



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, MAY 1, 2018 10:00 A.M.

DISTRICT COURTROOM

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

MARSHALL MCBRIDE  
CHAIRMAN  
ATTORNEY

ANNE LANGER  
DISTRICT

LANCE GILMAN  
VICE-CHAIRMAN

JACK MCGUFFEY  
COMMISSIONER  
TREASURER

VANESSA STEPHENS  
CLERK-

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**ROLL CALL:** Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, County Manager Pat Whitten, Clerk & Treasurer Vanessa Stephens, District Attorney Anne Langer, Sheriff Antinoro, Administrative Officer/Planning Director Austin Osborne, Comptroller Hugh Gallagher, Fire Chief Jeff Nevin, IT Director James Deane, Outside Counsel Robert Morris, Fire Marshall Martin Azevedo, Community Chest Director Erik Schoen.

### **1. CALL TO ORDER CLOSED SESSION AT 9:30 A.M.**

Call to order closed session meeting pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding labor negotiations with the Storey County Sheriff's Office Employees' Association/NAPSO. Discussion will be limited to amending Appendix B of the 2017-2020 collective bargaining agreement pertaining to wages for certain employees promoted to Sargent in 2016 and certain Deputies hired in 2011 and other properly related matters of the agreement. This meeting will commence immediately before the regular meeting of the county commission.

No action.

### **2. REGULAR MEETING AT 10:00 A.M.**

Meeting was called to order by Chairman McBride at 10:00 A.M.

### **3. PLEDGE OF ALLEGIANCE**

Chairman McBride led those present in the Pledge of Allegiance.

### **4. DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for May 1, 2018

Mr. Whitten asked that item 6IV be pulled from the Consent Agenda, to be re-agendized at a later date.

Public Comment:

None

**Motion:** Approve Agenda for May 1, 2018 with item 6. IV being pulled, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**5. DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for April 3, 2018.

Public Comment:  
None

**Motion:** Approve Minutes for April 3, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**6. CONSENT AGENDA:**

- I For possible action, Approval of payroll claims in the amount of \$390,974.26 and accounts payable claims in the amount of \$3,655,944.77.
  
- II For possible action, approval of Business License First Readings:
  - A. ETCHEMENDY ENGINEERING, INC - General / 10597 Double R Blvd ~ Reno, NV
  - B. KJMJ ENTERPRISES - General / 145 S. C st ~ Carson City, NV
  - C. O&M INDUSTRIES - Contractor / 5901 Ericson Way ~ Arcata, CA
  - D. SWIFT TRANSPORTATION CO, OF AZ, LLC - General / 2200 S. 75th Ave ~ Phoenix, AZ
  - E. KOYO ELECTRIC INDUSTRIAL CO.,LTD - General / 5-2-22 Fukushima ~ Osaka, JP
  - F. PDE HOLDINGS, LLC - Contractor / 90 Corporate Pk Dr ~ Henderson ,NV
  - G. HOK ARCHITECTS, INC - General / 10 South Broadway ~ St. Louis, MO
  - H. DEACON CONSRUCTION LLC - Contractor / 7745 Greenback Ln ~ Citrus Heights, CA
  - I. AQUATECK INTERNATIONAL LLC - General / 1 Four Coins Dr ~ Canonsburg, PA
  - J. PROCESS AUTOMATION SOLUTIONS, INC - General / 107 Mill Plain Rd ~ Danbury, CT
  - K. SHIMANE JIDOKI CO., LTD - General / 784 Sada Miyavehi ~ Shimane-Ken, JP
  
- III For possible action, approval of the State Child Support Reimbursement Program. This is a renewal of a current contract.
  
