



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

2/20/2024 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
√ County Administrative Officer Honey Coughlin
√ Fire Chief Jeremy Loncar
√ Comptroller Jennifer McCain
√ Business Development Manager Lara Mather
√ Community Development Director Pete Renaud

□ 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: 38

In-Person: 12

Zoom: 26

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

Commission Chairman called the meeting to order at 10:03 a.m.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT (No Action): None

4. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of the agenda for the February 20, 2024, 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. CONSENT AGENDA FOR POSSIBLE ACTION:

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

- A. Bayview Engineering & Construction Inc. – Contractor / 5040 Robert J Matthews Pkwy ~ El Dorado Hills, CA
- B. Golden Gate Terminal LLC – General / 300 Ireland Dr. ~ Sparks, NV
- C. Quanta Telecommunication Solutions LLC – Contractor / 1580 Kleppe Ln ~ Sparks, NV
- D. The C S M Group Inc. – Contractor / 600 E. Michigan Ave Ste. A ~ Kalamazoo, MI

II. Approval of claims in the amount of \$6,185,933.50.

Public Comment: None

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

6. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of Resolution No. 24-720 recognizing and commending a Storey County employee who has served 10 years of service to the county.

Human Resources Director Brandie Lopez presented an award honoring Deputy David Duke of the Storey County Sheriff's Office for 10 years of service to the county. Sheriff Mike Cullen accepted on Deputy Duke's behalf.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Resolution No. 24-720 recognizing and commending a Storey County employee, namely David Duke, who has served 10 years of service to the county. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

7. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of Resolution No. 24-721 recognizing and commending a Storey County employee who has served 15 or more years of service to the county.

Ms. Lopez recognized Deputy Frank Valdez of the Storey County Sheriff's Office for 15 years of service to the county. Resolution was read. Sheriff Cullen accepted on behalf of Deputy Valdez.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Resolution No24-721 recognizing and commending a Storey County employee who has served 15 or more years of service to the county. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

Public Works Director Jason Wierzbicki

- The department received the 5600 Plow on Feb. 20, and the snowblower is on the way.
- Repair of Taylor Street is moving along, with recent snow being a slight snag. The project timeline is 90 days, but it could be less.

Business Development Manager Lara Mather

- Business Development Officer Lara Mather and Commissioner Clay Mitchell went to Washington DC and presented the 2025 funding requests. Storey County hosted a dinner for regional officials and discussed matters of regional concern.

Administrative Officer Honey Caughlin

- Progress is being made on the Lockwood Senior Center project. Groundbreaking on the new facility will be May 1. Lobbyists, senators, and others who supported the project will be invited. The project is expected to take 14 months to complete. There will be a town hall at 5:30 p.m. April 18 at the Lockwood Senior Center to discuss plans and construction issues.

VCTC Tourism Director Todd Tuttle

- The VCTC board meeting was on Feb. 8 with new members Deborah Hayward, Gretchen Lavach, and Paul Hoyle.
- 2024 event calendars are available. To obtain one, contact the Visitors Center.
- The next mix and mingle will be March 12 at 6 p.m. Piper's Opera House.
- The next VCTC board meeting is at 10 a.m. March 14 at the Courthouse.
- On Saturday, March 16 the Mountain Oyster Fry will begin at 11 a.m. with the St. Patrick's Day Parade to begin at noon.
- The Father-Daughter Day event will be April 10.

Human Resources Manager Brandie Lopez

- There is a new program for job applicants to apply online. It should be complete in Mid-May. Right now, applicants can download an application and mail it into the office.

Clerk/Treasurer

- The Secretary of State's website suffered technical glitches on issues of voting history. Election results were not affected. The Storey County system has not been compromised and voters information is current and uncompromised.
- Candidate filing for the June Primary runs from March 4-15. The office is working with the ABBI Agency to put the information on the Storey County website under the Clerk/Treasurer section.
- The June 6 primary is for local and state candidates, with information on the Secretary of State's website. Storey County candidates must file with the Storey County Clerk's Office.

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

- Commissioner Mitchell described his recent trip to Washington DC, noted meetings with federal officials and the Storey County sponsored dinner for Northern Nevada county officials.
- Commissioner Carmona noted the passing of Virginia City residents Barbara Bowers and Jeanne Tucker.

