



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

5/16/2023 10:00 AM
26 SOUTH B STREET, VIRGINIA CITY, NV

MEETING MINUTES

JAY CARMONA
CHAIRMAN

CLAY MITCHELL
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER

ANNE LANGER
DISTRICT ATTORNEY

JIM HINDLE
CLERK & TREASURER

Roll Call: Commission Chairman Jay Carmona, Commission Vice-Chair Clay Mitchell, Commissioner Lance Gilman, Recorder Dru McPherson, Sheriff Mike Cullen, County Manager Austin Osborne, Deputy District Attorney Keith Loomis, Comptroller Jennifer McCain, IT Director James Deane, Fire Chief Jeremy Loncar, Public Works Director Jason Wierzbicki, Operations and Project Manager Mike Northan, Communications Director Becky Parsons, Business Development Manager Lara Mather, Community Relations Director Honey Menefee, Community Development Director Pete Renaud, Senior Center Director Stacy York, Emergency Management Director Michael Bullian

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

Commissioner Carmona called the meeting to order at 10:02 a.m.

2. PLEDGE OF ALLEGIANCE

3. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the Agenda for the May 16, 2023, meeting.

County Manager Osborne asked to move Item #21 to immediately after Item #11.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve our Agenda for the May 16, 2023, meeting with the one noted change in the order. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

4. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes from the March 21, 2023, meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Minutes for the March 21, 2023, meeting as presented. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

5. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes from the March 23, 2023, special meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Minutes for the March 23, 2023, special meeting as presented. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

5. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes from the March 30, 2023, special meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Minutes for the March 30, 2023, special meeting as presented. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

7. CONSENT AGENDA FOR POSSIBLE ACTION:

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

- A. AQ&B LLC – Out of County / 5470 Sidehill Dr. ~ Sun Valley, NV
- B. DeHart Plumbing, heating & Air, Inc. – Contractor / 1842 Hymer Ave ~ Sparks, NV
- C. LGCY Installation Services LLC – Contractor / 3333 N. Digital Dr. # 600 ~ Lehi, UT
- D. Revere Mechanical, LLC – Contractor / 3325 W. Ali Baba Ln. # 612 ~ Las Vegas, NV
- E. Suncrest Design & Construction – Contractor / 395 Freeport Blvd # 1 ~ Sparks, NV
- F. Sunbelt Rentals, Inc. – General / 201 Wildhorse Canyon ~ Sparks, NV
- G. The Webstaurant Store LLC – General / 265 Milan ~ Sparks, NV

II Approval of claims in the amount of \$1,019,295.71.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve today's Consent Agenda as presented.
Seconded by: Lance Gilman. **Vote:** Motion passed unanimously.

9. PUBLIC COMMENT (No Action): None

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

Sheriff Cullen

- On April 12, Sheriff Cullen and Cpl. Stan Glowniak went to Carson City where Cpl. Glowniak was honored as crisis intervention officer of the year for Storey County. A Storey County deputy will be nominated every year in the future.
- On May 13 the Sheriff's Office held a Car Safety Seat Check at Hillside Elementary School. The next one will be on May 27 in the Silverland Parking lot.
- On Tuesday, May 9, there was a multi-agency law enforcement incident in the Highlands, with NSP and NDI assisting multiple regional law enforcement. The Sheriff thanked residents for their cooperation during the incident.

Public Works Director Jason Wierzbicki

- Public Works is doing drainage work and installing culverts in the Highlands. Cleanup will start soon in Six Mile Canyon soon. Carson Street drainage is being sandbagged.
- Carson and Taylor streets are flowing with water runoff and culverts are being looked at. Lousetown Road is also being worked on.

Communications Director Becky Parsons

- Testing is being done to fill two positions.

Emergency Management Director Mike Bullian

- EMS is working with FEMA, and the county will be receiving reimbursable funds for damage over the winter. The department is trying to get sandbags filled in advance to fight runoff.

VCTC Tourism Director Todd Tuttle

- The VCTC's Merchant Mix and Mingle at Piper's Opera House was well-attended, and that event will happen the second Tuesday of every month at Piper's Opera House starting at 6 pm.
- May 20-21 is the Chili Cookoff, from 10 a.m. to 4 p.m. both days. C Street will be closed from Taylor to Union streets. The Memorial Parade is at noon on Saturday, May 20.

