main is comprised of 2,800 feet of 4-inch steel and asbestos pipe and 560 feet of 6-inch asbestos pipe. Both the 4-inch and 6-inch mains are undersized, with fire flows limited in some portions of B Street to below 1,000 gpm and water pressure exceeding 100 psi. In addition to being undersized, the install date of the steel and asbestos pipe in that area is unknown. However, it is known that the pipe age in B Street is older than the most recent water line improvements on the neighboring C Street in the mid 1980's. Breakages along B Street have also been an issue, with at least 23 breaks in the water main that have required emergency repairs in the last 4 years.
- All 4-inch and 6-inch lines along B Street will be replaced with 3,360 feet of 8-inch C900 PVC pipe. In addition to replacing existing pipe, 160 feet of new 8-inch C900 PVC pipe will be placed to connect the north end of B Street main to 6-inch main in E Mill Street. On the south end of B Street, 610 feet of new 8-inch C900 PVC pipe will be placed to connect to the 10-inch main in C Street and a 60-foot stub of existing 6-inch DIP coming off of C Street will be upsized to 8-inch C900 PVC so that flow is not restricted as it tees into C Street. In addition to the pipe addition and replacement, the project will include replacing 47 service laterals with meter pits to existing customers, 4 fire hydrants, 17,000 square feet of asphalt, and require traffic control.
- \$800,844.00 in ARPA funding has been designated toward this project.
- **Supporting Materials:** See attached

- **Fiscal Impact:**
- **Legal review required:** False
- **Reviewed by:**

_____ Department Head

Department Name:

_____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

This is **EXHIBIT A**, consisting of 12 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated September 1, 2009.

Task Order

Task Order Number: 49

Date: September 6, 2022

Title: Storey County B St. Water Main Replacement

Project Description:

B Street's distribution main is comprised of 2,800 feet of 4-inch steel and asbestos pipe and 560 feet of 6-inch asbestos pipe. Both the 4-inch and 6-inch mains are undersized, with fire flows limited in some portions of B Street to below 1,000 gpm and water pressure exceeding 100 psi. In addition to being undersized, the install date of the steel and asbestos pipe in that area is unknown. However, it is known that the pipe age in B Street is older than the most recent water line improvements on the neighboring C Street in the mid 1980's. Breakages along B Street have also been an issue, with at least 23 breaks in the water main that have required emergency repairs in the last 4 years.

All 4-inch and 6-inch lines along B Street will be replaced with 3,360 feet of 8-inch C900 PVC pipe. In addition to replacing existing pipe, 160 feet of new 8-inch C900 PVC pipe will be placed to connect the north end of B Street main to 6-inch main in E Mill Street. On the south end of B Street, 610 feet of new 8-inch C900 PVC pipe will be placed to connect to the 10-inch main in C Street and a 60-foot stub of existing 6-inch DIP coming off of C Street will be upsized to 8-inch C900 PVC so that flow is not restricted as it tees into C Street. In addition to the pipe addition and replacement, the project will include replacing 47 service laterals with meter pits to existing customers, 4 fire hydrants, 17,000 square feet of asphalt, and require traffic control.

The Agreement is amended and supplemented to include the following agreement of the parties.

PART 1 – SERVICES

Task 1 – Project Management

Objective

To plan, organize, direct, control, and communicate all relevant activities set forth in this SOW within the approved budget and schedule.

Approach

The following applies:

Farr West will routinely review project progress and communicate project status on a regular basis. Communication will be through email and telephone, and with project coordination meetings with County and Farr West staff. This task will include the following activities:

- Project administration includes scheduling maintenance, cost control, filing, resource allocation, and routine communications.
- Team coordination, including conference calls and internal meetings.
- Monitoring changes to the scope, budget, or schedule and developing change management strategies with the County.

Deliverables

The following will be delivered under this task:

- Monthly invoices and status reports.

Assumptions

The following assumptions apply:

- Monthly reports will be provided with timely invoices.
- Project-related issues will be identified, communicated, and resolved.

Task 2 – Survey and Mapping

Objective

To generate survey and mapping data for development of CAD base maps in support of design activities.

Approach

The following approach applies:

- Farr West will utilize Storey County GIS data for street rights-of-way and parcel lines. A boundary survey will not be required.
- Farr West will establish project control for base map preparation. The horizontal and vertical control will be based on published data. Horizontal control will conform to North American Datum of 1983 (NAD 83), and vertical control will conform to North American Vertical Datum of 1988 (NAVD 88).
- Farr West will prepare a topographic survey to support development of design drawings. The final drawing will be prepared showing 1-foot contour intervals with drawing scale of 1" = 20'.
- Farr West will locate existing conditions including, but not be limited to curbs, walks, and utility features, including water and sewer, drainage features and structures which are visible from the surface of the ground. These features will be mapped and shown on the topographic map.
- Existing manholes, catch basins, and valves will be dipped to establish vertical profiles for existing utilities.
- Farr West will coordinate with utility owners in the project area to obtain record drawings and/or maps. Fees, if applicable, are included in this task. A third-party utility locator to mark buried utilities is not included.

Deliverables

- Electronic CAD files for use in preparing design plans.

Assumptions

The following assumptions apply:

- If utility easements are identified as a requirement of the project during Preliminary Engineering (Task 3), then budgets for this work will be prepared and presented to Storey County as potential contract amendments.
- Boundary survey and record map recordation are not included.

Task 3 – Preliminary Engineering

Objective

To develop a preliminary design and opinion of probable construction costs of the water main replacement project.

Approach

The following approach applies:

- Complete a site visit to verify the topographic data and existing utility information. Conflicts between the proposed work and existing utilities will be identified, noted, and addressed in the design plans. Areas of uncertainty of existing utility locations will be identified and measures implemented to verify the location. This effort will include coordinating with utility owner representatives to locate and verify the utility locations in the field. Utility potholing is not proposed at this time, but may be required if conflicts are found.
- Prepare a preliminary design for discussion with Storey County. It is anticipated that the level of design will be approximately 30% complete. No profile will be provided at this stage of design.
- Prepare an opinion of probable cost for review by Storey County. The intent of this effort is to notify the County of the anticipated costs related to construction. Cost may be a factor in the final verification of the limits of work. Farr West will utilize historic cost data from projects of similar scope and size.
- The Farr West design team will meet with Storey County staff to discuss the preliminary design to receive concurrence on the limits of work and proposed alignment, pipe diameters, tie-in concepts, and loading and flushing locations for new mains.

Deliverables

The following will be delivered under this task:

Preliminary design plans (11"x17") and opinion of probable costs in pdf format.

Assumptions

The following assumptions apply:

- No utility potholing is required.
- Drawings will be plan view only at 1"=20' scale horizontal (22"x34").
- No connection details will be provided with this task.

- No profile will be provided with this task.
- No technical specifications will be provided with this task.
- A geotechnical investigation is not included.
- Storey County will provide review comments on the preliminary design within 2 weeks of submission.

Task 4 – Design

Objective

To develop a detailed design of the approved preliminary design, technical specifications, and engineer's opinion of probable construction costs.

Approach

This task will include the following activities:

- Prepare 90% design drawings, technical specifications, and engineer's opinion of probable cost for Storey County review and comment. This milestone will incorporate the County's comments from the preliminary design review completed in Task 3. The intent of this milestone is to ensure the design includes the necessary detail that is sufficient for bidding and construction. The submittal will include:
 - 4 general sheets, which include the cover sheet, vicinity map and sheet index; general notes; material specifications, abbreviations, and legend; and key map and project control.
 - 11 plan and profile sheets of water main improvements for the following streets (1"=20' scale horizontal and 1"=5' vertical):
 - 3 general detail sheets.
 - 2 connection detail sheets. (6 total details, 4 per sheet.)
 - Technical specifications.
 - Engineer's opinion of probable costs.
 - Internal quality assurance and quality control of deliverables.
 - One (1) 90% submittal review meeting with Storey County.
- Attend 90% design review meeting with Storey County.
- Prepare 100% design drawings, technical specifications, and engineer's opinion of probable costs for bidding. This milestone will incorporate the County's comments from the 90% review and is considered the final submittal.

Deliverables

The following deliverables will be submitted under this task:

- 90% design drawings, technical specifications, and engineer's opinion of probable costs in pdf format.
- 100% design drawings, technical specifications, and engineer's opinion of probable costs in pdf format. Plans and technical specifications will include electronic stamp and signature for use in bidding.
- An AutoCAD 2020 electronic transmittal that contains supporting files, including plot files, shape files, fonts, and reference files; an electronic Word file of Specifications.

Assumptions

The following assumptions apply:

- Storey County will provide review comments on the preliminary design within 2 weeks of submission.

Task 5 – Permitting Support

Objective

Prepare and submit NDEP/BSDW and NDOT permit applications for the water main improvements. Comply with applicable regulations and requirements.

Approach

This task will include the following activities:

- Prepare and submit water project application to the NDEP Bureau of Safe Drinking Water (BSDW) for review and approval.
- Prepare NAC 445A design report to NDEP/BSDW providing the basis for design of the water supply facilities.
- Coordinate with Fire Department to confirm the project improvements is acceptable.
- Respond to NDEP/BSDW review comments and resubmit final Plans and Specifications.
- Coordinate with Nevada Department of Transportation (NDOT) to receive underlying fee clearance and right-of-way maps.
- Draft letter of authorization to allow Farr West to act as representative for Storey County for NDOT permitting.
- Prepare NDOT colored plans for permit submittal. Include NDOT right-of-way stationing and milepost data.
- Prepare NDOT encroachment permit application, deviation request letter and runoff control plan as required for permitting.
- Respond to NDEP/BSDW review comments and resubmit final Plans and Specifications.

Deliverables

The following deliverables will be submitted under this task:

- Permit applications and necessary copies of design Plans and Specifications to NDEP/BSDW.
- Permit application, related documents and necessary copies of design Plans and Specifications to NDOT.
- NAC 445A Design Report.

Assumptions

The following assumptions apply:

- All permitting fees will be paid for by the County.
- Farr West is not responsible for agency determinations regarding the project or delays to the schedule. A 30- to 45-day initial review period and a 15-day final review period is planned for in the schedule.
- Farr West will coordinate with NDEP/BSDW and County Building Department through the permitting process.

Task 6 – Bidding Support

Objective

Assist the County in the bid solicitation, opening, review, and award process of the construction contract.

