



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

9/19/2023 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, ✓ District Attorney Anne Langer, ✓ County Manager
Austin Osborne, ✓ Deputy District Attorney Keith Loomis

- | | |
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| <input type="checkbox"/> Assessor Jana Seddon | ✓ Human Resources Director Brandie Lopez |
| <input type="checkbox"/> Justice of the Peace Eileen Herrington | ✓ IT Director James Deane |
| ✓ Recorder Dru McPherson | ✓ Planning Manager Kathy Canfield |
| ✓ Sheriff Mike Cullen | <input type="checkbox"/> Public Works Director Jason Wierzbicki |
| <input type="checkbox"/> Comptroller Jennifer McCain | <input type="checkbox"/> Operations and Project Manager Mike Northan |
| <input type="checkbox"/> Business Development Manager Lara Mather | ✓ Senior Center Director Stacy York |
| ✓ Community Development Director Pete Renaud | ✓ Tourism Director Todd Tuttle |
| <input type="checkbox"/> Community Relations Director Honey Coughlin | <input type="checkbox"/> Other: |
| ✓ Emergency Management Director Adam Wilson | |
| <input type="checkbox"/> Fire Chief Jeremy Loncar | |

Total Attendance: 42

In-Person: 26

Zoom: 16

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

Commission Chairman Jay Carmona called the meeting to order at 10:02 am. Commissioner Lance Gilman was absent.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT (No Action)

4. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the agenda for the September 19, 2023, meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve today's Agenda as presented. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2-0.

5. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes from the June 20, 2023, meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the minutes from our June 20, 2023, meeting as presented. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2-0.

6. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the minutes from the July 18, 2023, meeting.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the minutes from our July 18, 2023, meeting as presented. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2-0.

7. CONSENT AGENDA FOR POSSIBLE ACTION:

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

- A. A&P Painting – Contractor / 10120 W. Flamingo Rd. Ste 4-264 ~ Las Vegas, NV
- B. Big Iron Inc. – Contractor / 425 Western Rd. Ste # 108 ~ Reno, NV
- C. Floor Tech Inc. – Contractor / 8850 Terabyte Ct. # D ~ Reno, NV
- D. FW Carson Co. – Contractor / 1064 Tahoe Blvd ~ Incline Village, NV
- E. Ironclad Builders LLC – Contractor / 425 Western Rd. Ste. # 108 ~ Reno, NV
- F. Nicholson Roofing LLC – Contractor / 2100 Poole Way ~ Carson City, NV
- G. River City Plumbing – Contractor / 1070 Marietta Way ~ Sparks, NV
- H. TEDco Construction LLC – Contractor / 5514 Hurricane Ct. ~ Sun Valley, NV
- I. Walker Cellular Inc. – Contractor / 150 Flocchini Cir. ~ Lincoln, CA

II. Approval of claims in the amount of \$5,541,501.03.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve today's Consent Agenda as presented.
Seconded by: Jay Carmona. **Vote:** Motion passed 2-0.

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

Sheriff Mike Cullen

- Sheriff Mike Cullen praised Joining Forces, a regional law enforcement program, and explained its purpose and effectiveness. His office, as well as individual deputies were honored For Outstanding Service, Deputies Jacob Smiley and Dave Ranson, and Sgt. Chris Hamblin were noted for Increasing Pedestrian Safety: Deputy Eli Kerr was recognized for Reducing Impaired Drivers, Speed Enforcement, Deputies Mike Simons and Kody Hallway. For Increasing Pedestrian Safety, Sgt. Chris Hamblin and Deputies Ranson and Smiley were named Outstanding Officers. Deputy Ranson was honored for Outstanding Leadership and Coordination, Officer of the Year and Coordinator of the Year and the Traffic Safety Leadership Award. Comptroller Jennifer McCain was honored for Outstanding Grant Management.
- The Sheriff's Office received a \$10,000 equipment grant.

Community Development Director Pete Renaud

- The department has been working with business owners about Operation Boardwalk, an effort to improve the boardwalk on C Street, and said 70 percent of it was in poor shape.

Emergency Manager Adam Wilson

- The Fire District and Sheriff's Office will work with Emergency Management in the spring to hold an evacuation scenario for wildfire evacuations in the Virginia City Highlands.
- Oct. 11 there will be an Emergency Management Planning meeting that will be available over Zoom.

Tourism Director Todd Tuttle

- The Camel Races sold out for shows on Saturday and Sunday, and nearly sold out on Friday. He said the shuttle was very successful.
- Street Vibrations is Sept. 21-24, with parking on C Street limited to motorcycles only from Sutton Street to the Firehouse Barbecue.
- The Outhouse Races are Oct. 7-8. C Street will be closed intermittently during the races, then opened again.
- Oct. 1 is a mix and mingle at Piper's Opera house, featuring Sherry Davis speaking about grant opportunities.