- IV For possible action, approval of Tax Management Associates contract Addendum for contract extension. **Removed from the Agenda**

Public Comment:  
None

**Motion:** I move to approve the Consent Agenda for May 1, 2018 with the removal of Item IV, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

### **Fire Marshal Martin Azevedo:**

- Community Development staff members recently attended training classes. Everyone passed.
- The Silver Flume system is up and running. The State has invested over 700 hours in customizing the software at no cost to the County. The website is being updated with this process.
- Business renewals are being sent out this week.
- 399 permits have been issued this fiscal year to date; last year - same time period - 304.

### **IT Director James Deane:**

- Fiber is now available in Lockwood and will be installed within 60 days. The fiber can be used with the body cameras legislated to be in use by July 1<sup>st</sup>.

### **Fire Chief Jeff Nevin:**

- Fuels crew continue working with a controlled burn along Geiger Grade.
- Open burning in Mark Twain and the north end of the County will end this week.
- The Grand Prix was held last weekend. There were a total of 10 calls with 6 transports.
- One call was for a fire caused by a motorcycle in the Lyon County area of the race.

### **Comptroller Hugh Gallagher:**

- Will be doing some rescheduling of the budget meetings, final hearing will be May 21 at a special meeting.
- Reported on the recent training trip to Boston. Classes were offered on the new Tyler Connect system that will be used by multiple departments. He gave an overview of the benefits and savings the software will bring to the County.

### **County Manager Pat Whitten:**

- On behalf of Jason Wierzbicki, Public Works Director: The County will be using a private vendor for street striping.
- On behalf of Mike Northan, Project Coordinator: During the last 2 weeks, 3 sites have been completed and closed out. The Clerk's Office has seen substantial gains - the target date for move in is May 7<sup>th</sup>. Plaster work is currently being done in the Judge's Chambers. Mike is working to wrap up the projects at the Lockwood Senior Center. He continues to work with the architect on the Justice Center, and with Commissioner McGuffey on the Highlands Community Center.
- Working with Tesla to renegotiate the reimbursement contract according to the Government Services Agreement. Ordinance deadlines may impact the negotiations, working to get things rolling.
- On behalf of Mike Nevin, Sewer Project Manager: We are 226 days into the 400 days, will probably move out to 430 in order to add additional work that we will be able to complete.
- Dealing with a pesky water leak at the Delta. A leak detection company will be arriving within a week to address any water leak issues along this line.
- A bid has been received to add curbs and gutters along Taylor Street in conjunction with the contract with Ames. This will keep drainage water from sheeting down Taylor and direct water into the storm drain system.
- Paving of streets continue as the weather allows. Receiving more requests to pave additional streets and we are working with the Comptroller to find funding. Not all of the roads in town will be able to be paved.

**Administrative Officer/Planning Director Austin Osborne:**

- Provided an update of the flood planning workshop held in Mark Twain. This was a positive meeting with great turnout giving residents the opportunity to participate in the flood management plan. Residents provided photos and other materials which will be helpful to the plan.
- USGS Water Study workshop will be held in the Highlands on May 5<sup>th</sup>.
- Some culvert and drainage work will be done in some obvious areas in Mark Twain.
- Working with RTC and companies in TRI to form a voluntary transportation management association. Currently over 50 van pools are running in TRI - more transportation alternatives are needed.

**Elaine Barkdull Spencer, V&T Commission General Manager:**

- Ticket Sales after one week are at 388, with 122 sold for Mother's Day which is expected to sell out at 215.
- A VIP Event will be held on June 2<sup>nd</sup>, bringing the Governor or Lt. Governor to Virginia City on a special train along with key tourism stakeholders.
- Less than two weeks away from the first train of the season. Over \$17,000 in ticket sales in less than a week.

Mr. Whitten added that whenever our water system experiences a negative pressure event, pursuant to NDEP requirements, a boil water order will be sent out regarding the impacted area. They will work to clear the order as soon as possible.

Save the date - Fulcrum BioEnergy will be having a ground breaking on May 16<sup>th</sup> at 10:30 AM.