Approach

Activities under this task will include the following elements:

- Advertise and bid the Project electronically through the Planet Bids platform and maintain a plan holder's list.
- Answer questions from bidders and prepare addendums as required.
- Collect and review bids and perform due-diligence checks.
- Prepare letter of recommendation for award of the contract to the County.
- Prepare and issue Notice of Award.

Deliverables

The following deliverables will be submitted under this task:

- Bid results summary.
- Letter of recommendation to the County Board for award. Recommendation to the Board will be made for award of the contract to the lowest responsible and responsive bidder.
- Notice of Award.

Assumptions

The following assumptions apply:

- Farr West will conduct the bid-opening at the Farr West office.
- Two (2) RFIs and preparation of one (1) addendum are assumed.

Task 7 –Construction Administration Support

Objective

Monitor the Project and keep the County informed of the Project status at all times. Ensure contract compliance.

Approach

The following activities will be performed as part of this task:

- Prepare conformed contract documents for distribution to Contractor, County and Farr West.
- Conduct one (1) pre-construction meeting, prepare agenda and meeting minutes for the pre-construction meeting. Farr West attendance will include our Project Manager, Designer and Construction Observer.
- Review Contractor submittals for conformance to contract documents.
- Process one (1) change order(s), review payment applications, evaluate claims, respond to RFIs, and address unanticipated conditions.
- Weekly in-office construction management activities are limited to eight (8) total hours per week throughout the project duration.
 - These activities include processing of documents (described earlier), coordination of parties, daily observation report QC, etc.
 - Review construction inspection and material testing results, which will be provided by the Contractor's materials testing firm.
 - Maintain all Project documentation for the duration of the Project including tracking, disbursing, and reviewing. Maintain logs for all documentation including submittals, RFCs/RFIs, field orders, work change directives, change orders.
- Schedule and manage weekly construction meeting to provide a forum for and foster open communication between all parties (i.e., Contractor, County, and Farr West). Prepare all agendas and meeting minutes for weekly construction meetings.
- Certified Payroll Review:
 - Review certified payroll reports supplied by prime contractor. Reports to include prime and sub-contractors working on Project.
 - Verify contractor staffs' position, time, and wages paid are accurate and comply with the prevailing wages for the Project.
- Coordinate a substantial completion inspection and formulate a final punch-list of work items to be completed prior to final inspection.
- Conduct a final inspection meeting to verify that all outstanding work items are complete (construction observer to perform on-site final walkthrough with Contractor and County Staff).
- Recommend Project final acceptance to the County.

Deliverables

The following will be delivered under this task:

- Preconstruction meeting agenda and minutes.
- Certified payroll reports supplied by contractor.
- Electronic copies of responses to material submittals, cutsheets, and construction plan review.
- Electronic copies of responses to work plans, RFIs, and requests for change orders.
- Agendas and minutes for weekly construction site meetings.
- Draft and final notice of substantial completion.

Assumptions

The following assumptions apply:

- Pre-construction meeting to be held at Farr West's office.
- Construction anticipated to take twelve (12) weeks.
- Office engineering efforts are detailed under the Approach section of this task.
- Certified payroll reviews are assumed at one (1) hour per week. Additional hours are included for coordination with the labor commission.
- Certified Payroll reports are anticipated to be complete and correct. Contractor is to be familiar with certified payrolls and compliance.
- If certified payroll reports are not complete, Farr West will reject submission and require re-submittal by the contractor.
- Farr West's review of CPR reports will consist of verification of personnel, their time, and hourly wages meet requirements of the Project.
- All final certification and reporting to the Nevada Department of Labor must come from the County as they are the public body, funding Project, and have ultimate responsibility.

Task 8 – Construction Observation

Objective

Farr West will provide one (1) full-time observer to monitor construction activities. Provide (1) full-time archaeological monitor during excavation activities.

Approach

The following approach will be taken:

- Provide daily oversight to verify work is in accordance with the contract documents, the design represented therein, and its intent.
- Prepare field reports describing the Contractor's activities that identify the site conditions, the effort in which the Contractor executed the work, the work performed, and any issues of concern.
- Monitor and record daily work completed. Meet with the County and Contractor monthly to review unit pay quantities for partial payment requests.
- Collect truck tickets of imported and exported materials.
- Take digital photographs of construction progress and issues and provide to County as attachments to daily reports.
- Assist Project Engineer/County Project Manager in reviewing redlines marked by the Contractor that depict the deviations to the design conditions of the work as it progresses.
- Monitor the Contractor's construction activities daily.
- Notify Construction Project Manager of any issues in the field as or before issues occur to allow quick resolution.

- Monitor excavation activities for archaeological artifacts and direct the Contractor if items are discovered.
- Document discovered artifacts and coordinate with the SHPO office for preservation measures.

Assumptions

The following assumptions apply:

- On-site construction observation will be coordinated with the Contractor based on their construction schedule and communications during the period of construction.
- Farr West is not responsible for the Contractor's construction means and methods; project site safety; Contractor's failure to perform; and is not authorized to stop the work of the Contractor.
- Construction will be in substantial compliance with the plans and specifications prepared by Farr West.
- Construction inspection through substantial completion is assumed to be twelve (12) weeks.
- Two (2) weeks of contingency for half-time inspection are included to account for unforeseen project delays and punch list items.
- Archeological monitoring is limited to excavation activities only and is estimated at six (6) weeks.

Deliverables

The following deliverables will be submitted under this task:

- Daily construction inspection reports in electronic format, including photos/videos – electronic jpg files with annotations.

Task 9 –Construction Staking

Objective

Provide construction survey staking of the water main improvements in support of construction activities.

Approach

Activities under this task will include the following elements:

- Task management, participation in project meetings, and survey scheduling.
- Office calculations for field staking.
- Office processing of cut sheets and field data.
- Densify survey control and set site specific construction control.
- Vertical and horizontal staking of water main at 50-ft. intervals, including all valves and bends.
- Coordinate with the Construction Manager and the Contractor for staking needs.

Deliverables

The following will be delivered under this task:

- Construction staking cut sheets for Contractor.

Assumptions

The following assumptions apply:

- Stakes that become destroyed and require replacement will be charged to the Contractor on a time and expense basis according to rates based on the prevailing wage rates for Storey County at the time services are performed, per State funding requirements for construction related activities.
- Traffic control necessary for construction staking will be provided by the Contractor.
- Farr West survey crews will follow an on-site safety plan provided by Contractor.
- Construction staking will not include “as-built” surveying, unless requested by the County and reimbursed through the Owner Directed Services task.
- Additional requested layout that is beyond this scope of work will be charged at a time and material basis. The minimum charge will be 8 crew hours. Reimbursement will be from the Contractor through the Construction Contract as a deduct under the Force Account bid item.

Task 10 – Geotechnical Inspection

Objective

Provide geotechnical and testing services and trench compaction testing services for the 8-inch Water Main.

Approach

The following approach will be taken:

- Gather field samples and perform laboratory testing of trench import and native materials to develop proctor curves for field compaction testing.
- Perform compaction testing and reporting of trench backfill material for 8-inch water main.
- Sample and test permanent asphalt patching.

Assumptions

The following assumptions apply:

- Effort is assumed to be on a time and materials basis with budget and hours presented herein. The geotechnical level of effort is dependent on and in response to the Contractor’s activities.

Deliverables

The following deliverables will be submitted under this task:

- Test results and reporting in electronic format.
- Final inspection and testing package in electronic format and 2 bound hard copies.

Task 11 –Project Closeout

Objective

Assist with the closeout of the Construction Contract between the County and Contractor and permitting agencies, including the production of the record drawings depicting project construction.

Approach

Activities under this task will include the following elements:

- Coordinate with the Contractor for submission of final payment documentation as required in Article 15 of the General Conditions, such as consent of surety to final payment; release or waiver of liens; and final documentation/reporting as called for in the Contract Documents.
- Review of Contractor's request for final payment and recommendation to County.
- Coordination with County for reporting to NDEP, NDOT and Labor Department of project completion.
- Review completeness of Contractor's redlines on the project conformed drawings.
- Revise construction document drawings based on redlines provided by the Contractor. Revisions will be made in the AutoCAD files.
- Submit draft of Record Drawings to the County for review and comment. Farr West will incorporate these comments and finalize the Record Drawings.
- Prepare and submit Record Drawings to the County.
- As and when feasible on-site, Project Engineer will review redlines made by Contractor on the confirmed drawings and initial them with the progress of the project construction.

Assumptions

The following assumptions apply:

- The Contractor will provide complete and accurate redlines to Farr West.

Deliverables

The following deliverables will be submitted under this task:

- Electronic file transfer of the AutoCAD drawings and MS Word files of specifications over SharePoint or similar.
- PDF of record drawings and specifications.

PART 2 – COMPENSATION

Storey County shall pay Farr West on a time and materials basis not to exceed \$321,826.

IN WITNESS WHEREOF, the parties hereto have executed this Task Order.

Owner: Storey County

By: _____

Print Name: _____

Title: _____

Date Signed: _____

Engineer: Farr West Engineering

By:  _____

Print Name: Lucas Tipton, P.E.

Title: Vice President

Date Signed: 8/29/2022



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 15 min.

Agenda Item Type: Discussion/Possible Action

- **Title:** Update on the application by Redwood Materials, Inc. to the Governor's Office of Economic Development (GOED) per NRS 360.880 for certain partial sales and use tax, real and personal property tax, state modified business tax, and for transferable tax credits per its proposed \$1 billion capital investment for their battery recycling property located at the Tahoe-Reno Industrial Center, Storey County, Nevada.
- **Recommended motion:** No Action
- **Prepared by:** Austin Osborne

Department:

Contact Number: 7758470968

- **Staff Summary:** Redwood Materials, Inc., in developing its battery recycling facility at the Tahoe-Reno Industrial Center, is proposing \$1 billion in capital investments at its property that may qualify for certain partial abatements under NRS 360.880 (\$1 billion investment applicability) including, but not limited to, 75% property tax abatements for 10 years and approximately 99% sales tax abatements, excluding sales tax for V&T RR, VCTC, and infrastructure, for 15 years. This is not a 100% tax abatement proposal, and the proposal does not request abatement of business license, permits, and other such fees. Anticipated direct property and sales taxes, business license fees, and building and plan review fees to be generated to Storey County and the Storey County Fire Protection District during and after the partial abatement period will be discussed further during this meeting.
- **Supporting Materials:** See attached
- **Fiscal Impact:** none
- **Legal review required:** TRUE
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

Nevada Governor's Office of
ECONOMIC DEVELOPMENT

555 E. Washington Avenue, Suite 5100, Las Vegas, NV 89101
702.486.2700 • info@diversifynevada.com

11/1/2022

Mr. Austin Osborne
P.O. Box 176
Virginia City, NV 89440

RE: Sales & Use Tax, Modified Business Tax, Real and Personal Property Tax Abatement, and
Transferrable Tax Credits

Redwood Materials, Inc.