Comptroller Jennifer McCain

- The Comptroller, County Manager and other staff attended a Tyler conference to train on the new cloud software.

IT Director James Deane

- The IT Department has completed the microwave move from St. Mary's fire escape and also completed voice-over phones for the county. The amateur radio repeater is also live in Virginia City.

Community Development Director Pete Renaud

- The Community Development Department is sending out notices to renew business licenses. The department is asking that business owners not pay their renewals until they get their notices.

Senior Center Director Stacy York

- The Senior Center will have a booth at the Chili Cookoff for the People's Choice Award.
- Technology classes are held at the Virginia City Senior Center every Thursday in May, from 10 a.m. to 2 p.m.
- On June 3, the Lockwood Senior Center will have its annual Car Show.

Community Chest Executive Director Erik Schoen

- All Community Chest services are open. Check the website at www.communitychestnevada.net

County Manager Austin Osborne

- NVEnergy will have a town hall in Storey County sometime in June.
- Thanked Public Works for their efforts.
- The Tyler conference had 60 or 70 classes for representatives from all over the country, and all other government entities are having the same challenges as Storey County.

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

- Commissioner Mitchell thanked the staff for their efforts.
- Commissioner Carmona noted the passing of Highlands' resident Chandra Butcher.

21. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the CVS and Allergan Settlement Participation forms. By these forms Storey County releases any claims it may have in the ongoing opioid litigation proceedings against CVS Pharmacy and its associated entities as well as Allergan and its associated entities. If the settlement agreements are approved, then the State of Nevada is expected to receive \$26,508,912.00 while Storey County would receive a little more than \$18,000.00 over a seven-year period. Under the CVS settlement, the State of Nevada would receive \$66,605,257.00 and Storey County would receive \$102,357.00 over a ten-year period.

Deputy District Attorney Keith Loomis said this is part of the ongoing opioid litigation. In contrast to other settlements which required 85 percent approval of participants, this requires 100 percent approval.

Mr. Loomis introduced Mr. Mark Krueger, Chief Deputy Attorney General of the Nevada Attorney General's Office. Mr. Krueger said the document allows the state to come to the table and lobby for additional revenue to fight the opioid epidemic.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Allergan and CVS Pharmacy Settlement Participation forms and authorize the County Manager to sign. **Seconded by:** Lance Gilman. **Vote:** Motion passed 2-1, with Commissioner Carmona voting No.

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

13. DISCUSSION/FOR POSSIBLE ACTION: Review and possible approval of the 2023-2024 Storey County Fire District Final Budget for submission to the Nevada Department of Taxation.

Comptroller Jennifer McCain said she submitted two options for the final Fire District budget because they were unsure if the Collective Bargaining Agreement would be approved by this time. It has not been, so the BOC will have a choice. Option 1) is a budget that does not include potential changes and Option 2) includes all the changes that Ms. McCain knew of by May 8. She recommended Option 2) to plan for the totality of outcomes and if all funds are not spent, OK. This budget has no additional changes except a \$260,000 difference between the two options. With that, Option 1) and 2) revenues are budgeted at about \$13 million. Of that, about \$4.7 million is property tax alone. The expenses in Option 2) are about \$11 million, and Option 1) about \$10 million. Ending fund balance for Option 2) would be about \$4.6 million and for Option 1), about \$4.9 million. The fire district still has a buffer in case of a catastrophe. The total budget is \$15.9 million with transfers in of 1.3 million across all funds. Transfers out across all funds is \$1,422,000.

Commissioner Gilman supported Option 2).

Public Comment: None

Motion: I, Fire Commissioner Mitchell, move to approve the 2023-2024 Storey County Fire District Final Budget Option 2), and direct the Storey County Comptroller to submit the final budget to the Department of Taxation. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 14. DISCUSSION/FOR POSSIBLE ACTION:** To approve Lara Mather, Storey County’s Business Development Officer to renew The System of Award Management (SAM) account on behalf of the Fire District.