10. 10:30 A.M. PUBLIC HEARING: 10:30 a.m. public hearing on proposed Bill No. 139, Ordinance No. 24-327 an ordinance adding Article III District No. 2 to Chapter 3.50 to the Storey County Code creating Storey County Economic Diversification District No. 2 and providing for other properly related matters.

County Manager Austin Osborne said this public hearing was for the ordinance that is required for public comment, for Economic Diversification District #2. This was heard on Feb. 6 and Feb. 15, and today. There are amendments. A copy of the ordinance is in the Commissioners packet on the Storey County website under Agendas: Board of Commissioners, on Page 41.

Mr. Osborne said:

Subsection 3.50.330 the language in A-E, should not be stricken out.

Subsection 7 regarding the test area, should not be stricken out.

Section 3.50 says "on or after" with a blank. The date of July 1, 2024 has been confirmed with the Governor's Office and should fill the blank.

For Section 3.50.370 the date reimbursement may be used to defray following costs is on or after Dec. 1, 2023.

Mr. Osborne read the Ordinance title.

Public Comment: None

Motion: I, Commissioner Mitchell, move to close the public hearing on the proposed Bill No. 139, Ordinance No. 24-327. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

11. DISCUSSION/FOR POSSIBLE ACTION: Second Reading of Bill No. 139 Ordinance No. 24-327, an ordinance adding Article III District No. 2 to Chapter 3.50 to the Storey County Code creating Storey County Economic Diversification District No. 2 and providing for other properly related matters.

Mr. Osborne said on Feb. 6 and Feb. 15 held hearings. Adjustments have been made, and any motion will incorporate those changes. He then read the title of the Ordinance for the record.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Second Reading of Bill No. 139 Ordinance No. 24-327 adding Article III District No. 2 to Chapter 3.50 to the Storey County Code creating Storey County Economic Diversification District No. 2 to incorporate the changes noted during the public hearing, and providing for other properly related matters. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

12. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible action to approve the Governmental Services Agreement for Storey County Economic Diversification District No. 2 (EDD2) between Storey County and Tesla, Inc. defraying county costs providing law enforcement, administration, infrastructure, and other services to EDD2. This item was heard at the 02/06/24 and 02/15/24 board meetings for public discussion and continued to this meeting for possible action.

Mr. Osborne said there have been amendments to this document. A copy of the agreement is in the Commissioners packet and available on the Storey County website under Agendas -> Board of Commissioners.

Mr. Osborne listed the amendments as follows:

- Subsection 5, the table is modified to add a column specifying total annual payments.
- Subsection 5D, parties will meet upon request to evaluate fees.
- Section 8 A, The wording changes from “adverse to the county” to adverse to other party.” References to Tesla and the County in various places changes to “the party” or “the other party.”
- In the section about agreement execution add “in electronic format.”
- The agreement provides for nonbinding mediation in case of disputes.

Public Comment: None

Motion: 12. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

I, Commissioner Mitchell, move to approve the Governmental Services Agreement for Storey County Economic Diversification District No. 2 (EDD2) between Storey County and Tesla, Inc. defraying county costs providing law enforcement, administration, infrastructure, and other services to EDD2. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

13. DISCUSSION/FOR POSSIBLE ACTION: Discussion and consider possible action to approve a cooperative agreement between Storey County and the State of Nevada Department of Taxation specifying the dates and procedure for distribution to Storey County of Economic Diversification District No. 2 revenues pledged pursuant to Ordinance No. 24-327 and a Reimbursement Agreement with Tesla.

Mr. Osborne introduced Deputy District Attorney Brian Brown for discussion.

Mr. Brown said this is a cooperative agreement between the state Department of Taxation and Storey County. This is the understanding the state will accept our pledges, and describes the project and methodology. The abatements are processed and will be returned to Tesla. He said it was like the prior agreement in 2014.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve a cooperative agreement between Storey County and the State of Nevada Department of Taxation specifying the dates and procedure for distribution to Storey County of Economic Diversification District No. 2 revenues pledged pursuant to Ordinance No. 24- 327 and a Reimbursement Agreement with Tesla. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

14. DISCUSSION/FOR POSSIBLE ACTION: Discussion and possible consideration approving a Reimbursement Agreement for Storey County Economic Diversification District No. 2 pursuant to Ordinance No. 24-327 between Storey County and Tesla, Inc., and other properly related matters.