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

**Gilman:**

- Follow up on the tax bill and the authority for the State to create opportunity zones. Storey County will not be named as an opportunity zone by the Governor.
- Blockchains has elected to locate their international headquarters here, which puts Storey County in an unique spot. Within the last 48 hours the major tech companies in TRI have rallied behind the opportunity zone. Surrounding counties are supportive as well. A strong push is being made will have a follow up at the next meeting. This is giving opportunity to sit back and look at this. There are some areas that were given opportunity zones where it is really not usable and who feel if Storey County could be an opportunity zone, it would benefit the entire region.

**Vice-Chairman McGuffey:**

- Asked if the train whistles will be handed out at the Mother's Day Train. These will be free to children. (Answer is yes).
- The Fourth Ward School received a \$100,000 grant from the National Historical Society.

**Chairman McBride:**

- Invited and encouraged any Storey County resident to contact members of County government directly if they have questions about their local government. The Commissioners can be called or sent an email. On policy matters, contact Pat Whitten or Austin Osborne. For finance, contact Hugh Gallagher. A lot of misinformation is being circulated in the community. Please come to the source and do not take as gospel what you hear on the internet.

**9. DISCUSSION ONLY (No Action):** Review of the Storey County Tentative Budget for 2018/2019. Final approval of the budget will be Monday, May 21, 2018.

Comptroller Hugh Gallagher provided an update on the budget process. He is looking at the potential of additional revenue. He will also be looking at capital outlay expenses and moving it to the equipment acquisition fund. Mr. Gallagher addressed the additional factors that will come into play as the budget is finalized. Each department head will be re-visited to see if expenses can be made this year rather than in the next budget.

Vice-Chairman McGuffey added that we obtained additional revenue by opting out of the SCCRT/BCCRT program. Mr. Gallagher added that was a decision that worked out well for us.

**10. DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 18-486 establishing the Special Revenue Fund for Piper's Opera House.

Comptroller Gallagher requested formal approval of a special revenue fund for Piper's Opera House. Some funds may be transferred from the General Revenue to get this fund started. All revenues and expenditures will be accounted for and tracked by the County.

Public Comment:  
None

**Motion:** I move to approve Resolution 18-486 establishing the Special Revenue Fund for Piper's Opera House, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**11. DISCUSSION/POSSIBLE ACTION:** Approval of memorandum of understanding (MOU) amending Appendix B of the 2017-2020 collective bargaining agreement between Storey County (employer) and the Storey County Sheriff's Office Employees' Association NAPS0 Local 9110 (union).

Mr. Osborne explained that the MOU makes corrections to placement of two employee groups allowing them to perform step advancement that is otherwise not allowed in this.

Public Comment:  
Mark Joseph Phillips asked that the record reflect that Mr. Gilman has left the meeting.

At that time Commissioner Gilman returned to the meeting.

**Motion:** I move to approve memorandum of understanding (MOU) amending Appendix B of the 2017-2020 collective bargaining agreement between Storey County (employer) and the Storey County Sheriff's Office Employees' Association NAPS0 Local 9110 (union), **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## **12. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD**

**13. DISCUSSION/POSSIBLE ACTION:** Approval of the first reading to add on-sale to the Virginia City RV Park, LLC, at 355 N F St., Virginia City, NV 89440.

Sheriff Antinoro stated this is the first reading. Virginia City RV Park has been licensed for off-sale with no issues.

Chairman McBride and Commissioner Gilman disclosed that they too hold an on-sale liquor license and business on C Street and this in no way effects how they vote on the item.

Vice Chairman McGuffey commented that he recently visited the RV Park - the café is awesome and the place is much cleaner.

Public Comment:  
None

**Motion:** I move to approve first reading to add on-sale liquor to the Virginia City RV Park, LLC, at 355 N F St., Virginia City, NV 89440, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=4)

#### 14. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

**15. DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 18-487 requesting the assistance of the State of Nevada Attorney General in the prosecution of a criminal matter.