Fire Chief Jeremy Loncar said this is for our notification on grants from the federal government and it allows Lara Mather to sign on the Fire District’s behalf.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Lara Mather, Storey County’s Business Development Officer to renew The System of Award Management (SAM) account on behalf of the Fire District. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

15. RECESS TO CONVENE AS THE STOREY COUNTY WATER AND SEWER BOARD

- 16. DISCUSSION/FOR POSSIBLE ACTION:** Review and possible approval of the 2023-2024 Storey County Sewer Final Budget for submission to the Nevada Department of Taxation

Comptroller McCain said she and Mr. Wierzbicki restructured the budget and found two line-items to increase, telephone account and retiree insurance. But also found areas to decrease, such as a double entry for Sierra Controls, computer equipment. Total decrease in expenses for the Water Fund budget is \$42,600. Ms. McCain said revenues are increasing 11 percent. The expected ending fund balance as of June 30, 2024, is \$1,573,000. No significant changes to the Sewer Fund, where the ending fund balance is expected to increase by 4 percent to total \$952,000.

Commissioner Mitchell asked if the Water Fund was included in the Sewer budget? Ms. McCain said, “No, the Water Fund is included in the Storey County budget and the Sewer Fund has its own budget.”

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the 2023-2024 Storey County Sewer Final Budget and direct the Storey County Comptroller to submit the final budget to the Department of Taxation. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

- 18. DISCUSSION/FOR POSSIBLE ACTION:** Review and possible approval of the 2023-2024 Storey County Final Budget for submission to the Nevada Department of Taxation.

Comptroller McCain said that in the Capital Projects Fund, Community Development and Human Resources are exploring opportunities for additional software for about \$28,000. Rolled two items from this year into next, including Electric Avenue, which is about \$3.4 to \$4 million added to the budget. \$4 million was added and the project won't be done. The other is a piece of equipment, a small-town plow at \$150,000, but will not be ready by June 30. The Sheriff's Office has added 4 license-plate readers, 3 fixed and one mobile, at a cost of \$19,000, to its budget under Capital Projects. Ms. McCain said she budgeted for elected officials' salary increases that are being considered by the Legislature in case they come to fruition. Those are the only changes not discussed in previous meetings. Revenues are expected to be \$27 million, of which \$17 million will come from property tax. Expenses are \$26.4 million, with a contingency of about \$900,000. This gives the county an excess revenue of \$21,000, so it is close to a zero budget. Transfers out are at \$9 million, which brings the ending fund balance down to approximately \$15 million, and 25 percent of expenses will bring that down to \$7 million. We have dropped our ending fund balance significantly, but still have enough to operate. The total Storey County budget is about \$45 million, with transfers in being, across all funds, \$14 million. Our expenses are \$62.8 million, and that includes transfers out of that \$14 million. Capital Projects Fund, Equipment Acquisition and Infrastructure Funds are the significant expenses across the budget. The county is rolling over \$1.5 million in projects that could not be completed in time. . That includes the Lockwood Substation, Station 72 in the Virginia City Highlands, fuel pump updates in TRIC and Virginia City, The Justice Court parking lot and Courthouse fence repairs. Beginning will be Lockwood Senior Center and Station 71, for another \$4.2 million. Capital Projects are \$15 million, with additions of IT budgeting of \$5 million. In Equipment Acquisition, purchases include eight vehicles. Also, a new water project for the B Street waterlines.

County Manager Osborne said that Tesla would pay over \$2 million for the Electric Avenue project.

Public Comment: None

Motion: I, Commissioner Mitchell, approve the 2023-2024 Storey County Final Budget and direct the Storey County Comptroller to submit the final budget to the Department of Taxation. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 19. DISCUSSION/FOR POSSIBLE ACTION:** Authorize the County Manager to approve a contract modification with the United States Geological Survey (USGS) to continue a five-year program of voluntary monitoring of groundwater levels and quality, aquifer conditions, and other geotechnical review in the Highlands neighborhood of Storey County. The joint funding agreement contract modification will include extending the period of performance from September 30, 2023, to September 30, 2027. Total funding for the additional five-year project extension will be \$51,450 paid by Storey County and \$37,250 paid by the USGS for a total project cost of \$88,700.

County Manager Osborne said in 2017 we started a water resources study for the Virginia City Highlands. It was a five-year program. They would like to go another five years for that. \$5,000 to \$6,000 per year. It would be a 60-40 distribution of funds instead of 50-50, and the number of wells will be modified but remain about 40 wells.