Dear Mr. Osborne,

This is a notification of and a request for a Letter of Acknowledgment regarding Redwood Materials, Inc.'s application to the Governor's Office of Economic Development for Sales & Use Tax Abatement, Modified Business Tax Abatement, Real and Personal Property Tax Abatement and Transferrable Tax Credits, for their operations planned in Storey County.

This will result in at least approximate 1,200 new full-time jobs for at least five years. The company is planning to invest \$ 3,686,754,821 in capital investment over the first 10 years of operation.

We are under a statutory requirement to notify affected local governments prior to the public hearing where the application will be considered (NRS 360.757). As per the \$1 Billion Investment Package Abatement Application, an external party will be developing an Economic Impact Report for this project. This report will comprise economic impacts and new tax revenue generated over the life of the project. This will also include estimates on the total Sales & Use Tax Abatement; the total Modified Business Tax; and the total Real and Personal Property Tax Abatements. Finally, Transferable Tax Credits of \$38 million will also be considered. We look forward to sharing this report with you and are available to answer any questions, you may have, in the interim.

A board meeting is scheduled to review this application on December 1, 2022, at 1:00 p.m. If you'd like to provide feedback about this project, we encourage you to attend this meeting and come forward during public comment.

Thank you for your attention and consideration of this request. If you have any questions, please feel free to contact this office at your convenience.

Sincerely,



Melanie Sheldon
Director of Business Development

Steve Sisolak, Governor
Michael Brown, Executive Director

Empowering Success



STOREY COUNTY COMMISSIONERS' OFFICE

Storey County Courthouse
26 South "B" Street
P.O. Box 176 Virginia City, Nevada 89440
Phone: 775.847.0968 - Fax: 775.847.0949
commissioners@storeycounty.org

Jay Carmona, Chair
Clay Mitchell, Vice-Chair
Lance Gilman, Commissioner

Austin Osborne, County Manager

November 23, 2022

Governor's Office of Economic Development
555 E. Washington Ave, # 5400
Las Vegas, Nevada 89101

Re: Letter of Support for Redwood Materials

Director Brown:

Please accept this letter to the Governor's Office of Economic Development (GOED) stating Storey County's support for Redwood Materials located at the Tahoe-Reno Industrial Center (TRI-Center), Storey County, Nevada.

Redwood Materials is focused on developing a fully closed-loop, domestic supply chain for lithium-ion battery materials. Earlier this year, Redwood Materials broke ground on a 173-acre facility at TRI-Center which they hope will be the location for their cathode active materials and anode copper foil production, the two most important components of a lithium-ion battery. Today, these components are produced and sourced almost entirely out of the country, facilitating them in the United States will reduce foreign dependency on key materials supporting global growth in electric vehicle manufacturing.

The company is working to address this gap by offering one of the first large-scale domestic sources of battery materials that can go directly to U.S. battery manufacturers building battery cells for automobiles, electronics, and other applications.

When fully operational, Redwood Materials plans to ramp up both Cathode Active Material and Anode Copper Foil production to 100 GWh, or enough to produce more than a million electric vehicles annually, and supply auto manufactures and others with domestic components.


To create this large-scale, domestic, closed-loop supply chain, Redwood Materials plans to invest \$1 billion to build the first U.S.-based Battery Materials Campus in Storey County. Redwood Materials currently employs nearly 500 people in Nevada, and this planned expansion and investment in TRI-Center will create more local jobs in the state with compensation packages that include stated medical benefits and an average wage of \$32/hour.

The proximity of the facility to Redwood's partners ensures the continuous, closed-loop recycling of much needed materials, guaranteeing a long tenure for all partnering businesses and continued employment for our Nevada residents. Redwood's partnerships extend to many major companies on the east coast too, and demand for such a facility is competitive. To build this first-of-its kind sustainable project in Storey County, Redwood applied to GOED for economic incentives that may assist it in its endeavors to build and expand this facility.

Redwood Materials' investment in Storey County may set the stage for Nevada to become a global leader in innovative battery technology. In addition, this project will help to grow and diversify the Nevada economy and create high wage job opportunities for the state. Storey County looks forward to continued growth and its ongoing partnership with this company.

Please feel free to reach us for any additional questions.

Sincerely,


Austin Osborne
Storey County Manager

C.c.: Storey County Commissioners



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible action of Access and Utility Easement Agreement to Storey County to allow for a future roadway connection of Pittsburgh Avenue to Ireland Drive. The easement is located on APN 005-051-48 which is owned by the Tahoe-Reno Industrial Center, LLC and is located within the Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada.

- **Recommended motion:** In accordance with the staff recommendation, I (commissioner) move to approve the Access and Utility Easement Agreement to Storey County to allow for a future roadway connection of Pittsburgh Avenue to Ireland Drive. The easement is located on APN 005-051-48 which is owned by the Tahoe Reno Industrial Center LLC and is located within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada.

- **Prepared by:** Lyndi Renaud

Department:

Contact Number: 7758471144

- **Staff Summary:** See attached.

- **Supporting Materials:** See attached

- **Fiscal Impact:** None

- **Legal review required:** False

- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440 Phone (775)
847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: December 6, 2022

Meeting Location: Storey County Courthouse, 26 S. B Street, Virginia City, Storey County, Nevada, and via Zoom

Staff Contact: Kathy Canfield

File: 2022-39

Applicant: Tahoe Reno Industrial Center

Property Owner: Tahoe Reno Industrial Center

Property Location: Pittsburgh Avenue alignment at Ireland Drive, Tahoe Reno Industrial Center, McCarran, Storey County, Nevada, APN 005-051-48

Request: The applicant requests to grant an Access and Utility Easement Agreement to Storey County to allow for a future roadway connection of Pittsburgh Avenue to Ireland Drive. The easement is located on APN 005-051-48 which is owned by the Tahoe Reno Industrial Center LLC and is located within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada.

Background & Analysis

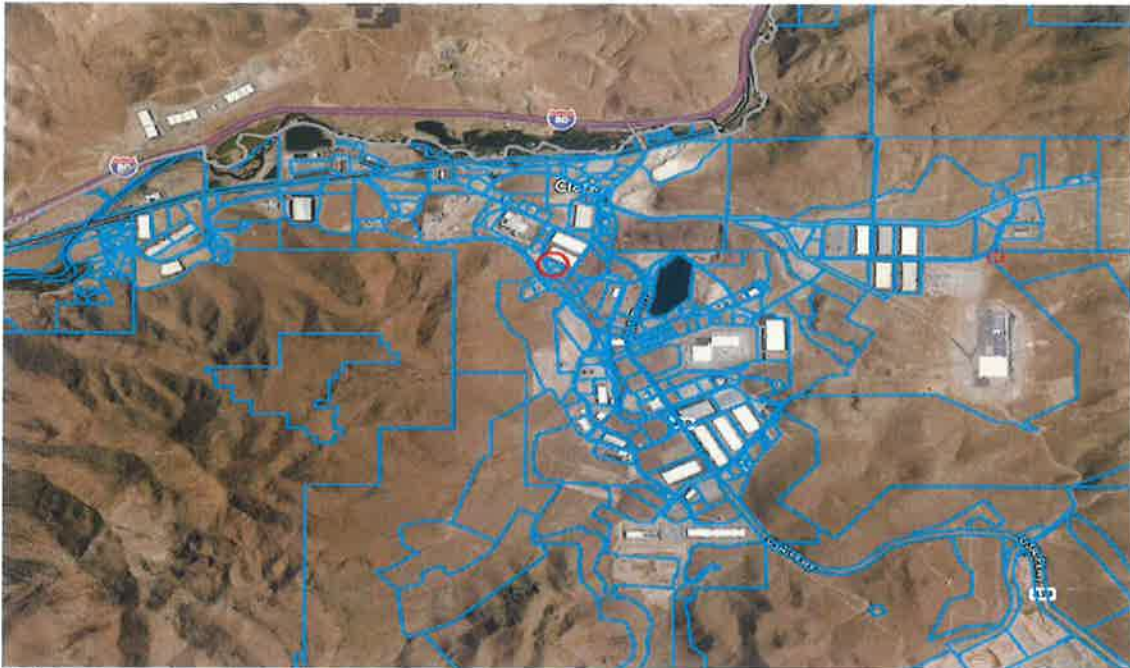
The applicant is proposing to dedicate an access and utility easement located on APN 005-051-48. This easement will be utilized in the future to provide a connection from the existing Pittsburgh Avenue roadway to Ireland Drive. Currently Pittsburgh Avenue as an improved access only connects with USA Parkway. As development occurs within the Tahoe Reno Industrial Center, traffic has become busier and a secondary access for the businesses located on Pittsburgh Avenue will become more desirable.

The proposed access and utility easement follows the alignment of an existing utility line. The alignment in this location is logical as the area was graded and restored for the installation of the utility and it follows a property line.

Currently, there is a parcel that is identified as a roadway alignment for the connection with Ireland Drive.

That alignment is private property belong to TRIC. The existing roadway parcel does have an access easement for surrounding properties that will remain in place at this time. This easement does not include Storey County. The property owner can work with the grantees of the existing easement to remove such an easement if desired.