Mr. Osborne again introduced Mr. Brown.

Mr. Brown said this was another agreement for reimbursement which effects the manner in which they will receive their abatements. Changes include the name Tesla Inc. replacing Tesla Motors Inc., and some stricken language. On page 2, recently received confirmation from the governor's office is Dec. 1, 2023, and on page 4 Paragraph G, there is a strikeout to correct information based on input from the state.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Reimbursement Agreement for Storey County Economic Diversification District No. 2 pursuant to Ordinance No. 24-327 between Storey County and Tesla, Inc., to include the changes noted on the record, and other properly related matters. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

15. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval directing the Comptroller to notify the Nevada Department of Taxation of the property tax rate the Storey County Board of Commissioners propose to levy for fiscal year 2024-2025.

Comptroller Jennifer McCain said due to various commissioners expressing interest in lowering the tax rate in the past, she contacted the state Department of Taxation for information. From what she learned; Ms. McCain included two possible letters to Taxation. One has no change in the tax rate and the other indicates there would be a change. Ms. McCain recommended the first letter.

Ms. McCain said she contacted Kelly Langley and Evelyn Barrigan of the NVTax for information. She was told that the elements to consider were the tax rate, 3.46, and the 3 percent tax caps for residential. Calculations work together so local governments have sufficient funds for critical safety and administrative departments, and that lowering the tax rate would lower abatements and not significantly lower rates residents pay. After reviewing information from the Assessor's Office, Ms. McCain said she concluded that Ms. Langley's theory was correct. She said that the county could lower some, but it would take more investigation. Abatements would be significantly reduced by 6.7 percent, which results in the reverse of what was being sought. The highest tax reduction will be for commercial, with less for residential. It would also lower proceeds to the General Fund, which funds County Offices, departments, and general operations.

Commissioner Gilman said he did not want to make major changes to the tax rate.

Ms. McCain said the abatements affected would be those in place due to the tax caps.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the Comptroller to inform Nevada Department of Taxation that the Storey County Board of Commissioners propose to levy a property tax rate of 3.4607 in fiscal year 2024-2025. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

16. DISCUSSION/FOR POSSIBLE ACTION: For consideration and possible approval of non-budgeted expenses in the amount of \$9,988.75 to purchase new Preliminary Breath Test (PBT) devices for Sheriff's Office Patrol Deputies and the Detention Facility. This expense should have no effect on the budget as the funds are to be reimbursed to the Sheriff's Office by the Joining Forces Grant program. A fiscal year 2024 and/or 2025 budget adjustment will

be made to correct a possible current-year budget overage if the reimbursement is not received in the current fiscal year. The Comptroller has reviewed and approved this purchase.

Sheriff Cullen said the office re-joined the “Joining Forces” program with other law enforcement agencies to help with crashes.

Deputy David Ranson said that the Office had received a \$10,000 grant for traffic enforcement, and wants to use that to purchase 20 breath test devices to replace older models that no longer worked. These will aid deputies in DUI cases and for juvenile use of alcohol.

Public Comment: None

Motion: I, Commissioner Mitchell, move to authorize the non-budgeted expense in the amount of \$9,988.75 to purchase new Preliminary Breath Test (PBT) devices for Sheriff's Office Patrol Deputies and the Detention Facility. This expense should have no effect on the budget as the funds are to be reimbursed to the Sheriff's Office by the Joining Forces Grant program. A fiscal year 2024 and/or 2025 budget adjustment will be made to correct a possible current-year budget overage if the reimbursement is not received in the current fiscal year.

Seconded by: Lance Gilman. **Vote:** Motion passed unanimously.