David Smith with USGS said this would last from 2023-2027. Monitoring frequency would change, and 20 wells would be added annually. He said different areas had various changes, some with higher levels and others with lower levels. Data is available on the USGS web site. This will measure recharge during both wet and drought years.

Public Comment: None

Motion: Based on the recommendation by staff, I, Commissioner Mitchell, authorize the County Manager to approve a contract modification with the United States Geological Survey (USGS) to continue a five-year program, of voluntary monitoring of groundwater levels and quality, aquifer conditions, and other geotechnical review in the “Highlands” neighborhood of Storey County. The joint funding agreement contract modification will include extending the period of performance from September 30, 2023, to September 30, 2027. Total funding for the additional five-year project extension will be \$51,450 paid by Storey County and \$37,250 paid by the USGS for a total project cost of \$88,700. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

20. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of amendment to 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. The amendment is to extend the current rental agreement by an additional 180 days due to limitations imposed by the harsh winter. The staff is not recommending any additional rent charge.

Deputy District Attorney Loomis said the Gooseberry Mine is held by the Clerk-Treasurer’s Office in trust for both the state and the county for nonpayment of delinquent taxes and are allowed by state law to rent the property. Had rental agreement to Nova Geotechnical and Inspection Service Northern Nevada LLC, for 180 days, but they were unable to complete their work due to the winter.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the amendment of the rental agreement between the Storey County Treasurer and Nova for a site evaluation at the location of the Gooseberry mine for an additional period of 180 days and authorize the Storey County Treasurer to sign. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

22. RECESS TO CONVENE AS THE STOREY COUNTY HIGHWAY BOARD.

- 23. DISCUSSION/FOR POSSIBLE ACTION:** Allow the Public Works Director to sign the quote from Snoquip in the amount of \$212,000.00 ordering a new Loader Mounted Larue D45 235 HP Cummins Tier 4 engine with wireless controls to be paid for out of the 2023/2024 Fiscal Year Budget upon delivery in November to December.

Public Works Director Jason Wierzbicki said with the success of the first snowblower. We could run both units and remove snow at an even faster rate. This would also serve as backup in case of breakdown.

Public Comment: None

Motion: I, Highway Commissioner Mitchell, move to approve the Public Works Director to sign the Quote from Snoquip in the amount of \$212,000.00 for a Larue D45 Loader Mounted Snowblower. Unit will be ordered now but payment would be in the Fiscal Year Budget of 2023/2024 upon delivery in November/December. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

- 25. DISCUSSION/FOR POSSIBLE ACTION:** To authorize the County Manager to accept and sign a proposal from Clayton Homes for the replacement of the Sheriff's Office Lockwood Substation at 420 Canyon Way, Lockwood for an amount not to exceed \$300,000.00. The work will include the removal and disposal of the old unit, site preparation, foundations, production of and placement of the new building unit, and the construction of an entry deck.

Mike Northan, Operations and Projects Coordinator, said after working with the Sheriff's Office, got a bid from Clayton Homes.

Public Comment: None

Motion: I, Commissioner Mitchell, move to authorize the County Manager to accept and sign a proposal from Clayton Homes for the replacement of the Sheriff's Office Lockwood Substation at 420 Canyon Way, Lockwood for an amount not to exceed \$300,000. The work will include the removal and disposal of the old unit, site preparation, foundations, production of and placement of the new building unit, and the construction of an entry deck. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

26. DISCUSSION/FOR POSSIBLE ACTION Consideration and possible approval acceptance of Assignment and Assumption of Lease by Comstock Cemetery Foundation, Inc. (CCF, Assignor) and Storey County (Assignee) with approval by Consolidated Virginia Mining Company (Landowner) predicated upon completion of the Memorandum of Understanding between the CCF and Storey County dated November 2, 2022, for the development and maintenance of the Silver Terrace Cemeteries and Eastward Expansion Area.