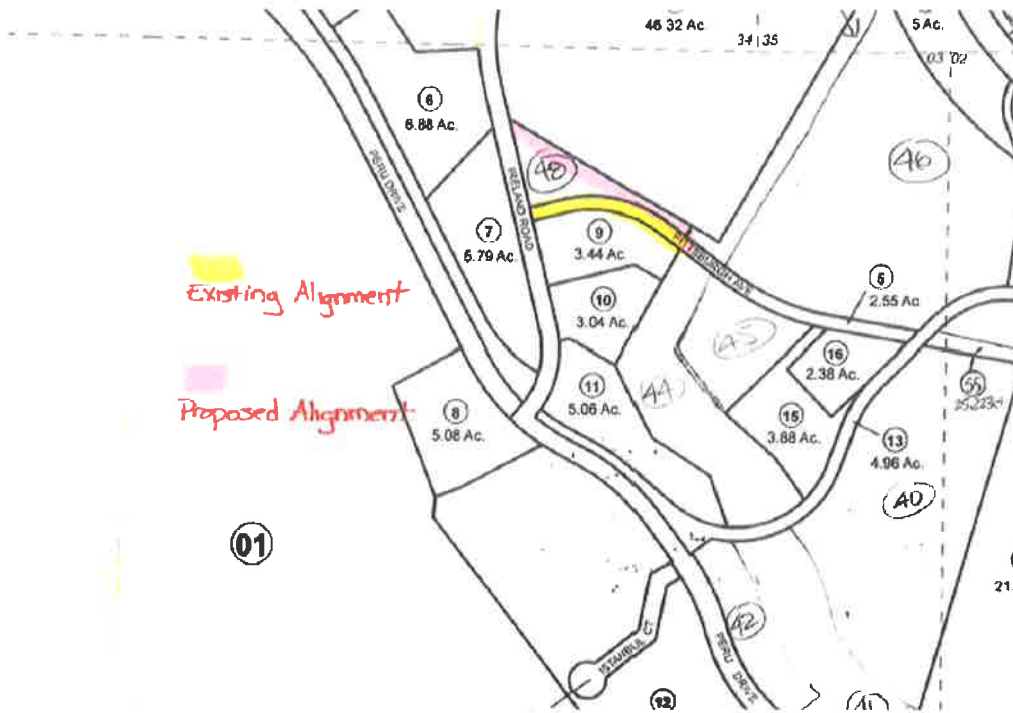
As development has occurred within TRIC, it now makes more sense for the alignment to be relocated so that a larger developable area can be created. County staff recognize the need for a more flexible building envelope configuration and as long as the potential for roadway access to Ireland Drive remains, staff have no concerns with re-aligning the future access.



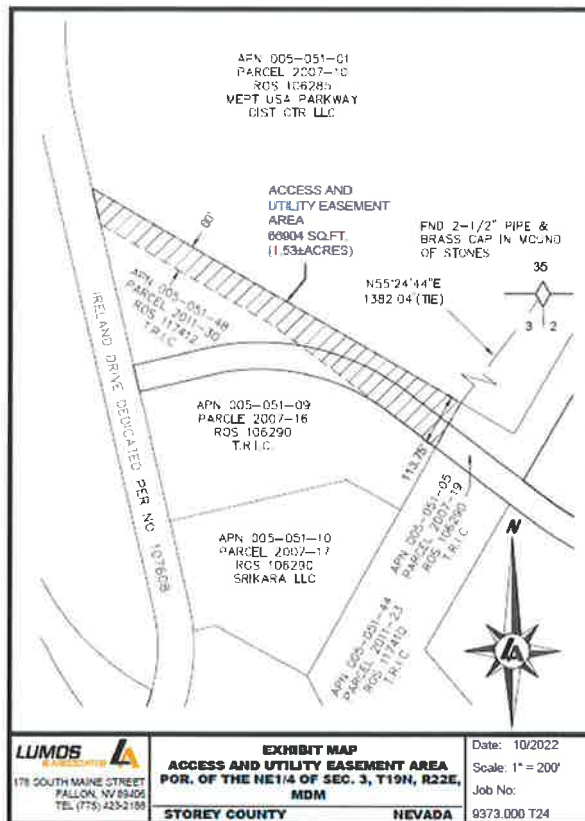
Vicinity Map



Location Map



Existing and proposed alignments



Proposed easement

Exhibit A is attached which provides the easement language that has been reviewed by both the applicant's and Storey County's legal counsel.

Recommended Motion: In accordance with the staff recommendation, I (*commissioner*) move to approve the Access and Utility Easement Agreement to Storey County to allow for a future roadway connection of Pittsburgh Avenue to Ireland Drive. The easement is located on APN 005-051-48 which is owned by the Tahoe Reno Industrial Center LLC and is located within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada.

Exhibit A

WHEN RECORDED RETURN TO:

County of Storey
P.O. Box 496
201 South C Street
Virginia City, NV 89440

APN: 005-051-05
005-051-48

Recorder Affirmation Statement: The undersigned hereby affirm that this document, including any exhibit, hereby submitted for recording does not contain the personal information of any person or persons (per NRS 239B.030).

ACCESS AND UTILITY EASEMENT AGREEMENT

This ACCESS AND UTILITY EASEMENT AGREEMENT (“**Agreement**”) is made by and between TAHOE-RENO INDUSTRIAL CENTER, LLC, a Nevada limited liability company (“**Grantor**”) and COUNTY OF STOREY, a political subdivision of the State of Nevada (“**Grantee**”).

1. **GRANT OF EASEMENT.**

a. Grantor hereby grants and conveys to Grantee a perpetual, nonexclusive easement (“**Easement**”) for the purposes of (i) vehicular and pedestrian traffic, and (ii) constructing, repairing and maintaining roadway, street and utility improvements, including without limitation, paving, curb, gutter, gas, electric, water, sewer, telephone, storm drain, ditches and culverts and cable TV (collectively, the “**Improvements**”), over, under and across the real property described in **Exhibit A** attached to this Agreement (such area is the “**Easement Area**”). The Easement granted herein is a nonexclusive easement. Grantor reserves the right to use the Easement Area for any use that does not unreasonably interfere with Grantee’s rights in this Agreement.

b. Grantor agrees to cooperate with Grantee in regard to executing any utility easements requested by a utility purveyor for (i) construction, use, operation, repair and maintenance of utility Improvements within the Easement Area, and (ii) dedication of utility Improvements within the Easement Area to the appropriate purveyor.

c. The terms of this **Section 1**, and the grant of the Easement by Grantor to Grantee herein, are binding upon Grantor and its heirs, successors, and assigns, and are intended to run with the land and to bind the successors in interest to the Easement Area.

d. The terms of this **Section 1**, and the grant of the Easement by Grantor to Grantee herein, are effective immediately upon Grantor’s signature to this Agreement.

2. **OTHER AGREEMENTS.**

a. Reference is made to that Access and Utility Easement (Pittsburgh Extension) (“**Existing Easement**”), recorded on November 30, 2018, in the real property records of the Recorder’s Office of Storey County, Nevada, as Document No. 128776, in which Grantor granted to the grantee therein an easement for access and utilities over the “Property” described in Exhibit A to the Existing Easement. Notwithstanding the Existing Easement: (i) if any improvements relative to Pittsburgh Drive within the parcels shown in the **Exhibit A** drawing hereto are constructed by or on behalf of Grantee, then Grantee agrees to use the Easement Area described in this Agreement for such improvements verses the Property described in the Existing Easement where it presently exists between APNs 005-051-48 and 005-051-09; (ii) if any party that does not own any portion of a Benefited Parcel under and as defined in the Existing Easement desires to construct improvements relative to Pittsburgh Drive within the parcels shown in the **Exhibit A** drawing hereto, then Grantee agrees to require such party to use the Easement Area described in this Agreement verses the Property described in the Existing Easement where it presently exists between APNs 005-051-48 and 005-051-09; or (iii) if any party that owns all or a portion of a Benefited Parcel under and as defined in the Existing Easement desires to construct improvements relative to Pittsburgh Drive within the parcels shown in the **Exhibit A** drawing hereto, then Grantee agrees to use its best efforts to require such party to use the Easement Area described in this Agreement verses the Property described in the Existing Easement where it presently exists between APNs 005-051-48 and 005-051-09.

b. Grantee agrees that Grantor has no obligation to the Grantee to construct, or cause to be constructed, any Improvements under this Agreement.

c. Grantee’s acceptance of the Easement and the terms of this **Section 2** are effective and binding upon Grantee and its heirs, successors, and assigns immediately upon Grantee’s signature to this Agreement.

[SIGNATURES FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this ACCESS AND UTILITY EASEMENT AGREEMENT as of the date last below written.

GRANTOR

TAHOE-RENO INDUSTRIAL CENTER,
LLC, a Nevada limited liability company

By: Norman Properties, Inc., a California
corporation, Manager

By: _____
Don Roger Norman, President

GRANTOR ACKNOWLEDGEMENT

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on _____, 2022 by Don Roger Norman, President of Norman Properties Inc., a California corporation, Manager of Tahoe-Reno Industrial Center, LLC, a Nevada limited liability company.

Notary Public

IN WITNESS WHEREOF, the parties hereto have executed this ACCESS AND UTILITY
EASEMENT AGREEMENT as of the date last below written.

GRANTEE

COUNTY OF STOREY,
a political subdivision of the State of Nevada

By: _____

Print Name: _____

Title: _____

ATTEST

Jim Hindle
Storey County Clerk

DATE _____

EXHIBIT A

DESCRIPTION OF EASEMENT AREA

[SEE FOLLOWING PAGES]

November 7, 2022
Project No. 9373.000
Task 024

EXHIBIT "A"

ACCESS AND UTILITY EASEMENT AREA

All that certain easement situate within a portion of the Northeast One-Quarter (NE1/4) Section Three (3), Township Nineteen (19) North, Range Twenty-Two (22) East, Mount Diablo Meridian, Storey County, Nevada, being a portion of Parcel 2007-19 as shown on Record of Survey Map, File No. 106290 and a portion of Parcel 2011-30 as shown on Record of Survey Map, File No. 117412 in the Official Records of Storey County, Nevada, said parcel being more particularly described as follows:

BEGINNING at the northeast corner of said Parcel 2011-30, from which the northeast corner of said Section 3 bears North 55°24'44" East, 1362.04 feet;

THENCE from the POINT OF BEGINNING, along the easterly line of said Parcel 2011-30 South 30°15'38" West, 53.15 feet to the southeast corner of said Parcel 2011-30;

THENCE leaving said Parcel 2011-30, South 29°01'53" West, 60.60 feet to the southerly line of said Parcel 2007-19;

THENCE along said southerly line and the prolongation thereof, North 52°52'38" West, 449.77 feet;

THENCE North 59°44'22" West, 441.23 feet to the westerly line of the above mentioned Parcel 2011-30, being coincident with the easterly right-of-way line of Ireland Drive as described in Document No. 107608 in the Official Records of Storey County, Nevada;

