



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

9/5/2023 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, Clerk & Treasurer Jim Hindle, County Manager Austin Osborne, Deputy District Attorney Keith Loomis

√ Assessor Jana Seddon
√ Justice of the Peace Eileen Herrington
√ Recorder Dru McPherson
√ Sheriff Mike Cullen
√ Comptroller Jennifer McCain
√ Business Development Manager Lara Mather
√ Community Development Director Pete Renaud
√ Community Relations Director Honey Coughlin
√ Emergency Management Director Adam Wilson
√ Fire Chief Jeremy Loncar

√ Human Resources Director Brandie Lopez
√ IT Director James Deane
√ Planning Manager Kathy Canfield
√ Public Works Director Jason Wierzbicki
□ Operations and Project Manager Mike Northan
√ Senior Center Director Stacy York
√ Tourism Director Todd Tuttle
Other:
√ Community Chest Executive Director, Erik Schoen

Total Attendance: 51

In-Person: 27

Zoom: 24

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

Commissioner Carmona called the meeting to order at 10:01 a.m.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT (No Action): Donnie Gilman said a deal has been in the works at TRIC for a large land purchase that has closed. He praised county leadership and staff for their assistance.

4. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the agenda for the September 5, 2023, meeting.

Public Comment: None

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

5. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes for the June 6, 2023, meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the minutes from our June 6, 2023, meeting as presented. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

6. CONSENT AGENDA FOR POSSIBLE ACTION: I For Possible action, approval of business license first readings:

- A. Ace Rental and Sales. – Contractor / 5625 Manchester Ave. ~ St. Louis, MO
- B. Authentic Roofing LLC – Contractor / 1079 Spoonbill Dr. ~ Sparks, NV
- C. Copper Mountain Construction LLC – Contractor / 2449 Lawry Dr. Sparks, NV
- D. Crazy Calamities LLC – General / 355 N. F St. ~ Virginia City, NV
- E. New Mountain Excavating Inc. – Contractor / 7383 Windmill Dr. ~ Reno, NV
- F. Sstructures Inc. – Contractor / 5224 E Us Hwy 50 ~ Carson City, NV
- G. Sun Source Energy LLC – Contractor / 5580 W. Flamingo Rd. #101 ~ Las Vegas, NV
- H. SX VC LLC (Temp Vendor/Retail) – General / 5 N. C St. ~ Virginia City, NV
- I. TDC Management LLC – Out of County / 241 Ridge St. Ste 410 ~ Reno, NV
- J. TowerCo 2013, LLC – Out of County / 5000Valleystone Dr. Ste. 200 ~ Cary, NC
- K. Victory Glass, LLC – Contractor / 425 Western Rd. Ste. 109 ~ Reno, NV

II Consideration and possible approval of the modification to Policy 217 establishing the expectations of employees' attire when representing the county at meetings, conferences, and other gatherings.

Public Comment: None

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

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

Sheriff Mike Cullen

- Sheriff Cullen noted the death of former Storey County Deputy and Pyramid Lake Police Officer Anthony Francone, who was killed in the line of duty on Friday, Aug. 25, 2023, while attempting to stop a fleeing suspect. He served Storey County from 2006 to 2019. He was recognized for bravery and service and was an expert in accident investigations. His memorial was held Saturday, Sept. 9, 2023, at the Reno Aces ballfield in Reno.

Fire Chief Jeremy Loncar

- One engine is in Southern California.
- The fire season is looking better with the amount of moisture we recently received.
- The Volunteer Fire Department's Spaghetti Feed fundraiser will Sept. 9 at Station 72 in the Highlands. Doors open at 5 p.m. and dinner is served at 6 p.m.

Public Works Director Jason Wierzbicki, and for Mike Northan

- Public Works officials have met with NVEnergy over work at Station 72.
- The old Lockwood Sheriff's Substation is removed and the site is being prepared for a new building.