Recorder Dru McPherson

- DOWL Engineering has taken existing mining data for the Recorder's Office, and created a map showing patented mining claims.

Senior Center Director Stacy York

- The Senior Center will host a Resource Fair at Pipers Opera House on October 4, from noon to 6 p.m., The event will include flu and covid boosters from noon to 4 p.m.
- Flu and Covid shots will be held in Mark Twain from 9 to 11 a.m. Oct. 11, 9-11 a.m. and from 4 to 6 p.m. Oct. 17.
- Flu and Covid shots will be held Oct. 19 from 9 to 11 a.m. in Lockwood.
- Flu and Covid shots will be held Oct. 18 from 4:30 to 6:30 p.m. at Fire Station #72 in the Highlands.
- Flu and Covid shots will be held at the senior center in Virginia City from 9 to 11 a.m. Sept. 29 and 9 to 11 a.m. Oct. 25.

County Manager Austin Osborne for Public Works Director Jason Wierzbicki

- 160 feet of culverts and a lot of shoulder work were done on Six Mile Canyon Road.
- The area along the canal in Painted Rock was mowed.
- At the Tahoe Reno Industrial Center, a storm washed out 2 feet of mud over Electric Avenue and USA Parkway.
- Sierra Nevada Construction will be rehabilitating Electric Avenue, which will take 90 days. Tesla is paying \$2.7 million for the work.
- Fire Station #72 work has commenced again and is moving forward.
- A ballfield concession stand will be repaired from storm damage.
- The new Sheriff's Station in Lockwood is being installed.
- The Lockwood Senior Center project is proceeding, as is the Virginia City Senior Center's breezeway project.
- The B Street barn is a new project that will clean-up and stabilize the building for display of historic vehicles. A glass garage door will be fitted so that tourists can see the historic vehicles. It will be managed by Liberty Engine Co. #1.

County Manager Austin Osborne

- The County Manager's office is working with the IT Department to improve the website.

Chairman Carmona for St. Mary's Art Center Director Arika Perry

- The Director was at an International Art Show and sold several pieces of art.
- The Godmonster movie, made in the 1970s, will be shown continuously on Oct. 14 at the art center. Admission is free.

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

Commissioner Mitchell praised the Godmonster movie, and asked that residents be prepared for a tough winter.

Commission Chairman Carmona noted the passing of former Storey County Recorder Maggie Lowther. He also said the Highlands Volunteer Fire Department's Spaghetti Feed was a big success.

10. DISCUSSION/FOR POSSIBLE ACTION: Discussion and consideration of approval of Resolution No. 23-706 recognizing and commending Storey County employees who have served 10 to 15 years of service to the county.

Human Resources Director Brandie Lopez said that John Miller and Mike Simons had reached the 10-year mark of service and were being honored for it. Photos were taken.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Resolution No. 23-706 recognizing and commending Storey County employees who have 10-15 years of service to the county.

Seconded by: Jay Carmona. **Vote:** Motion passed 2-0.

11. DISCUSSION/FOR POSSIBLE ACTION: Reconveyance (File no. 2023-036) of ownership of approximately 879 linear feet of undeveloped Electric Avenue right-of-way located north of Milan Drive on the west side of the Electric Avenue, adjacent to APN 005-111-71, and encompasses approximately 39,027 square feet in area. The property is located within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada. The request includes adopting Resolution No. 23-703, a Written Offer of Reconveyance and a Deed of Reconveyance.

Planning Manager Kathy Canfield said this is a section of the right-of-way that is 200 feet wide and is the widest spot. This area is comprised of the roadway shoulder, four traffic lanes separated by a center lane, and a significant roadside drainage ditch with a slope. Ms. Canfield said the applicant that owns the adjacent property requested county abandonment of the 200 feet, though Ms. Canfield said it would not be an abandonment, it would be a reconveyance. Everything has been surveyed. Staff decided that this was excess land that could not to be used for any public purpose. She added that the Resolution was needed before the land could be reconveyed.

Ms. Canfield said this would not happen often as a 200-foot right-of-way was unusual.

Applicant Katelyn Moore thanked the Board for their consideration.

Public Comment: None

Motion: In accordance with the recommendation by staff, I, Commissioner Mitchell, hereby move to approve the reconveyance of ownership of approximately 879 linear feet of undeveloped Electric Avenue right-of-way, located north of Milan Drive on the west side of the Electric Avenue, adjacent to APN 005-111-71 and encompasses approximately 39,027 square feet in area. The property is located within the Tahoe Reno Industrial Center,

McCarran, Storey County, Nevada. The request includes adopting Resolution No. 23-703, a Written Offer of Conveyance, and a Deed of Reconveyance. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2-0.