THENCE along said westerly parcel line and said easterly right-of-way line, North 13°19'13" West, 82.83 feet to the northwest corner of said Parcel 2011-30;

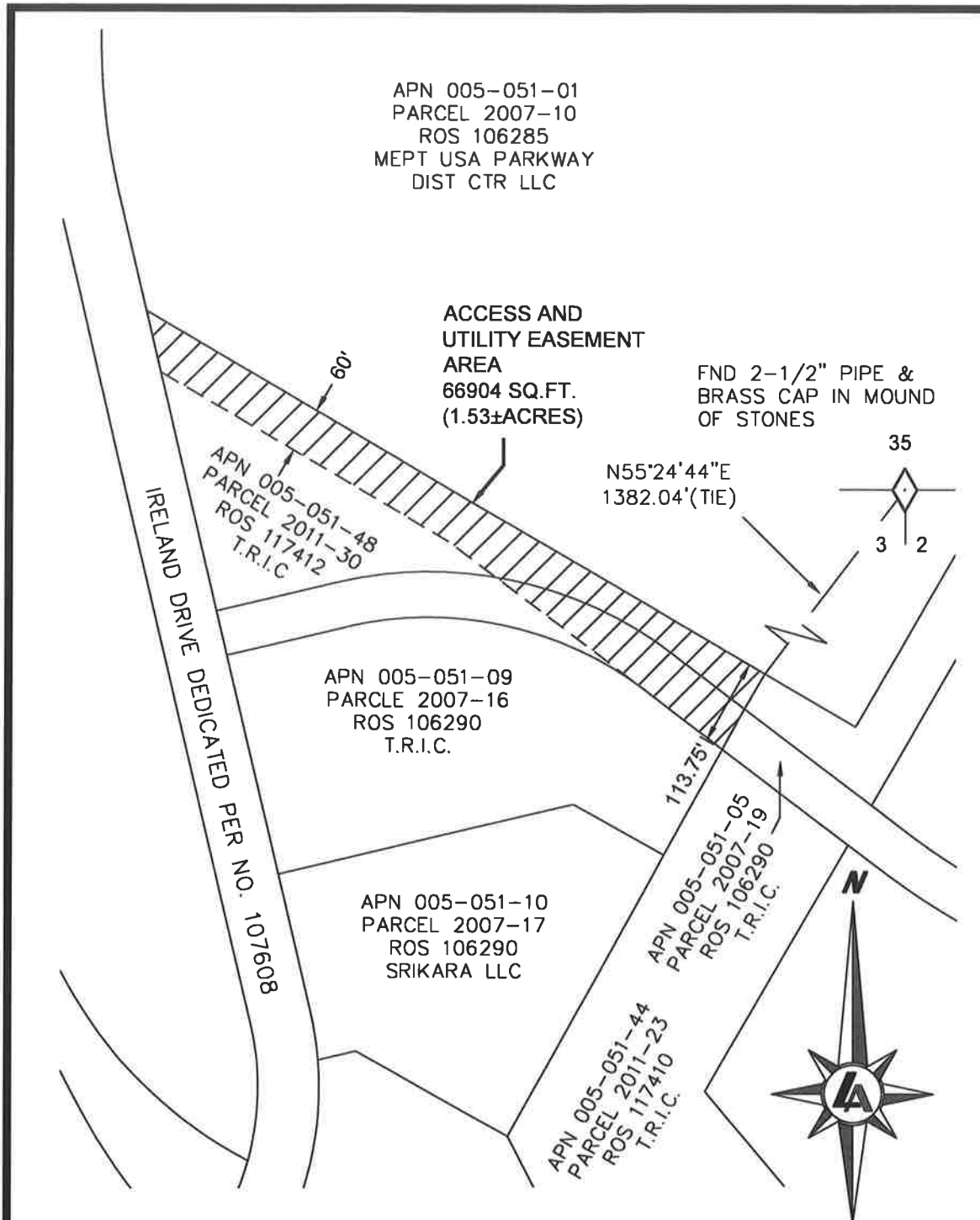
THENCE leaving said easterly right-of-way line, along the northerly line of said Parcel 2011-30, South 59°44'22" East, 943.58 feet to the POINT OF BEGINNING.

Said RELOCATED RIGHT-OF-WAY contains 66,904 square feet (1.53± Acres) of land, more or less.

The Basis of Bearings for this description is Nevada State Plane Coordinate System, West Zone NAD83(94) HARN Extension, based upon the grid bearing of N 68°20'45" E, between NGS stations N339 and X146. The project combined factor of 1.000254928, scaled from 0.00N, 0.00E and converted to U.S. survey feet. All dimensions on this map are ground distances.

Prepared by:
Lumos & Associates, Inc.
David C. Crook, PLS 10836
178 South Maine Street
Fallon, NV 89406

FOR REVIEW ONLY



LUMOS
& ASSOCIATES

178 SOUTH MAINE STREET
FALLON, NV 89406
TEL (775) 423-2188

EXHIBIT MAP
ACCESS AND UTILITY EASEMENT AREA
POR. OF THE NE1/4 OF SEC. 3, T19N, R22E,
MDM

STOREY COUNTY

NEVADA

Date: 10/2022

Scale: 1" = 200'

Job No:

9373.000 T24



Board of Storey County Commissioners Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 10

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of re-conveyance of ownership of approximately 700 linear feet of Electric Avenue to Tesla, Inc, located adjacent to APNs 005-111-22, 005-091-42 and 005-012-05 within the Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, including adopting Resolution No. 2022-663, the Written Offer of Conveyance and the Deed of Re-conveyance.
- **Recommended motion:** In accordance with the recommendation by staff, I [Commissioner], hereby move to approve the re-conveyance of ownership of approximately 700 linear feet of Electric Avenue, of which the exact dimension will be confirmed with submittal of a Record of Survey Map, to Tesla Motors Inc. located adjacent to APNs 005-111-22, 005-091-42 and 005-012-05 within the Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, including adopting Resolution No. 2022-663, the Written Offer of Conveyance and the Deed of Re-conveyance and subject to the Conditions of Approval

- **Prepared by:** Lyndi Renaud

Department:

Contact Number: 7758471144

- **Staff Summary:** See attached
- **Supporting Materials:** See attached
- **Fiscal Impact:** None
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440 Phone (775)
847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: December 6, 2022

Meeting Location: Storey County Courthouse, 26 S. B Street, Virginia City, Storey County, Nevada, and via Zoom

Staff Contact: Kathy Canfield

File: 2022-37

Applicants: Tesla Motors Inc.

Property Owner: Storey County

Property Location: Approximately 700 linear feet at the south terminus of Electric Avenue, south of Milan and Venice Drives, adjacent to APNs 005-111-22, 005-091-42 and 005-012-05, Tahoe Reno Industrial Center, McCarran, Storey County, Nevada.

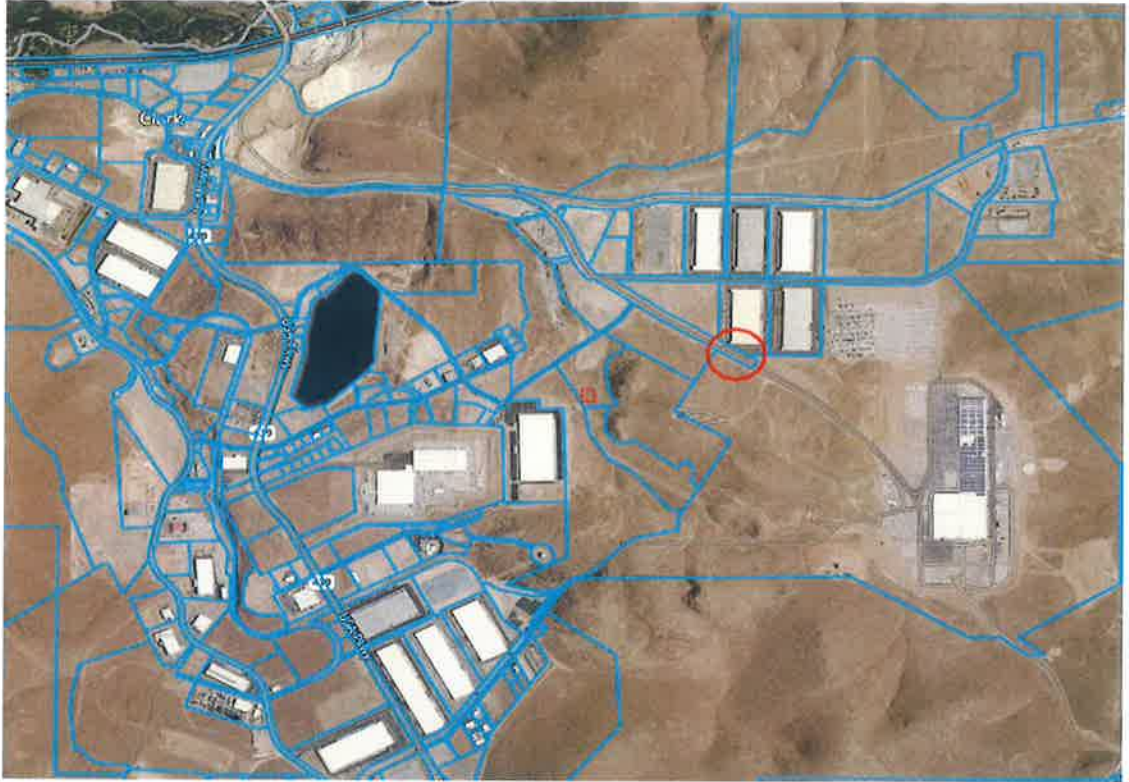
Request: Reconveyance of ownership of approximately 700 linear feet of Electric Avenue to Tesla Inc, located adjacent to APNs 005-111-22, 005-091-42 and 005-012-05 within the Tahoe Reno Industrial Center, Storey County, Nevada, including adopting Resolution No. 2022-663, the Written Offer of Conveyance and the Deed of Reconveyance.

