

STOREY COUNTY BOARD OF COUNTYCOMMISSIONERS MEETING

12/5/2023 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, √ District Attorney Anne Langer, √ Clerk & Treasurer Jim Hindle, √ County Manager Austin Osborne, √ Deputy District Attorney Brian Brown

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

- √ 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:

Total Attendance: 65 In-Person: 45 Zoom: 20

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

Commission Chairman Jay Carmona called the meeting to order at 10:02 a.m.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT (No Action):

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

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the minutes from the Sept. 19, 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. Cooper Steel Contractor / 503 N. Hillcrest Dr. ~ Shelbyville, TN
 - B. New Earth Concepts LLC Out of County / 801 Belfair Ave. ~ SW Orting, WA
 - C. Protective Industrial Products Inc. General / 2625 USA Parkway Ste. 111 ~ Sparks, NV
- II. Approval of claims in the amount of \$4,958,759.95.

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. BOARD COMMENT (No Action - No Public Comment)

- Commissioner Mitchell thanked the VCTC for last weekend's successful Christmas on the Comstock event.
- Commissioner Carmona noted the passing of Mark Twain resident Hal Bailer.
- **8. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval of Resolution No. 23-715 recognizing and commending a Storey County employee who has served 15 20 years of service to the county.

Human Resources Director Brandie Lopez recognizes and commends Jessie Fain for her years of service to the county. Photo was taken.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Resolution No. 23-715 recognizing and commending a Storey County employee who has served 15 - 20 years of service to the county. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

10. DISCUSSION/FOR POSSIBLE ACTION: Presentation of commendation to Fire Captain Daniel St. Clair, Firefighter Derek Giurlani, Firefighter Michael Leland, and Firefighter Jonathon Petersen for their actions on August 13th, 2023.

Fire Chief Jeremy Loncar said on August 13 at 2321 hours, these men went to a structure fire and were notified of a person inside the home. They entered the building, extracted the victim and began lifesaving care. They received the Lifesaving Award for their efforts. Photos were taken of the presentation,

Public Comment: None

No vote by the board.

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

12. DISCUSSION/FOR POSSIBLE ACTION: Presentation, consideration, and possible action to adopt the Area Drainage Master Plan for Virginia City and Six Mile Canyon. A presentation of the plan will be provided by Lumos and Associates, in conjunction with JE Fuller and the Carson Water Subconservancy District. To view complete copy of this plan/report including appendixes, please email planning@storeycounty.org or call 775-847-1144 or see storeycounty.org/Planning/Updates/Virginia City Area Drainage Master Plan.

The link to the full report is:

https://www.storeycounty.org/government/departments/planning/planning_updates.php The complete report is too large to attach in this packet.

Planning Manager Kathy Canfield was joined by Michelle Gamble and Ian Mahaffey with Lumos and Associates.

Ms. Gamble offered a PowerPoint presentation outlining where the drainage problems existed, and offering strategies to combat flooding. She said this is part of a Federal Emergency Management Agency grant and was done in cooperation with the Carson Water Subconservancy District. She said two public outreach meetings in Storey County were held.

The presentation showed drainage down Six Mile Canyon, as well as various ravines that sent water through Virginia City, including drainage down Six Mile Canyon. Treating sub water sheds that come into town. Several ravines were looked at, including the Cedar, Ophir, Spanish, and Elko ravines. She noted that Six Mile Canyon was severely impacted with closings causing problems for Virginia City and Dayton residents, as well as emergency vehicles.

Ms. Gamble said that in Virginia City, curb and gutter problems cause significant flooding, and that the models showed that water flowing quickly, caused problems even in small events. The study also looked at sediment. All studies were for a 25-year event.

Ms. Gamble said that the mitigation plans include diverting to basins to lessen impact to Six Mile Canyon, improving curbs and gutters in Virginia City and culverts in Six Mile Canyon, as well as relocating dirt roads around the basins. Another plan was to bring water down Carson Street through piping. Mr. Mahaffey said the mitigation plans could result in an 80 percent reduction in flows.