County Manager Osborne in 2022 an MOU was approved, which is predicated on the lease agreement for 99 years. This is a modification of the agreement approved in April of this year. This will also allow the county to survey the area for cemetery expansion.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve acceptance of Assignment and Assumption of Lease by Comstock Cemetery Foundation, Inc. (CCF, Assignor) and Storey County (Assignee) with approval by Consolidated Virginia Mining Company (Landowner) predicated upon completion of the Memorandum of Understanding between the CCF and Storey County dated November 2, 2022, for the development and maintenance of the Silver Terrace Cemeteries and Eastward Expansion Area. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

27. DISCUSSION/FOR POSSIBLE ACTION: Review and Comment on Storey County RFP for Franchise Collection Services Draft (Draft RFP). Direct staff to incorporate changes to Draft RFP, complete the Draft Collection Service Agreement, and bring both documents back to the board at a future meeting for consideration. **28. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval to appoint county representative to the Historic Fourth Ward School and Museum Board.

County Manager Osborne said Joe Sloan of Sloan Vazquez McAfee is in attendance, and that there has been an addendum to the draft that includes thoughts and costs.

Joe Sloan, of Sloan Vazquez McAfee, said that the Draft RFP included the term of the agreement, including exclusivity, responsibilities of the contractor, collection services and transfer station management, recyclables, low-income rates for seniors, vacation holds, animal-resistant carts, multi-family residences, commercial collection services, county services, costs and prices, requirements for service, billing, customer service, record-keeping and reporting, and implementation.

Commissioners were comfortable with getting prices for a 5-year agreement and a 10-year agreement.

Under the draft plan, the contractor would have responsibility for the transfer station and recyclable bins.

Mr. Sloan said what would happen depends on each proposal.

The RFP will include no cost to drop off recyclables at the transfer station.

On Discounted rates for seniors – all this means is that others are subsidizing the discounted rate. Fewer are adopting senior rates but do have hardship rates. Gilman wants to leave it in, and Lockwood has its own franchise. Commissioners decided contractors can bid either way.

The commissioners discussed what is required on the RFP and chain of custody issues, and what was desirable for each community.

Public Comment: None

Motion: I, Commissioner Mitchell, move to direct staff and the contractor to incorporate changes from discussion in this meeting to the draft RFP to complete the Draft Collection Service Agreement and to bring both documents back to the board at a future meeting for consideration. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

28. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval to appoint county representative to the Historic Fourth Ward School and Museum Board.

County Manager Osborne suggested naming Commissioner Clay Mitchell to the Historic Fourth Ward School and Museum Board.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the appointment of myself, Commissioner Mitchell to serve the remainder of one county representative term on the Historic Fourth Ward School and Museum Board. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

29. DISCUSSION/FOR POSSIBLE ACTION: For consideration and possible approval of business license second readings:

- A. Alkalinea LLC – Out of County / 13109 Davos Dr. ~ Truckee, CA
- B. Big Bear Springs – General / 184 S. C St. ~ Virginia City, NV
- C. Frazier Industrial Company – Contractor / 91 Fairview Avenue ~ Long Valley, NJ
- D. Harder Built Construction LLC – Contractor / 1802 N. Carson St. Unit 100 ~ Carson City, NV
- E. M&M Excavating & Landscape Services LLC – Contractor / 120 Inventors Pl. ~ Sparks, NV
- F. Olivier’s Organic French Crepes–Food Truck / 454 Moran St. ~ Reno, NV
- G. Pacific Decorative Concrete Inc. – Contractor / 5421 Stationers Way ~ Sacramento, CA
- H. Quality Fence of Nevada – Contractor / 59 Red Rock Rd. ~ Mound House, NV
- I. Summit Line Construction Inc. – Contractor / 441 W. Power Line Rd. ~ Heber, UT
- J. Superior Installation Services Inc. – Contractor / 1230 Crowley Circle ~ Carrollton, TX
- K. Texas Republic Signs, LLC – Contractor / 2211 Pech Rd. ~ Houston, TX
- L. Western States Electric – Contractor / 1101 National Dr. Ste. D ~ Sacramento, CA
- M. Wikborn Ventures, LLC– Home Business/19 Toll Rd. ~ Virginia City, NV

Public Comment: None


Motion: I, Commissioner Mitchell, hereby move to approve the second readings of business licenses listed A-M. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

30. PUBLIC COMMENT (No Action)

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

Chairman Carmona adjourned the meeting at 12:19 p.m.

Respectfully submitted,



Jim Hindle
Clerk & Treasurer