Business Development Director Lara Mather

- The Business Development Office said the deadline for Community Project Grant applications is 5 p.m. Sept. 20, 2023. For more information, call Honey Menefee at 775-847-0986, or email hcoughlin@gmail.com.
- I gave a tour on Aug. 23 to staff from Congressman Mark Amodei's Office.
- I completed a business coach course through UNR's Extended Studies Department.

Emergency Management Director Adam Wilson

- September is National Preparedness Month to prepare for natural, man-made and technological disasters.

Tourism Director Todd Tuttle

- The Motorcycle Roundup went smoothly.
- Dirty Cello performed at Piper's Opera House on Sept. 6. The VCTC is trying to increase activities there.
- There were 20 entries in the Labor Day Parade, including the Lt. Governor.
- Camel Races are Sept. 8-10. There are still local tickets for Friday's show. Saturday's VIP and shaded seating are sold out. Media are coming from all over the area. The Sunday show is selling out quickly. We will have the Camel Hump on Saturday. There will be a shuttle from the races to C Street.
- Comedian Kevin Farley will be at Piper's Opera House on Sept. 15.
- In October, or Hauntober, there will be magic shows on C Street, along with many other family-friendly events.

Assessor Jana Seddon

- I am proud of working with our team. I was presented with the 20-year plaque, and 20 years ago there was a different mentality. Now we work together. Trying to get two offices to work together in other counties is awful.

IT Director James Deane IT

- The IT Department is coordinating with the Abbi Agency on the web site.

HR Director Brandie Lopez

- There are a total of 207 county employees, with 165 full-time: 42 part-time. Of those, 120 are with the county and 45 are with the Fire District, including 7 that are grant funded; 42 that are part-time; 10 who are seasonal; and 7 employees are part of the planning board. She said there are 31 budgeted vacancies and the County is actively recruiting for 25.

Community Development Director Pete Renaud

- The Community Development Department added two new inspectors.

Stacy York Senior Center

- The Senior Center will hold flu shot clinics on Sept. 29 at the Virginia City Center, from 9 am. to 11 a.m.; and in Mark Twain on Oct. 17 from 4-6 p.m. A flu and Covid Clinic will be held from noon to 4 p.m. Oct. 4 at Piper's Opera House. The center does not have testing. People need to go to their doctor or a pharmacy.
- A Community Resource Fair will be held Oct. 4 from noon to 6 p.m. in Mark Twain.

Judge Eileen Herrington

- Thanked Anne Langer and Austin Osborne for helping develop the corrective action plan with Indigent Services and to finalize the Public Defender Services agreement with Carson City.

Deputy District Attorney Keith Loomis

- The District Attorney's Office plans to file a complaint for the revocation of the business license for the Bonanza Saloon.

District Attorney Langer

- The change in the indigent defense/public defender service was, a 55-month journey that took a lot of energy from a lot of people. I want to thank everyone. It could not have been done so quickly had everyone not worked as a team.

County Manager Austin Osborne

- We are looking for a representative to serve on the Cemetery Board, and for members of the Board of Appeals - one with engineering/contracting, another fire presentation experience, and one at-large. All interest in serving, please submit a letter to the County Manager.

- Thanks to the people who attended the town halls this summer.
- We are working on the Strategic Plan.

Community Chest Executive Director Erik Schoen

- Programs are full for the fall programming season but have space for before-and-after-school programs.
- We have a workforce program, and the library is a good location for a meeting.
- Because of the implementation of the hot lunch program, there is demand to expand it to the high school. Thanks to Stacy and the school district staff.

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

Commissioner Lance Gilman talked about a new deal that was coming to the Tahoe Reno Industrial Center and praised all the county staff over the years for their efforts into making the industrial park such a success.

Commissioner Jay Carmona praised both the staff and the industrial park. He also said the Virginia City Highlands potluck had 70 people at Pinion Park.

Commissioner Mitchell said September was preparedness month and asked that all start preparing now for winter.

9. DISCUSSION/FOR POSSIBLE ACTION: Review, receive public comment, and provide direction to staff and consultants on the draft Storey County RFP for a successor Solid Waste Collection Services Franchise Agreement in preparation for consideration of the final RFP at the 09/19/23 board meeting.