Public Comment: None

Motion: I, Commissioner Mitchell, move to move to adopt the Area Drainage Master Plan for Virginia City and Six Mile Canyon. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

13. 10:30 A.M. PUBLIC HEARING: Public Hearing for the Second Reading of Bill 136, Ordinance 23-324, an ordinance amending provisions of Storey County Code Title 17 to allow for changeable copy or variable message signs to be installed on public zoning district land and providing for other matters properly related thereto.

Ms. Canfield said this hearing was continued from the 11/21 meeting as published in the newspaper. No comments have been received.

Public Comment: None

Motion: I, Commissioner Mitchell, move to move to close the public hearing for the second reading of Bill 136 Ordinance 23-324 amending provisions of Storey County Code Title 17 to allow for changeable copy or variable message signs to be installed on public

zoning district land and providing for other matters properly related thereto. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

14. DISCUSSION/FOR POSSIBLE ACTION: Second Reading of Bill 136, Ordinance 23-324, an ordinance amending provisions of Storey County Code Title 17 to allow for changeable copy or variable message signs to be installed on public zoning district land and providing for other matters properly related thereto.

Ms. Canfield said this is what the public hearing was about, to include changeable signs on public roads.

Public Comment: None

Motion: In accordance with the recommendation by staff and the Planning Commission, I, Commissioner Mitchell, move to approve the second reading of Ordinance 23-324 amending provisions of Storey County Code Title 17 to allow for changeable copy or variable message signs to be installed on public zoning district land and providing for other matters properly related thereto. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

Ms. Canfield read the title to the Resolution. Findings are located on page 44 of the meeting packet on the Storey County website, under Agendas: Board of Commissioners,

15. RECESS TO CONVENE AS THE STOREY COUNTY HIGHWAY BOARD

16. 11:00 A.M. PUBLIC HEARING: Public Hearing on proposed Resolutions 23-707, and 23-708 and 23-709 as described: RESOLUTION 23-707, which proposes identification of Old Stagecoach; Storey County Road Number 920390 (2 segments; commonly known as Old Stagecoach; road segment length 5,793 feet (1.1 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet; and Old Stagecoach (Segment 2) road segment length 500 feet (0.09 Miles) Overall Average Disturbed Width: Approximately fourteen (14) feet. It is proposed that the road be identified as a minor county road. RESOLUTION 23-708 which proposes the identification of Storey County Road Number 910405, commonly known as Unnamed, road segment length 9,668 feet (1.83 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet. It is proposed that the road be identified as a minor county road. RESOLUTION 23-709 which proposes the identification of Storey County Road Number 910395, commonly known as Unnamed, road segment length 1,541 feet (0.29 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet. It is proposed that the road be identified as a minor county road. The effect of identifying a road as a minor county road is to identify it as a public road, available for public use but not maintained by Storey County. It must be used by motorists at their own risk.

Ms. Canfield said this is a public hearing on resolutions that provide for identification of county roads on public, or Bureau of Land Management-controlled lands.

Public Comment: None

Motion: I, Highway Commissioner Mitchell move to close the public hearing on the proposed Resolutions 23-707, 23-708 and 23-709. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

17. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible adoption of Resolution 23-707, which proposes identification of Storey County Road Number 920390 (2 Segments), commonly known as Old Stagecoach (Segment 1), road segment length 5,793 feet (1.1 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet; and Old Stagecoach (Segment 2) road segment length 500 feet (0.09 Miles) Overall Average Disturbed Width: Approximately fourteen (14) feet as a minor county road as more fully described in the attached Exhibit 1, this applies only to the segments of the road that traverse land managed by the Bureau of Land Management. It is proposed that the road be identified as a minor county road. The effect of identifying the road as a minor county road is to identify it as a public road, available for public use but not maintained by Storey County. It must be used by motorists at their own risk.