- 12. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval for the Clerk & Treasurer, on behalf of the First Judicial District Court of Storey County, to: 1) enter into an agreement with Tyler Technologies Inc. for their Enterprise Jury Manager SaaS module at a one-time installation and first year service fee of \$59,175. Annual use fees for the service will be \$21,358 in fiscal year 2024-25, and \$22,268 for the 2025-26 fiscal year; and 2) accept a grant award of \$29,406.82 under the Coronavirus Emergency Supplemental Funding (CESF) Program from the Department of Public Safety Office of Criminal Justice Administration to mitigate the current fiscal year budget impact of installation and service fees. Seconded by: Jay Carmona. Vote: Motion passed 2-0.

Clerk-Treasurer Jim Hindle and Max Cortez, Administrator for the First Judicial Court in Carson City (speaking on Zoom), said a better way to manage jury trials was needed. He said currently they are done by hand and spreadsheet, and the proposed system will allow us to install a cloud-based system so clerks in Carson City can assist. Mr. Hindle said the total cost was \$59,175 and it will be a 3-year contract, with costs projected for 2024/2025 and 2025/2026. This is the same system as used in Carson City so activity will be seamless whether the trial is in Virginia City or Carson City. He said this is two-part, an installation fee and use fee. He said the main benefit was having access to a grant of \$29,406.82 to offset the initial costs. It will be first implemented in the First Judicial District Court, and then in the Storey County Justice Court. The cost is not in the current budget, so it will be an augmentation.

Ms. Cortez said the judges are in support of the system.

Mr. Hindle said there are conversations about the grant, which would come through the Center Criminal Justice Administration of the state Department of Justice. There will be two motions today, first for the contract and then for the grant. He also said Deputy District Attorney Keith Loomis has added an indemnity clause to protect the county, as he has done with previous Tyler contracts.

Public Comment: None

Motion: I, Commissioner Mitchell, authorize the Clerk/Treasurer, on behalf of the First Judicial District Court of Storey County, to enter into a service agreement with Tyler Technologies Inc. for use of their Enterprise Jury Manager SaaS at a first-year cost of \$59,175 and subsequent annual fees for the term of the initial agreement increasing a maximum of 5% per annum. I also move to include a modification to the indemnity clause to bring it in line with the other agreements we have with Tyler Technologies. As laid out by the DA's Office. I also authorize the Clerk & Treasurer to accept, if awarded, a grant of

\$29,406.82 under the Coronavirus Emergency Supplemental Funding (CESF) Program from the Department of Public Safety Office of Criminal Justice Administration to mitigate the current fiscal year budget impact of installation and service fees. I make this motion contingent on working through all the stated issues with the DA's Office. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2-0.

- 13. DISCUSSION/FOR POSSIBLE ACTION:** Discussion and possible approval of Subdivision Participation and Release Form which will have the effect of releasing Walgreens, Co. (Walgreens) from all claims against Walgreens arising out of the opioid epidemic in Storey County. By signing the Subdivision Participation and Release Form, the County is joining in the Settlement Agreement and Release and is entitled to the benefits and is subject to the burdens of that Agreement. The purported amount of the settlement will be \$218,940,000.00 to be paid over 15 years of which Storey County allocation is \$202,224.12.

Deputy District Attorney Loomis said this is continuation of settlements from nationwide opioid epidemic. This and the next item are settlements. Funds are allocated to all counties throughout the state.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Subdivision Participation and Release Form with Walgreens and authorize the chairman to sign. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2-0.

- 14. DISCUSSION/FOR POSSIBLE ACTION:** Discussion and possible approval of Subdivision Participation and Release Form which will have the effect of releasing Teva, Ltd (Teva) from all claims against Teva arising out of the opioid epidemic in Storey County. By signing the Subdivision Participation and Release Form, the County is joining in the Settlement Agreement and Release and is entitled to the benefits and is subject to the burdens of that Agreement. The purported amount of the settlement will be \$145,960,024.00 to be paid over 15 years of which Storey Counties allocation is \$134,816.00.

Mr. Loomis this is the subsequent settlement.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Subdivision Participation and Release Form with Teva and authorize the chairman to sign. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2-0.

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

Public Comment: None


Motion: I, Commissioner Mitchell, move to approve 11 second readings of business licenses listed under Item #15 as A-K. **Seconded by:** Jay Carmona. **Vote:** Motion passed 2-0.

16. PUBLIC COMMENT (No Action)

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

Commission Chairman Carmona adjourned the meeting at 10:57 a.m.

Respectfully submitted,



Jim Hindle
Clerk & Treasurer