Joseph Sloan of Sloan Vasquez Consultants, said draft Request for Proposal draft changes involved mandatory service and exclusivity. Mandatory service was rejected, and residents can haul their trash to the landfill. Large commercial generators may handle their own waste. Companies can also haul away their own effluent.

County Manager Osborne noted a series of workshops was held in each Storey County community as well as a Zoom workshop, so intention on this item is for staff direction.

Mr. Sloan said that service is mandatory except for entities that may opt to serve themselves, such as Google, Tesla and other large waste generators who handle their own waste. He said service is only mandatory if a company seeks to hire a third party. He said recycling will be offered but is not mandatory. Recyclers can be hired to pick up items that will not end up in the landfill.

Commissioner Mitchell said he preferred recycling to be limited to the industrial park and be optional. Mr. Sloan said because of the costs of recycling is the same as for waste, and the fee would be 80 percent of what is proposed for garbage service.

Public Comment: Alexia Sober asked what type of things could be recycled? Mr. Sloan said he could not be specific at this point.

TRIC Project Manager Kris Thompson recommended that the recycling portion be totally non-exclusive.

George “Eddie” Lorton said, in Lyon County the charge for recycling is 4 percent, rather than 7 to 8 percent.

Commissioner Gilman said is in favor of the document on the table today. Commissioner Carmona would like more time to consider suggestions.

Additional Public Comment: None

Motion: I, Commissioner Mitchell, move to direct staff and the contractor to incorporate changes from this meeting in the draft RFP, complete the draft collection service agreement and bring both documents back to the board on Sept. 19, 2023, for consideration. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

10. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of Resolution No. 23-705, 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 2023-24 fiscal year and superseding prior year action by resolution for appointed Storey County employees with the addition of Schedule B for the intermittent/less than parttime employees of the county.

HR Manager Brandie Lopez said there was a correction in the chart. When employees were moved to the new salary schedule, they shared in the cost of the Public Employee Retirement System, and part-time employees - being on the same salary schedule - means they have to share the expense. Since part-time employees do not receive PERS benefits they should not share in the expense.

Commissioner Mitchell said this should be retroactive.

Comptroller McCain said it would not be a huge amount to make it retroactive but would be considerable work for the Comptroller’s Office. She said 42 part-time employees were impacted.

Public Comment: None

Motion: I Commissioner Mitchell, move to approve Resolution No. 23-705, 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 2023-24 fiscal year and superseding prior year action by resolution for appointed Storey County employees with the addition of Schedule B for the intermittent/less than parttime employees of the county. I further move to make this resolution retroactive to July 3, 2023. The schedule B addition is the updated version we were presented in the meeting. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 11. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval of the Schedule of Project Revenue and Net Revenue for the TRI Public-Private Partnership for fiscal years ending June 2021 and 2022 and the payment to Tahoe Reno Industrial Center, LLC in the amount of \$3,666,155.

Commissioner Gilman recused himself due to a pecuniary interest.

Comptroller Jennifer McCain said this is the audit for June 30, 2022. Our payment is \$7,310,000. This brings us whole through 3.7 million. The budget is \$3.5 million.

We have about \$43.8 million in vouchers as of June 30, 2022, after having paid \$11.9 million. There is \$31.9 million in vouchers due, which brings our total to \$28 million. \$8.7 million has been paid in the last 3 years. In 2002, the schedule of project revenue was \$600,000. This year, it was \$10.8 million.

Public Comment: None

Motion: I, : I, Commissioner , approve the Schedule of Project Revenue and Net Revenue for the TRI Public-Private Partnership for fiscal years ending June30, 2022. and the payment to Tahoe Reno Industrial Center, LLC in the amount of \$3,666,155. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2 votes “Aye” to 0 votes “Nay”.

- 12. DISCUSSION/FOR POSSIBLE ACTION:** Tax Bill correction for 004-101-02 Flintstone Properties. NDOT landlocked this property when USA Pkwy interchange was constructed. Other parcels are owned by EP Minerals or Southern Pacific Railroad, so they have access from their contiguous parcels.