Ms. Canfield said this resolutions are the same as in the public hearing. This road is located on BLM-controlled land and just south of Geiger Grade in the Summit area.

Public Comment: None

Motion: I, Commissioner Mitchell, move to adopt Resolution 23-707, which proposes identification of Storey County Road Number 920390 (2 Segments), commonly known as Old Stagecoach (Segment 1), road segment length 5,793 feet (1.1 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet; and Old Stagecoach (Segment 2) road segment length 500 feet (0.09 Miles) Overall Average Disturbed Width: Approximately fourteen (14) feet as a minor county road as more fully described in the attached Exhibit 1, this applies only to the segments of the road that traverse land managed by the Bureau of Land Management. It is proposed that the road be identified as a minor county road. The effect of identifying the road as a minor county road is to identify it as a public road, available for public use but not maintained by Storey County. It must be used by motorists at their own risk. Seconded by: Lance Gilman. Vote: Motion passed unanimously.

18. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible adoption of Resolution 23-708 which proposes the identification of Storey County Road Number 910405, commonly known as Unnamed, road segment length 9,668 feet (1.83 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet. It is proposed that

the road be identified as a minor county road. The effect of identifying the road as a minor county road is to identify it as a public road, available for public use but not maintained by Storey County. It must be used by motorists at their own risk.

Ms. Canfield said this is another segment of road in the same general area west of Geiger Grade. All is BLM-controlled land.

Public Comment: None

Motion: I, Commissioner Mitchell, move to adopt Resolution 23-708 which proposes the identification of Storey County Road Number 910405, commonly known as Unnamed, road segment length 9,668 feet (1.83 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet. It is proposed that the road be identified as a minor county road. The effect of identifying the road as a minor county road is to identify it as a public road, available for public use but not maintained by Storey County. It must be used by motorists at their own risk. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

19. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible adoption of Resolution 23-709 which proposes the identification of Storey County Road Number 910395, commonly known as Unnamed, road segment length 1,541 feet (0.29 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet. It is proposed that the road be identified as a minor county road. The effect of identifying the road as a minor county road is to identify it as a public road, available for public use but not maintained by Storey County. It must be used by motorists at their own risk.

Ms. Canfield said this is the third piece of that road system, south of Seven Mile Canyon, and is on BLM-controlled land.

Public Comment: None

Motion: I, Commissioner Mitchell, move move to adopt Resolution 23-709 which proposes the identification of Storey County Road Number 910395, commonly known as Unnamed, road segment length 1,541 feet (0.29 Miles), Overall Average Disturbed Width: Approximately fourteen (14) feet. It is proposed that the road be identified as a minor county road. The effect of identifying the road as a minor county road is to identify it as a public road, available for public use but not maintained by Storey County. It must be used by motorists at their own risk. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

20. DISCUSSION ONLY: Report of the Public Works Department regarding roads and highways in Storey County.

Public Works Director Jason Wierzbicki gave a report on roads in Storey County.

- Electric Avenue almost fully complete.
- Lousetown Road is in the final stages of engineering.
- The B Street waterline is coming along. The pipe is done, and crews are now doing meter tie-ins, which is expected to be completed the first week of January.
- Opening bids for the Taylor Street project are out and a decision should be made on Dec. 12
- On Thursday, Dec. 7, Lumos and Associates will drill and sample B Street behind the Red Dog Saloon to fix the failed wall section.
- Offers have been extended to two full-time road workers and one seasonal road worker.

Public Comment: None

21. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSING BOARD

22. DISCUSSION/FOR POSSIBLE ACTION: For consideration and possible approval of the First reading for On-Sale/Off-Sale Liquor License. The applicant is Carol Maley, Silverland Inn & Suites located at 100 North E Street, Virginia City, NV 89440.