- 17. DISCUSSION/FOR POSSIBLE ACTION:** Consideration of approval of Task Order 65 to the Storey County – DOWL Master Service Agreement causing reimbursement related to Storey County Master Plan update assistance. DOWL will be reimbursed for time and materials related to assisting County staff with the Storey County Master Plan update, not to exceed \$65,000 for the remaining Fiscal Year 23/24. Assistance with the Master Plan update is already a part of the Planning Department budget for the Fiscal Year 23/24.

Planning Manager Kathy Canfield said this was for assistance with updating the Master Plan. She has identified areas where assistance would be provided. The cost is already covered in the budget.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve Task Order 65 to the Storey County – DOWL Master Service Agreement causing reimbursement related to Storey County Master Plan update assistance, not to exceed \$65,000 for the Fiscal Year 23/24 as identified in the Planning Department Fiscal Year 23/24 budget. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 18. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval to direct county staff to begin capital improvement projects, which are currently scheduled in the Storey County Capital Improvement Plan for Fiscal Year 25, now in Fiscal Year 24.

Administrative Officer Honey Coughlin said the total amount has changed. She said there are two large grant projects that did not progress as anticipated so there is roughly \$4,400,000 available in the fund for the FY24 budget. This results in some projects in the 2025 CIP that can now be pursued. She recommends the board approves these moving these projects forward.

Among the projects added to the list are:

- The Justice Court parking lot - \$150,000.
- 3 generators for Community Development, Gold Hill Sewer, and Justice Court - \$300,000.
- Equipment fencing in Mark Twain for Public Works equipment storage - \$50,000.
- Mark Twain Community Center, electrical upgrade, roofing, and modifications for food pantry. upgrade electrical, roofing and some modifications for food pantry - \$500,000. Just planning and design. - \$100,000.
- Community Development parking. - \$150,000.
- Residents request to have swing set back to the Highlands' Park. There is money for that in the park fund. - \$12,000.
- VCH Community Center, a \$450,000 total cost. To start now with the design, \$45,000.
- McCarran complex sign, 10,000.
- Lights for Courthouse Parking Lot, - \$140,000.
- Flagpole for Justice Court, - \$15,000.
- Retrofit on bathroom in the Storey County Complex, - \$250,000 with \$25,000 for the design.
- Piper's Opera House' sign needs to be redone, - \$5,000.
- The Emergency Manager's Office needs electrical and HVAC upgrades, - \$35,000.
- The Sheriff's Office needs a box for evidence storage, \$10,000.
- Security for building entrances, including the TRI Complex, - \$100,000 and Public Works, - \$50,000.
- Courthouse window security film, - \$30,000.
- Mark Twain Community Center hook-up to the network, \$75,000. Stacy York will have offices there and will need access.
- Installing traffic devices on L Street to slow traffic, - \$10,000
- Fairground road traffic signal railroad realignment, - \$400,000
- Traffic signal at Milan/Electric in TRIC, design portion, - \$150,000
- Water filter replacement, \$75,000.
- Water treatment center, \$700,000 to replace open area with tank.
- Silver City Water Main replacement \$2.6 million for replacement, with design at \$264,000.
- 5-mile reservoir security cameras, - \$80,000.
- Countywide facility study, \$250,000

Total Projects - \$3,226,000.

Comptroller Jennifer McCain said funds may have to be loaned for the water project to the water district. She said money is available is in the CP fund. Some are earmarked to use infrastructure money.

Public Comment: None

Motion: I, Commissioner Mitchell, move to direct county staff to undertake the proposed projects, which were previously scheduled in the Capital Improvement Plan for Fiscal Year 25, in the current Fiscal Year 24 as the Capital Fund budget allows. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

19. DISCUSSION/FOR POSSIBLE ACTION: Update, discussion, and provide direction to county staff, lobbyists, and board legislative representatives regarding Storey County's position on partial and total tax abatement programs of Senate Bill 1 (2014) and the Governor's Office of Economic Development in relation to discussions about regional development authorities, economic development incentives, and other state programs scheduled for discussion at the February 28, 2024, Nevada Legislative Interim Standing Committee on Revenue.

Mr. Osborne deferred to Commissioner Mitchell, who requested this item be on the agenda.

Commissioner Mitchell said interim Legislative committees are meeting which generates work for us to do., the major items were presentations by the Governor's Office were given to the Interim Revenue Committee. He said he would like Storey County officials and/or lobbyists prepare to make public comments and testimony.