Assessor Jana Seddon said this property used to be a quarry and sits between the railroad and the interchange. Private property was cut off when the interchange was built. The road is a private road and access was never granted. The applicant has requested a tax bill correction.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the correction of the tax bill for parcel 004-101-02 Flintstone Properties as listed in our packet. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 13. DISCUSSION ONLY:** Review and discussion of the final contract between Storey County and The Abbi Agency as approved during the July 18, 2023, Board of County Commissioner's meeting.

Business Development Director Lara Mather said this was be the final contract as approved by the Board on 7/18/23.

Public Comment: None

The contract will be submitted for the file.

- 14. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval to accept a \$5,000 donation from NOVVA Data Centers for the purchase of school supplies for the Storey County Sheriff's Office "Stuff The Cop Car" event.

Ms. Mather said when the sheriff's office started this project, she reached out to her business contacts in the county to gauge interest in participating. NOVVA data centers has new facility at the industrial park, and they readily agreed to make a donation in support of the community.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve to accept a \$5,000 donation from NOVVA Data Centers for the purchase of school supplies for the Storey County Sheriff's Office "Stuff The Cop Car" event. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

- 16. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval of Resolution No: 23-702, annually updating mitigation rates for the deployment of emergency and non-emergency services by the Storey County Fire Protection District for incidents outside of Storey County, large-scale hazardous materials incidents, motor vehicle accidents, and negligent or criminal fires.

Fire Chief Jeremy Loncar said this is for fees when we send crews out to assist other areas to recoup the cost that we incur.

Public Comment: None

Motion: I, Fire Commissioner Mitchell, move to approve Resolution No: 23-702, updating mitigation rates for the deployment of emergency and non-emergency services by the Storey County Fire Protection District for incidents outside of Storey County, large-scale hazardous materials incidents, special operating, and negligent or criminal fires. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

17. RECESS TO CONVENE AS THE STOREY COUNTY HIGHWAY BOARD

18. DISCUSSION/FOR POSSIBLE ACTION: Report of Public Works Department regarding roads and highways in Storey County.

Public Works Director Jason Wierzbicki said he is almost finished with shouldering Lousetown, He said Six Mile Canyon Road was closed Sept 11-14 to add culvert pipe and take care of needed vegetation and tree work. The gas line under Electric Avenue is nearly complete. In Mark Twain, DOWL is working trying to come up with a drainage plan.

Public Comment: None

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

20. DISCUSSION/FOR POSSIBLE ACTION: Discussion and possible consideration of the board's position responding to the Nevada Governor's Office of Economic Development (GOED) requesting from Storey County a letter of acknowledgement regarding application to the Governor's Office of Economic Development for a Data Center Sales & Use Tax Abatement and a Data Center Personal Property Tax Abatement for Novva Reno, LLC ("Novva Tahoe-Reno, LLC") planned in Storey County. The tax abatements are subject to GOED approval per NRS 360 as a "standard partial abatement" for data centers under NRS 360.

Mr. Osborne said GOED sends letters on off-the-shelf abatements, and any county that meets a certain level gets abatements. They are not like the Gigafactory, if they meet criteria, they can receive abatements. Novva-Reno-Tahoe invested \$237 million and have a \$21 million request for a sales and use tax abatement to the Governor's office. This is a 75 percent abatement for 10 years, and the governor's office is asking for a letter of acknowledgement, not approval. We are invited to the meeting.

Public Comment: Hugh Gallagher said he doesn't understand the objectivity of the Governor's Office on Economic Development. He asked why different companies received different abatements.

Mr. Osborne said Novva received the data center abatement under SB1. Data centers receive a specific abatement according to the matrix.