1. Background & Analysis

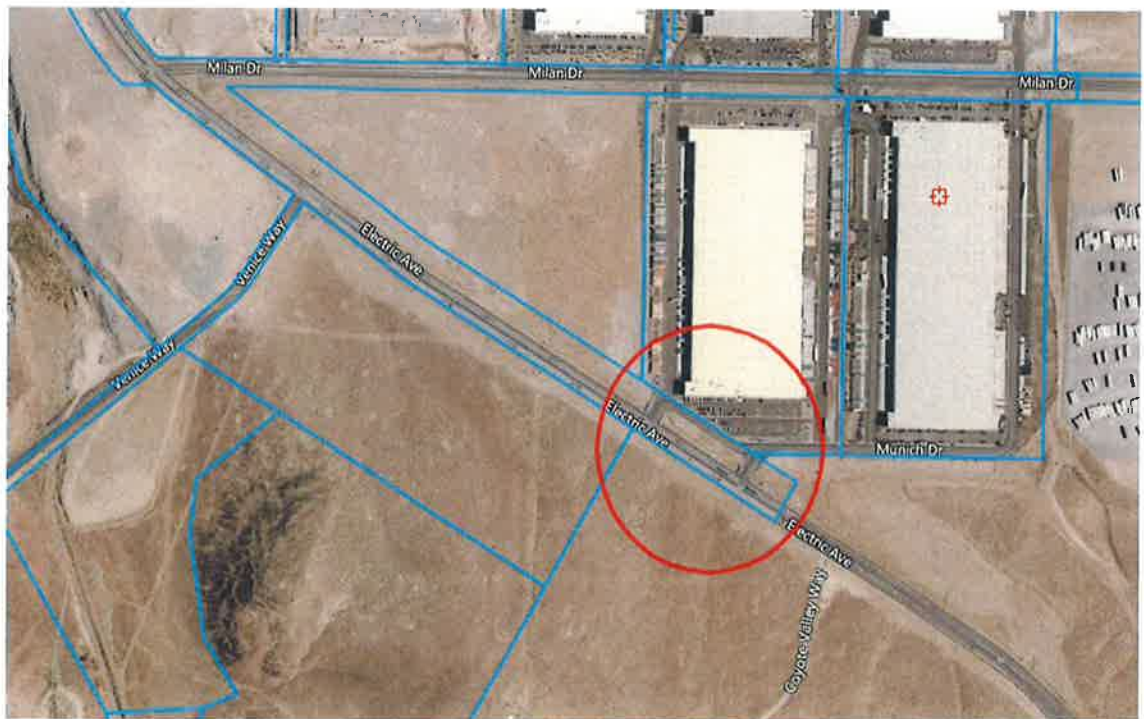
- A. **Site Location & Background.** Electric Avenue is located within the Tahoe Reno Industrial Center and extends from USA Parkway to its terminus at property owned by Tesla Motors Inc. The roadway was constructed by the Tahoe Reno Industrial Center and was dedicated to Storey County in 2009. The roadway at the time of construction/dedication was identified as Portofino Drive and was later renamed Electric Avenue.

The existing right-of-way in this location is approximately 200-feet wide, with the roadway located on the west side of the right-of-way. The pavement is approximately 60-feet in width. The east side of the right-of-way contains a drainage channel and driveways to APN

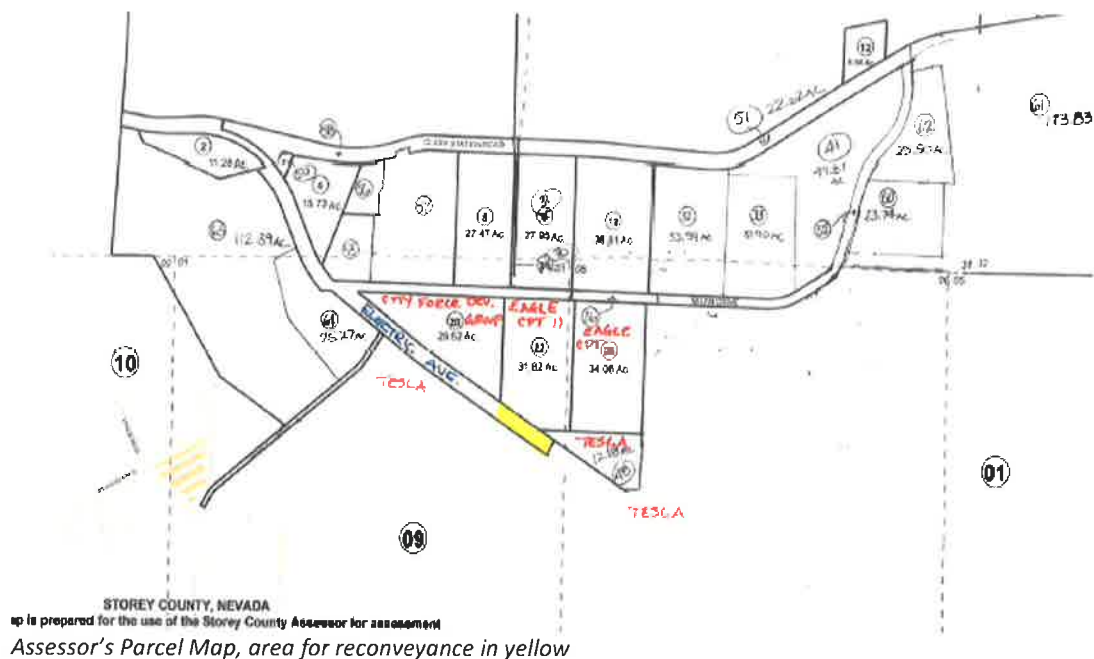
005-111-22.



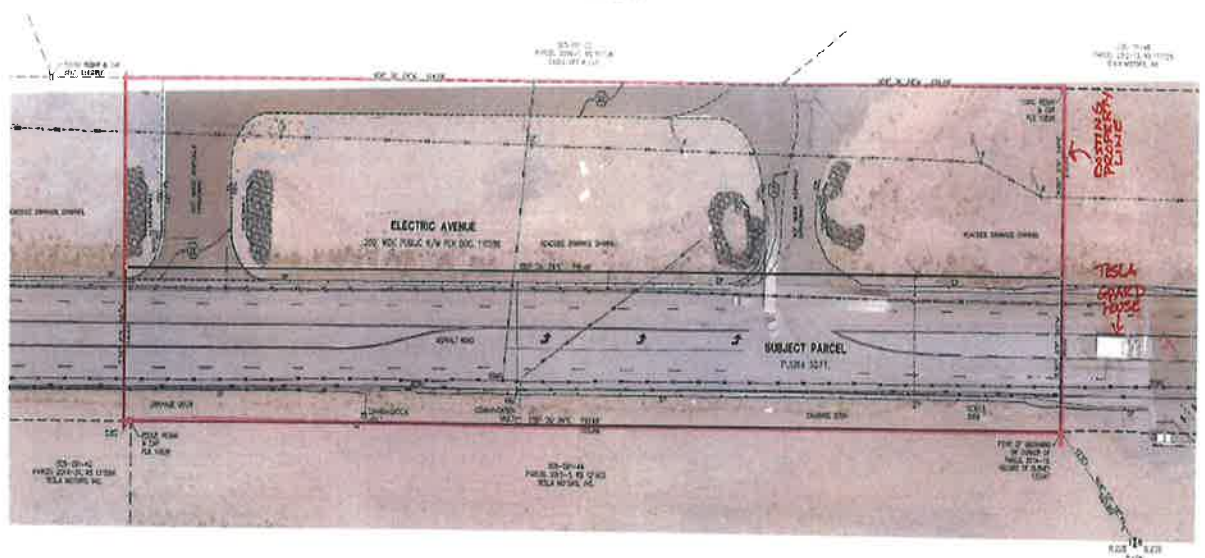
Location of proposed reconveyance.



Enlargement of area



- B. Request.** The applicants request that an approximately 700-foot linear section of Electric Avenue be reconveyed to the adjacent property owner in accordance with NRS 244.290. The original property was owned by the Tahoe Reno Industrial Center and Tesla Motors Inc. and Eagle CPT II LLC are the successors to the original ownership.



Existing condition of area of reconveyance, larger view included as an attachment to this report

The land area contains a portion of Electric Avenue, along with roadside drainage channels on both the east and west side of the road along with driveway encroachments associated with the development on APN 005-111-22. This section of current public access roadway ends at the Tesla Motors Inc. property line. Although the road physically exists beyond the property line, the roadway is private property and controlled by the property owner.

Tesla Motors Inc. and Eagle CPT II LLC are the two property owners with frontage along the area requested for reconveyance. Tesla Motors Inc. has had discussions with Eagle CPT II LLC and Eagle CPT II LLC is agreeable to Tesla Motors Inc. acquiring the entirety of the reconveyed roadway, subject to specific conditions, including that an access easement across the property is put in place to provide for the continued access use of the driveways and roadway. See Exhibit A. Typically, half would go to one property for the length of the frontage and the remaining to the other property.

All existing utility easements, drainage easements and any private easements, will remain in place and will not be altered by the reconveyance.

Based on the measurements submitted, it is estimated the area of reconveyance will be 700 linear feet. The proposed area is to include both driveway access points to APN 005-111-22, including the features associated with the driveways. A Record of Survey is required to complete the reconveyance of land, which is prepared by a surveyor. The Record of Survey will have exact measurements from which the legal descriptions and reimbursement will be determined.

C. Tahoe Reno Industrial Center – Infrastructure Payback Agreement

Electric Avenue (formerly Portofino Drive) was constructed by the Tahoe Reno Industrial Center developer and has been subject to the TRIC payback agreement. In order to consider the reconveyance of this property, the County has requested the applicant reimburse the County for the payments that have been made for the improvements associated with this portion of Electric Avenue. The Storey County Comptroller has calculated that Electric Avenue reimbursement cost is \$311.64 per linear foot which for a 700 linear foot section would equal \$218,148.00. This dollar amount may be modified slightly when final surveyed plans are submitted and the exact linear dimension is confirmed. It should be noted that this reimbursement does not include the driveway approaches or driveway connections as that was constructed and paid for by the property owners of APN 005-111-22 when development of that property occurred.

2. Reconveyance – Resolution 2022-663

In order to reconvey this portion of Electric Avenue back to the adjacent parcel successor of the Tahoe-Reno Industrial Center, LLC, a Resolution stating that the reconveyance is in the best interest of the County and its residents is necessary. Staff supports such a determination that this reconveyance is in the best interest to the County and the residents because the County will no longer be required to expend funds on the maintenance of this section of roadway. Although currently public access, this section of Electric Avenue only serves properties, both of which are included in this reconveyance request.