District Attorney Langer stated there was an arrest that occurred on April 17, 2018 and based on a working relationship she has with a working member in the court system, Ms. Langer believes there is a conflict of interest if she were to go forward with this case. Ms. Langer is asking that the case be sent to the Attorney General's Office.

Public Comment:  
None

**Motion:** I move to approve Resolution 18-487 requesting the assistance of the State of Nevada Attorney General in the prosecution of a criminal matter, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**16. DISCUSSION/POSSIBLE ACTION:** Action on Policy No. 008 Agenda requests for Board of County Commissioners' meetings.

Robert Morris presented the revised policy for approval. He has been working on the item with the County Manager, Board and County Clerk. He addressed the changes made following the last meeting. Language would say "all ordinances and resolutions must be approved as to form (addition). Agenda action report signed off on by the District Attorney's Office." Two versions are presented - one by staff and one by Mr. Gilman.

Commissioner Gilman stated the change does satisfy his concerns. He clarified that this will not be an up or down vote (by any of our legal counsel) as to whether it will be placed on the agenda or not, it will be reviewed as to form and placed on the agenda. This was confirmed correct. Mr. Morris explained the need for the format to be approved. He wants to ensure that all legal criteria and requirements are met with new ordinances and resolutions.

Commissioner Gilman suggested adding the phrase “and legality” after “approved as to form”. Mr. Morris agreed.

District Attorney Langer explained the importance of using the correct method of updating County Code.

Mr. Morris added that he is very satisfied with the way the Board is conducting meetings and addressing agenda items.

Public Comment:  
None

Mr. Whitten thanked Mr. Morris for all of his hard work and addressing everyone’s concerns.

**Motion:** I move to approve Policy No. 008 Agenda requests for Board of County Commissioners' meetings with the noted change to Section II, D “all ordinances and resolutions must be reviewed as to form and legality” and the agenda action report signed off by the District Attorney’s Office before placement on the agenda, **Action:** Approve, **Moved by:** Vice Chairman McGuffy, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**17. DISCUSSION/POSSIBLE ACTION:** Approval Business License Second Readings:

- A. WESTERN OILFIELD SUPPLY CO - Contractor / 3404 State Rd ~ Bakersfield, CA
- B. RAM ENTERPRISES, INC - General / 1225 West Main St ~ Elko, NV
- C. NORTHERN NEVADA ENTERPRISES - Contractor / 4865 Joule St ~ Reno, NV
- D. T.F.ROOF SERVICE INC - Contractor / 1250 Ridgeway ~ Reno, NV
- E. BLACKTOP PAVING - General / 4917 West Lake Blvd ~ Homewood, CA
- F. HIKARI CO., LTD - General / 418-4 Minaminoda ~ Ehime, JP
- G. CORESTATES, INC - General / 3039 Premiere ~ Duluth, GA
- H. SOUTHERN DESIGN SERVICES INC - General / 155 Tradd St ~ Spartanburg, SC
- I. LEADEC BV & CO. KG - General / 11 Meitnerstrasse ~ Stuttgart, DE
- J. TEC EQUIPMENT, INC - General / 1955 E. Greg St ~ Sparks, NV
- K. DIVERSIFIED SYSTEMS & TDA ENTERPRISES, INC - Contractor / 20355 Birdsong Ln ~ Bend, OR
- L. Y SAFETY SOLUTIONS LLC - General / 446 E. Pasture Canyon Dr ~ San Tan Valley, AZ

County Manager Whitten, on behalf of Community Development, recommended approval of items A through L.

Public Comment:  
None

**Motion:** I move to approve items A through L, **Action:** Approve, **Moved by:** Vice Chairman McGuffy, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**18. PUBLIC COMMENT (No action) :**

**Mark Joseph Phillips, Virginia City resident:** This being an election year he reminded everyone to keep the money from foreign nationals.

**19. ADJOURNMENT:**

The meeting was adjourned by the Chair at 11:09 AM

Respectfully submitted,

By: \_\_\_\_\_  
Vanessa Stephens Clerk-Treasurer