Motion: I, Commissioner Mitchell, move to approve to direct county staff to submit a letter to the Governor's Office of Economic Development (GOED) acknowledging an application for a Data Center Sales & Use Tax Abatement and a Data Center Personal Property Tax Abatement for Novva Reno, LLC ("Novva Tahoe-Reno, LLC") planned in Storey County. The tax abatements are subject to GOED approval per NRS 360 as a "standard partial abatement" for data centers under NRS 360. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

21. DISCUSSION/FOR POSSIBLE ACTION: Discussion and possible consideration of the board's position responding to the Nevada Governor's Office of Economic Development (GOED) requesting from Storey County a letter of acknowledgement regarding an application to GOED for Sales and Use Tax Abatement, Modified Business Tax Abatement, and Personal Property Tax Abatement for Symbia Fulfillment Services of NV, LLC. planned in Storey County. The tax abatements are subject to GOED approval per NRS 360 as a "standard partial abatement".

Mr. Osborne said this is a logistics company with a \$4 million commitment. It is about \$122,000 in sales and use tax abatement and \$89,000 in personal property tax abatement. No real property tax abatement.

Public Comment: None

Motion: I, Commissioner Mitchell, motion to direct county staff to submit a letter to GOED acknowledging an application for Sales and Use Tax Abatement, Modified Business Tax Abatement, and Personal Property Tax Abatement for Symbia Fulfillment Services of NV, LLC. planned in Storey County.. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

22. DISCUSSION/FOR POSSIBLE ACTION: Discussion and possible action to authorize filing of Petition for Judicial Confirmation intended to identify the site where the Mark Twain Community Center is located as the property of Storey County.

Mr. Loomis said that they have not been able to locate the actual deed for the property on which the Community Center sits. It has not formally been dedicated to the county. This action will clear up any issues with and in the title.

Public Comment: None

Motion: I, Commissioner Mitchell, move to authorize the District Attorney's Office to file a Petition for Judicial Confirmation to establish that Storey County is the owner of the land on which the Mark Twain Community Center is located. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 23. DISCUSSION/FOR POSSIBLE ACTION:** Discussion and Possible action to approve Resolution 23-704 declaring the intention of the Board of County Commissioners to lease a portion of its property at 1705 Peru Drive in the Tahoe Reno Industrial Center to the State of Nevada for the benefit of the Nevada Highway Patrol for no rent, setting a date and time for a public hearing on the proposed lease and authorizing publication of a notice of the hearing.

Mr. Loomis said this was a requirement under NRS tht we can do without having to go through an appraisal process. We have to set a date for public comment. The lease is in the hands of the Nevada Department of Transportation, which will then hold a public hearing.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Resolution 23-704 the lease of a portion of the County Complex at 1705 Peru Drive to the State of Nevada for the benefit of the Nevada Highway Patrol, authorize publication of a notice of a time and date to hold a public hearing on the proposed lease and set the date and time for the public hearing at 10:30 a.m. on October 3, 2023. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

- A. Keeley Construction Group Inc. – Contractor / 500 S. Ewing Ave Ste. G ~ St Louis, MO
- B. Redwood Materials EPC, LLC – Contractor / 1201 Battery Blvd ~ McCarran, NV
- C. TNT Auction – General / 601 Britain Dr. ~ McCarran, NV
- D. Troomi Wireless Inc. – Out of County / 151 Southhall Lane Ste. 450 ~ Maitland, FL

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the second readings of business licenses listed under Item #24 as A-D. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

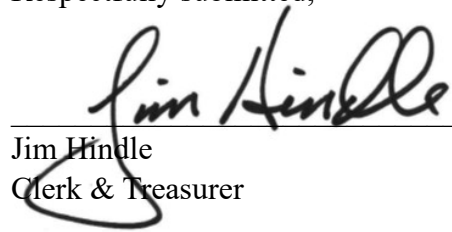
25. PUBLIC COMMENT (No Action)

- 26. ADJOURNMENT OF ALL ACTIVE AND RECESSED BOARDS ON THE AGENDA**
Commissioner Carmona adjourned the meeting at 1:07 p.m.

27. Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding potential labor negotiations with the Storey County Employees' Association Comstock Chapter, AFSCME Local 4041.

Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding potential labor negotiations with the Storey County Employees' Association Comstock Chapter, AFSCME Local 4041. This meeting will begin immediately following the general meeting of the Board of Storey County Commissioners

Respectfully submitted,



Jim Hindle
Clerk & Treasurer