Undersheriff Eric Kern said there were no issues with this applicant.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the First Reading On-Sale/Off-Sale Liquor License. Applicant is Carol Maley, Silverland Inn & Suites, located at 100 North E Street, Virginia City, Nevada. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

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

Public Works Director Jason Wierzbicki

- The Highlands fire station concrete slab should be poured shortly. There is a 7-day cure time and then the erection of the steel building will begin.
- IT and Buildings and Grounds are working on data ports, telephones and handrails for the Lockwood Sheriff's substation,
- Work is progressing on the Virginia City Senior Center breezeway project and the cover should be completed next week.

Tourism Director Todd Tuttle

- There was a large turnout on Dec. 2 for the Parade of Lights and the fireworks. Mark Twain and Friends holiday show at Piper's was busy, as was the Grinch Made Me Do It Pub Crawl.
- On Friday, Dec. 8, the Mark Twain show will be at 7 p.m., with another 7 p.m. show Saturday, Dec. 9 and two matinees, 2 p.m. Saturday and 2 p.m. Sunday, all at Piper's Opera House.
- On Saturday, Dec. 9 there will be another Parade of Lights at 5 p.m. and fireworks at 6 p.m. C Street will be closed from 4:30 p.m. to 6 p.m. at 5 p.m. road will be closed from 4:30 to 6. Actor Jeremy Renner will be bringing 250 people to enjoy the event.
- The next Mix and Mingle at Piper's Opera House will be at 6 p.m. Dec. 12. Mike Northan will speak about snow issues, and the 2024 Events Calendar will be discussed.
- The VCTC is finishing the RFQ for event management and a decision is expected at the Dec. 7 meeting.
- The VCTC is in final negotiations with Ardentum Partners, to replace RAD Strategies to provide marketing for Virginia City.

Comptroller Jennifer McCain

- The audit is being reviewed.
- The move to Executime for county employees is moving forward. It has not been activated because some employees put in volunteer time, which is not expected or appropriate.

Planning Manager Kathy Canfield

- Jan. 25 is the tentative date for a community meeting in Lockwood to discuss the Long Valley Creek Project.
- 25. DISCUSSION/FOR POSSIBLE ACTION: Review and possible approval of second reading of Bill No. 137, Ordinance No. 23.325, an ordinance amending Storey County Code Chapter 2 Administration and Personnel, Section 2.22.060 Qualifications of Appraisers, to revise Subsection 2.22.060(F) allowing a qualified appraiser to be placed on the list of county appraisers if the appraiser demonstrates an ability to obtain professional liability insurance as required by the county, and other properly related matters.

County Manager Austin Osborne said this was discussed at the last board meeting. There is a written finding to go with this that the chairman will sign. He read the title of the ordinance.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve second reading of Bill No. 137, Ordinance No. 23.325, an ordinance amending Storey County Code Chapter 2 Administration and Personnel, Section 2.22.060 Qualifications of Appraisers, to revise Subsection 2.22.060(F) allowing a qualified appraiser to be placed on the list of county appraisers if the appraiser demonstrates an ability to obtain professional liability insurance as required by the county, and other properly related matters. This motion includes a finding that a special hearing and business impact statement are not required because the proposed action does not impose a direct or significant economic burden upon a business, or directly restrict the formation, operation, or expansion of a business in Storey County. Seconded by: Lance Gilman. Vote: Motion passed unanimously.

26. DISCUSSION/FOR POSSIBLE ACTION: Consideration of letter of interest for the Appointment of a board member to the Board of Directors of the Carson Water Subconservancy District representing Storey County to serve a four-year term, expiring December 31, 2027, with possible re-appointment following expiration of the term.

Ms. Canfield said the county joined the CWSD more than 2 years ago, with two spots on the board, one occupied by Jim Hindle. Staff recommended the appointment of Lee Sterrett, who is also a planning commissioner, to be appointed to the other seat, with the positions to be staggered.