Commissioner Gilman believes it would be prudent to be involved.

Commissioner Mitchell asked that direction be given to staff to be involved in future conversations.

Mr. Osborne asked what specifically would this board like us to talk about? There may only be opportunity for public comment.

Public Comment: Hugh Gallagher said he was taken aback hearing from congressional representatives that it is not appropriate for the state to do the money grab. He fears that once the State gets a foothold in the process it will be tough to get them out, so whatever we can do to nip this in the bud we should pursue.

Will Adler of Silver State Government Relations said a good way to do this is provide formal written comment directed to the committee chair offering background and perspectives from Storey County.

Commissioner Mitchell said we should direct staff to show our willingness to share a local perspective, the areas we would like to see addressed are fire districts and schools, and then expressing concerns about previous attempts to divert post abatement funds.

Motion: I, Commissioner Mitchell, move to direct county staff, lobbyists, and board legislative representatives regarding Storey County's position on partial and total tax abatement programs of Senate Bill 1 (2014) and the Governor's Office of Economic Development in relation to discussions about regional development authorities, economic development incentives, and other state programs scheduled for discussion at the February 28, 2024, Nevada Legislative Interim Standing Committee on Revenue. I further move to instruct these individuals to prepare written comments covering the areas discussed on the record, and if appropriate, make verbal comments at the beginning of the meeting. First express willingness to share a local perspective on these areas and the experiences we have had, second, to make it known that there are some oversights or areas that we would like to see addressed in the current abatement scheme, if you will, and third, to express our concerns about previous attempts to re-route or change the way that post-abatement dollars are distributed. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

- A. Abrams Metals – Contractor / 7260 Delta Cir. ~ Austell, GA
- B. All Things Wired – Contractor / 250 Vista Blvd. Ste. 101 ~ Sparks, NV
- C. Apex Sweeping – Out of County / 762 Mount Rose St. ~ Reno, NV
- D. Bali Express – Food Truck / 185 Marmot Dr. ~ Reno, NV
- E. Becht Industrial Group LLC – Out of County / 2150 N Indianwood Ave. ~ Broken Arrow, OK
- F. Chick-Fil-A S. McCarran & 580 – Out of County / 6365 S. McCarran Blvd. ~ Reno, NV
- G. Comstock Consulting Services LLC – Home Based / 166 S. Q. St. ~ Virginia City, NV
- H. Danny's Construction Company LLC – Contractor / 1066 W. 3rd Ave. ~ Shakopee, MN
- I. GFI Nevada LLC – Transportation / 2903 Waltham Way ~ Sparks, NV
- J. Lambs Heating and Air – Contractor / 2408 Cartwright Rd. ~ Reno, NV
- K. Safe Step Walk in Tub LLC – Contractor / 15262 Pipeline Ln. ~ Huntington Beach, CA
- L. Schuff Steel Company – Contractor / 3003 N. Central Ave. Ste. 1500 ~ Phoenix, AZ
- M. Spite House Picture Gallery & Framing – Home Based / 318 S. D St. ~ Virginia City, NV

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the second readings of business licenses listed under Item #20 as A-M. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

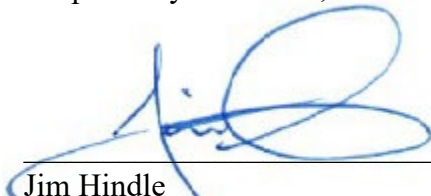
21. PUBLIC COMMENT (No Action): Chris Reilly, Tesla, thanked the staff for working together and for county leadership. This means a lot to Tesla's ability to continue to grow. In 2014, we were making 20,000 cars a year, and 500,000 six years later. It is an incredible milestone. We have invested \$6.5 billion and work together and with county leadership. This is a very complex series of agreements. We want to do it again with truck and cell manufacturing.

Commissioner Gilman said Tesla is a good corporate citizen. Mr. Osborne said he appreciated working with them.

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

Commission Chairman Carmona adjourned the meeting at 11:47 a.m.

Respectfully submitted,



Jim Hindle
Clerk-Treasurer