To accomplish this reconveyance, there are four associated documents:

- Resolution No. 2022-663 to reconvey a portion of Electric Avenue to Tesla Motors Inc. This document states the Storey County has found that the reconveyance is in the best interest of the County.
- Written Offer of Reconveyance. This document offers the area of land to the applicant.
- Acceptance of Offer of Reconveyance. This document identifies the applicant accepting the

offer of reconveyance. This document is not included with this staff report.

- Deed of Reconveyance and Record of Survey map. These documents are not included at this time. A Record of Survey map will be generated and a deed of reconveyance generated based on the legal description of the proposed parcel configurations.

3. Recommended Conditions of Approval

- A. This reconveyance is subject to the conditions of agreement listed in the November 22, 2022 letter from Washington Capital Management Inc., representative for Eagle CPT II, LLC. A copy of the letter is included with this staff report.
- B. This reconveyance is subject to a Record of Survey map being submitted for review and approval by Storey County documenting the approximate 700 linear feet to be reconveyed, the proposed split in property between the two applicants, the location of all existing easements and any proposed easements in addition to all other requirements for Record of Survey maps. The exact linear dimension shall be identified on the Record of Survey and shall not exceed beyond the northern driveway approach to Electric Avenue from APN 005-111-22, but can include the features associated with the northern driveway.
- C. Reimbursement in the amount of \$311.64 per linear foot of constructed Electric Avenue Roadway to be reconveyed (for example 700 linear feet x \$311.64 = \$218,148.00) shall be paid to Storey County. The exact amount shall be confirmed upon submittal of the Record of Survey.

4. Recommended Motion

In accordance with the recommendation by staff, I [*Commissioner*], hereby move to approve the reconveyance of ownership of approximately 700 linear feet of Electric Avenue, of which the exact dimension will be confirmed with submittal of a Record of Survey Map, to Tesla Motors Inc, located adjacent to APNs 005-111-22, 005-091-42 and 005-012-05 within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada, including adopting Resolution No. 2022-663, the Written Offer of Conveyance and the Deed of Reconveyance and subject to the Conditions of Approval.

EXHIBIT A

VIA Email

November 22, 2022

Kathy Canfield
Planning Manager
Storey County Planning Department
26 South B Street, PO Box 176
Virginia City, NV 89440
Email: kcanfield@storeycounty.org

RE: Proposed Abandonment of a portion of Electric Avenue adjacent to APN 005-111-22, 005-091-42 and 005-012-05

Dear Kathy,

We are the manager of Eagle CPT II, LLC ("Eagle CPT II"), the owner of APN No. 005-111-22 ("Eagle II Parcel"), and investment manager of Eagle CPT, LLC ("Eagle CPT"), the owner of Parcel No. 005-111-26 (collectively, the "Eagle Parcels"). We understand that Tesla Motors Inc. ("Tesla"), as the owner of Parcel Nos. 005-091-42 and 005-012-05 ("Tesla Parcels"), is requesting Storey County ("County") to vacate/abandon a portion of Electric Avenue and the associated right-of-way including drainage culverts and related improvements (collectively, "Vacated ROW") adjoining the Eagle II Parcel and the Tesla Parcels. We were provided with the rough illustration of the Vacated ROW, attached hereto as **Exhibit 1**, and understand that the dimension of the proposed Vacated ROW is approximately 700 feet in length and 200 feet in width.

We understand that Eagle CPT II has the option to acquire a portion of the Vacated ROW from the County or it may consent to the acquisition by Tesla of the entirety of the Vacated ROW, and that the County is requesting that Eagle CPT II notify the County of its election prior to the County's preliminary hearing concerning this matter on December 6, 2022. In that regard, this letter is provided on behalf of Eagle CPT II to confirm that it consents to acquisition by Tesla of the entirety of the Vacated ROW subject to the following:

- Receipt of a written timeline and process with the County for completing the vacation of the Vacated ROW;
- Submission to Eagle CPT II of an accurate ALTA survey of the Vacated ROW;
- Submission to Eagle CPT II of a title commitment, including copies of all exceptions, with respect to the Vacated ROW;
- The Vacated ROW is not altered or modified from the area generally described in this letter without Eagle CPT II's written approval;


- The record of survey or replat of the Tesla Parcel shows on the face of the document (i) the granting to the Eagle Parcels of non-exclusive, unlimited, unobstructed access across over and through the Vacated ROW from any property entrances or driveways now or in the future constructed for access to the Eagle Parcels off of the Vacated ROW, and (ii) the continuation of all existing easements within the Vacated ROW for benefit of the Eagle Parcels;
- Confirmation from Tesla that repair, maintenance and replacement of all improvements in the Vacated ROW will be at Tesla's cost except that Eagle CPT II and Eagle CPT shall remain responsible for the maintenance of any property entrances or driveways now or in the future used for access to the Eagle Parcels off of the Vacated ROW;
- Execution by Eagle CPT II, Eagle CPT and Tesla of a road maintenance and easement agreement in a form reasonably acceptable to the parties, to be recorded contemporaneously with the conveyance of the Vacated ROW to Tesla, which agreement shall govern the Vacated ROW and shall also include an access easement over, across and through the highlighted portion of adjacent property owned by Tesla (APN 005-111-48) shown on **Exhibit 2** attached hereto; and
- Confirmation by Tesla that all costs of vacating the Vacated ROW, including survey, title and other requirements of the County, or as provided above, shall be borne by Tesla except that Eagle CPT II shall be responsible for its own attorneys' fees.

Any communications regarding this matter should be directed to the undersigned at pmalley@wa-cap.com, Tom Gehrig at tgehrig@wa-cap.com, Theresa Burrus at tburrus@wa-cap.com and, our legal counsel, Staci Snyder at stacisnyder@rp-lawgroup.com.

Please let us know if you have any questions. We look forward to working with you.

Very truly yours,

Washington Capital Management, Inc.


Patrick Malley

Encl.

cc: Tom Gehrig (via email)
Theresa Burrus (via email)
Staci Snyder (via email)

005-11-22

005-11-

option 2

All goes to Tesla.
Need letter from
Eagle CPT that
they opt out of
the relinquishment

005-09-12

MURKIN

Coyote Valley Way

Tesla

IN 007-11-03
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 (PAGE: 024 of 024)

SEE LEGEND ON SHEET 3



THE BASIS OF BEARING FROM THIS DETECTION IS NAVAJO PLATE PLANE COMPONENT
SYSTEM MAG 01-94 SETTING AND BEARING OF NORTH 822041 EAST BETWEEN
STATION W336 AND STATION PLATE DISTANCES SHOWN ARE GROUND
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NONE OBSERVED

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5-1-11

PANEL 2009-1, RS 1110H
EAGLE CPTM, LLC

EUB-111-48
 PAGES: 2012-13, RS 11:725
 TESLA MOTORS INC

CASTING
PROPERTY
LINE

ELECTRIC AVENUE

200 MON. PUBLIS. R/4 FOR DOC 110332

SUBJECT PARCEL

1055

070-071-44
4/25-5/1/07

2004-2005

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ALTA/NSPS
LAND TITLE SURVEY
FOR
TESLA MOTORS, INC.

TESLA MOTORS, INC.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS A MICHIGAN STATE PLANE COORDINATE SYSTEM. THE STATE PLANE COORDINATE SYSTEM IS BASED ON THE 1983 NAD 83 DATUM. THE STATE PLANE COORDINATE SYSTEM IS BASED ON THE 1983 NAD 83 DATUM. THE STATE PLANE COORDINATE SYSTEM IS BASED ON THE 1983 NAD 83 DATUM.

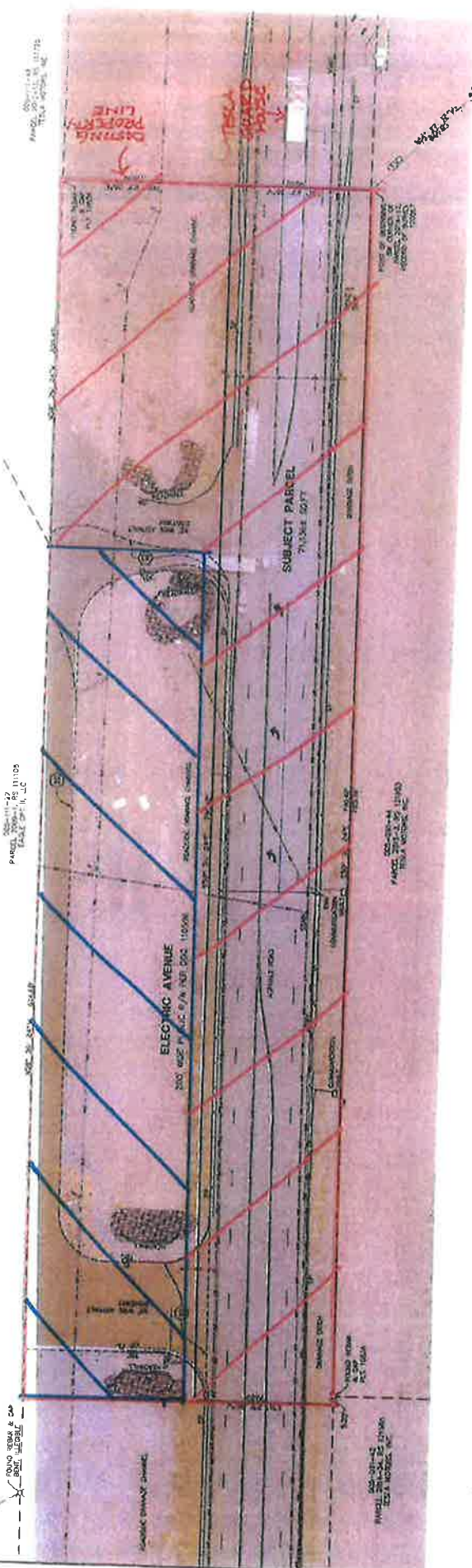
POTENTIAL ENCROACHMENTS

NONE OBSERVED

LEGEND

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VICINITY MAP



R 222 136 R 232
T 19N

ALTA/NSPS
LAND TITLE SURVEY
FOR
TERRY J. SAWYER, JR.

NRS 244.290 Reconveyance, sale or lease of land donated, dedicated or condemned for public purposes.