Public Comment: None

Motion: In accordance with the recommendation by Staff, I, Commissioner Mitchell, move to appoint Lee Sterrett to serve as a board member on the Carson Water Subconservancy District representing Storey County for a four-year term expiring December 31, 2027, with possible re-appointment following expiration of term. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

27. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval to adopt the 2023 Storey County Water Resources Plan for south and central Storey County including Comstock (Virginia City, Gold Hill, Silver City, and American Flat), Highlands, and Mark Twain. This item is being considered in accordance with the 2016 Storey County Master Plan.

County Manager Austin Osborne was joined by Steve Walker from Walker and Associates, to present the water resources plan, which was commissioned in 2000, and was done by Farr West Engineering, now called DOWL, and Walker and Associates.

Mr. Osborne said that a water master plan deals with water resources, rather than infrastructure, though it touches on infrastructure, but mostly is about water rights, groundwater, surface water, and paper rights vs. real water. The plan looks at available land and parcels and what the buildout would look like. The focus was on Virginia City,

Gold Hill, American Flat and Silver City. The plan also looks at needs in the Virginia City Highlands and Mark Twain, if interconnections can be made. Other areas of the county have their own GIDs, and already have plans. Mr. Osborne said this document will help negotiate with the State of Nevada for the amount of water that the county receives. He said Carson City and others are also looking at their water resources master plans.

Mr. Walker said that currently the Virginia City water system, which includes Virginia City, Gold Hill and Silver City, and uses 210 acre-feet from Marlette Lake. For buildout, that would have to be increased by 450 acre-feet. The Marlette system allows 7,000 acrefeet for both the Comstock and Carson City, according to the Franktown Creek agreement. Mr. Walker said that Storey County has an ample water resource but not the infrastructure to deliver. This plan identified the available lots that could be built, the number now at 293, with many being industrial parcels. Mr. Walker said Franktown Creek is said to run at 10 cubic feet per second, though he expressed doubt at that number. He said it would cost about \$12.4 million to put a redundant adjacent pipeline to the Divide, to increase the capacity, including \$6 million to upgrade the current system. As far as using water for the Virginia City Highlands and Mark Twain, Mr. Walker estimated it would cost more than \$100 million. He also noted that there is also leak loss to be considered, and right now the system has a 30 percent leak level, with the recommended level being no more than 5 percent.

In response to questions from the commissioners, Mr. Walker said that if the county and Carson City were not using its water, other areas could request the state engineer to change the place of water use. He said getting water to the Virginia City Highlands would require a 5.5-mile pipeline, booster pump, distribution main, a 600-gallon water storage tank and 588 water meters. He said Mark Twain and American Flat are additional challenges.

Public Comment: None

Motion: In accordance with the recommendation by staff, and in conformance with the 2016 Storey County Master Plan and NRS 278.0228, I, Commissioner Mitchell, move to adopt the enclosed 2023 Storey County Water Resources Plan. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

28. 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 approximately an additional 195 days.

District Attorney Anne Langer said this was to extend a rental agreement that was entered into on Dec. 16, 2022, and the company needs additional time to complete their studies.

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 approximately an additional period of 195 days and authorize the Storey County Treasurer to sign. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- **29. DISCUSSION/FOR POSSIBLE ACTION:** For consideration and possible approval of business license second readings:
 - A. Gray Construction Inc. Contractor / 10 Quality St. ~ Lexington, KY
 - B. JJ's Chuckwagon LLC Food Truck / 1005 Ruby Avenue ~ Silver Springs, NV
 - C. The Bug Guy Pest Control 1706 Harvest Creek Way ~ Fernley, NV
 - D. XVIIsions Productions Home Based 29 S. B St #3 ~ Virginia City, NV

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the second readings of business licenses under Item 29 listed as A-D. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

30. PUBLIC COMMENT (No Action)

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

Commission Chairman Jay Carmona adjourned the meeting at 11:54 a.m.

Respectfully submitted,

Clerk-Treasurer