1. Except as otherwise provided in NRS 278.480 for the vacation of streets and easements, the board of county commissioners of any county may reconvey all the right, title and interest of the county in and to any land donated, dedicated, acquired in accordance with chapter 37 of NRS, or purchased under the threat of an eminent domain proceeding for a public park, public square, public landing, public roadway, public right-of-way, agricultural fairground, aviation field, automobile parking ground or facility for the accommodation of the traveling public, or land held in trust for the public for any other public use or uses, or any part thereof, to the person:

(a) By whom the land was donated or dedicated or to that person's heirs, assigns or successors, upon such terms as may be prescribed by a resolution of the board; or

(b) From whom the land was acquired in accordance with the provisions of chapter 37 of NRS, or purchased under the threat of an eminent domain proceeding, or to that person's heirs, assigns or successors, except as otherwise provided in NRS 37.270, for an amount equal to the amount paid for the land by the board.

2. If the board determines that maintenance of the property is unnecessarily burdensome to the county or that reconveyance would be in the best interest of the county and its residents, the board may formally adopt a resolution stating that determination. Upon the adoption of the resolution, the chair or an authorized representative of the board shall issue a written offer of reconveyance to the person from whom the real property was received or acquired, or that person's successor in interest.

3. If the person from whom the land was received or acquired, or that person's successor in interest:

(a) Accepts the offer of reconveyance within 45 days after the date of the offer, the board of county commissioners shall execute a deed of reconveyance.

(b) Refuses to accept the offer of reconveyance or states in writing that he or she is unable to accept the offer of reconveyance, the board of county commissioners may sell or lease the real property in accordance with the provisions of this chapter.

RESOLUTION NO 22-663

A RESOLUTION PURSUANT TO NRS 244.290 DETERMINING THAT RECONVEYANCE OF A PORTION OF ELECTRIC AVENUE TO TESLA MOTORS INC. WOULD BE IN THE BEST INTEREST OF THE COUNTY AND ITS RESIDENTS, AND AUTHORIZING A REPRESENTATIVE OF THE BOARD TO ISSUE A WRITTEN OFFER OF RECONVEYANCE OF A PORTION OF ELECTRIC AVENUE TO TESLA MOTORS INC AND IF SAID OFFER IS ACCEPTED, TO EXECUTE A DEED OF RECONVEYANCE AND CAUSE SAID DEED TO BE RECORDED.

BE IT HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, STOREY COUNTY, NEVADA

WHEREAS, Electric Avenue (formerly named Portofino Drive) was dedicated to Storey County by deed from Tahoe-Reno Industrial Center, LLC ("TRI") recorded on January 26, 2009 as Document No. 110596 in the office of the Recorder of Storey County; and

WHEREAS, NRS 244.290 provides that a county may reconvey all the right, title and interest of the county in and to any land dedicated to the person by whom the land was dedicated if the board determines that maintenance of the property is unnecessarily burdensome to the county or that reconveyance would be in the best interest of the county and its residents; and

WHEREAS, Tesla Motors Inc. is a successor to the original property owner Tahoe Reno Industrial Center, LLC, and

WHEREAS, Eagle CPT II, LLC is also an adjacent property owner but has consented to reconveyance of the entirety of the portion of Electric Avenue adjacent to their property to Tesla Motors Inc., subject to conditions as outlined in the letter dated November 22, 2022, by Washington Capital Management, Inc, a representative for Eagle CPT II, LLC, and as outlined in the Storey County Staff Report for the Reconveyance, File 2022-37; and

WHEREAS, this portion of Electric Avenue is approximately 700 linear feet and 200 feet wide and serves only properties owned by Tesla Motors Inc and Eagle CPT II LLC; and

WHEREAS, Tesla Motors Inc desires to connect the Tesla Motors Inc properties with the Eagle CPT II LLC property for vehicular access without the access being a public roadway; and

WHEREAS, by reconveying the portion of Electric Avenue, Storey County will no longer be required to expend funds on the maintenance of this roadway section, creating a monetary savings to the County; and

NOW THEREFORE, BE IT RESOLVED that the Storey County Board of County Commissioners determines that reconveyance of a portion of Electric Avenue to Tesla Motors Inc., would be in the best interest of the county and its residents; and authorizes a representative of the board to issue a written offer of reconveyance of an approximately 700-feet linear portion of Electric Avenue to Tesla Motors Inc., and if said offer is accepted, to execute a deed of reconveyance and cause said deed to be recorded.

BE IT FURTHER RESOLVED, that this resolution shall be effective upon adoption.

PROPOSED AND ADOPTED this ____ day of _____, 2022.

THOSE VOTING AYE

THOSE VOTING NAY

ADOPTED this ____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
Jay Carmona, Chairman

Attest:

Jim Hindle, Clerk and Treasurer

WRITTEN OFFER OF RECONVEYANCE

To: Tesla Motors Inc.

From: Board of Storey County Commissioners

Date: _____, 2022

WHEREAS, The Board of Storey County Commissioners has passed Resolution 22-663 pursuant to NRS 244.290 stating its determination that reconveyance of a portion of a certain public street known as Electric Avenue in Storey County ("County"), Nevada, and more particularly described as approximately 700 linear feet at the south terminus of Electric Avenue, south of Milan and Venice Drives, adjacent to APNs 005-111-22, 005-091-42 and 005-012-05, Tahoe Reno Industrial Center, McCarran, Storey County, Nevada, would be in the best interest of the County and its residents.

Electric Avenue was dedicated to the County by deed of dedication from Tahoe-Reno Industrial Center, LLC ("TRI") recorded on January 26, 2009 as Document No. 110596 in the office of the Recorder of County.

NOW THEREFORE, THIS INSTRUMENT IS A WRITTER OFFER pursuant to NRS 244.290 to the persons/successors from whom Electric Avenue was acquired to reconvey a portion of Electric Avenue to Tesla Motors Inc.

**BOARD OF COUNTY COMMISSIONERS for
the County of Storey**, a political subdivision of the
State of Nevada

By: _____
JAY CARMONA, Chairman



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 5 mins

Agenda Item Type: Discussion/Possible Action

- **Title:** Consideration and possible approval of second reading for a Home-Based Business License - Wakefield CMR, LLC. 1870 Harte Rd., Reno, NV 89521. Applicant is Karen Becker.
- **Recommended motion:** I (insert name) motion to approve the second reading for a Home-Based Business License - Wakefield CMR, LLC. 1870 Harte Rd., Reno, NV 89521. Applicant is Karen Becker.
- **Prepared by:** Brandy Gavenda

Department: **Contact Number:** 7758470959

- **Staff Summary:** Approval of second reading for a Home-Based Business License - Wakefield CMR, LLC. 1870 Harte Rd., Reno, NV 89521. Applicant is Karen Becker.
- **Supporting Materials:** See attached
- **Fiscal Impact:**
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: Dec 6, 2022

Estimate of time required:

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approval of 2nd reading for a Home Based Business License – Wakefield CMR LLC, 1870 Harte Rd., Reno NV 89521. Applicant is Karen Becker.
2. **Recommended motion:** I (insert name) motion to approve the 2nd reading for a Home Based Business License – Wakefield CMR LLC, 1870 Harte Rd., Reno NV 89521. Applicant is Karen Becker.

3. **Prepared by:** Brandy Gavender Admin. Asst. *[Signature]*

Department: Storey County Sheriff's Office

Telephone: 775-847-0959

4. **Staff summary:** Approval of 2nd reading for a Home Based Business License – Wakefield CMR LLC, 1870 Harte Rd., Reno NV 89521. Applicant is Karen Becker.

5. **Supporting materials:**

6. **Fiscal impact:** None

Funds Available:

Fund:

Comptroller

7. **Legal review required:**

District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Sheriff's Office

County Manager

Other agency review:

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.



Board of Storey County Commissioners

Agenda Action Report

Meeting date: 12/6/2022 10:00 AM -
BOCC Meeting

Estimate of Time Required: 0-5

Agenda Item Type: Discussion/Possible Action

- **Title:** For consideration and possible approval of business license second readings:
- A. ArchMOdal – Contractor / 699 Hampshire Rd. #218 ~ Westlake Village, CA
- B. Aspen Electric – Contractor / 19 Glen Carran Cir. ~ Sparks, NV
- C. Earth Tech LLC – Professional / 681 Edison Way ~ Reno, NV
- D. Lugo Framing LLC – Contractor / 7761 Tulear St. ~ Reno, NV
- E. Palmetto Solar, LLC – Contractor / 997 Morrison Dr. #200 ~ Charleston, SC
- F. Picon FRP Inc. – Contractor / 20885 Redwood Rd. # 327 ~ Castro Valley, CA
- G. TLS Supply Chain Solutions Inc. – General / 2555 USA Parkway Ste. 100 ~ McCarran, NV

- **Recommended motion:** Approval

- **Prepared by:** Ashley Mead

Department:

Contact Number: 7758470966

- **Staff Summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to the Commission Meeting. The business licenses are then printed and mailed to the new business license holder.
- **Supporting Materials:** See attached
- **Fiscal Impact:** None
- **Legal review required:** False
- **Reviewed by:**

____ Department Head

Department Name:

____ County Manager

Other Agency Review: _____

- **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

Storey County Community Development

110 Toll Road ~ Gold Hill Divide
P O Box 526 ~ Virginia City NV 89440



(775) 847-0966 ~ Fax (775) 847-0935
CommunityDevelopment@storeycounty.org

To: Jim Hindle, Clerk's office
Austin Osborne, County Manager

November 17, 2022
Via Email

Fr: Ashley Mead

Please add the following item(s) to the **December 06, 2022**

COMMISSIONERS Consent Agenda:

SECOND READINGS:

- A. ArchMOdal** – Contractor / 699 Hampshire Rd. #218 ~ Westlake Village, CA
- B. Aspen Electric** – Contractor / 19 Glen Carran Cir. ~ Sparks, NV
- C. Earth Tech LLC** – Professional / 681 Edison Way ~ Reno, NV
- D. Lugo Framing LLC** – Contractor / 7761 Tulear St. ~ Reno, NV
- E. Palmetto Solar, LLC** – Contractor / 997 Morrison Dr. #200 ~ Charleston, SC
- F. Picon FRP Inc.** – Contractor / 20885 Redwood Rd. # 327 ~ Castro Valley, CA
- G. TLS Supply Chain Solutions Inc.** – General / 2555 USA Parkway Ste\ 100 ~ McCarran, NV

Ec: Community Development
Commissioner's Office

Planning Department
Comptroller's Office

Sheriff's Office