



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, AUGUST 6, 2019 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

JAY CARMONA  
COMMISSIONER  
TREASURER

VANESSA STEPHENS  
CLERK-

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**ROLL CALL:** Chairman McBride, Commissioner Carmona, County Manager Austin Osborne, Clerk-Treasurer Vanessa Stephens, Deputy District Attorney Keith Loomis, Sheriff Antinoro, Tourism Director Deny Dotson, Fire Marshall Martin Azevedo, Public Works Director Jason Weizerbicki, Fire Chief Jeff Nevin, Community Relations Director Cherie Nevin, Community Chest Director Erik Shoen, IT Director James Deane, Project Coordinator Mike Northan, Virginia City Senior Center Director Stacey York, Planner Kathy Canfield, Comptroller Hugh Gallagher, Recorder Jen Chapman

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

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

### **2. PLEDGE OF ALLEGIANCE**

Chairman McBride led those present in the Pledge of Allegiance.

### **3. DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for August 6, 2019.

County Manager Austin Osborne requested items 15 and 16 be removed from the agenda; item 17 be continued to August 20; and item 19 be continued to a date to be determined.

Public Comment:  
None

**Motion:** I move to approve the Agenda as amended, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

### **4. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for June 18, 2019.

Public Comment: None

**Motion:** I move to approve the Minutes for June 18, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## 5. CONSENT AGENDA:

- I For possible action, approval of the Justice Court Quarterly Report.
- II For possible action, approval of claims in the amount of \$3,890,605.75.
- III For possible action, approval of Assessor's Recommended Corrections to the 2018-19 Unsecured Tax Roll
- IV For possible action, approval of Assessor's Recommended Corrections to 2016-17, 2017-18, 2018-19 and 2019-20 Unsecured Tax Rolls.
- V For possible action, approval of Assessor's Recommended Corrections to 2019-20 Secured Tax Roll for Exemptions.
- VI For possible action, approval of business license first readings:
  - A. A-1 Mobile Fleet Service LLC - General / 1514 Crestview ~ Fernley, NV
  - B. Affordable Carpentry and Handyman - General / 2300 Cartwright ~ Reno, NV
  - C. Arrow Sign Company - Contractor / 1051 46th Ave ~ Oakland, CA
  - D. ENGworks, Inc. - General / 108 West 13th St. ~ Wilmington, DE
  - E. Fast Way Xpress, Inc. - General / 1425 Maritime St. ~ Oakland, CA
  - F. General Cleaning Service, Corp - General / 1090 E. Huffaker Ln ~ Reno, NV
  - G. Hilltop Farm - Home / 2589 Keystone Circle ~ Virginia City, NV
  - H. Jonesey's, Inc. - General / PO Box 52470 ~ Sparks, NV
  - I. Microcafsautomation - General / 29463 S. River Rd ~ Harrison Twp, MI
  - J. P & F Consulting - General / PO Box 1369 ~ Verdi, NV
  - K. Paw Professional Services, LLC - Home / PO Box 846 ~ Virginia City, NV
  - L. Ramen4real DBA - General / 400 W. 5th St. ~ Reno, NV
  - M. Sunlit USA, Inc. - General / 1400 Waltham Way ~ McCarran, NV
  - N. Tay and Jarrad's LLC - General / 986 Spice Island Drive ~ Sparks, NV
  - O. Timberline Electric - Contractor / PO Box 2511 ~ Minden, NV
  - P. Vertical Construction Erectors, LLC - Contractor / 1260 Furneaux Rd ~ Olivehurst, CA
  - Q. Vision Control Associates of NV - Contractor / 730 W. Cheyenne Ave Ste. 110 ~ N. Las Vegas, NV
  - R. White Industries Incorporated - Contractor / 7741 Autumn Ridge Circle ~ Reno, NV
  - S. Zayo Group, LLC - General / 1821 30th St. ~ Boulder, CO
  - T. C T R Roofing - Contractor / 906 Nicole St. ~ Dayton, NV

Public Comment: None

**Motion:** I move to approve today's Consent Agenda, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

### **Sheriff Antinoro :**

- National Night Out will be held tonight at Louise Peri Park in Lockwood. Something along the same lines will also be held at Miners Park.

### **Public Works Project Coordinator Mike Northan :**

- Water damage occurred at the Visitors Center during the recent downpour. A plastic containment was installed and environmental testing was done. A scope of work to be done will be sent to SHPO for approval.
- The bid opening for fuel delivery will be held August 14.
- An estimate for the waterline extension at the Fairgrounds has been completed. Electrical quotes are being put together.
- A meeting will be held with the landowner to clarify aspects of the Six Mile Canyon drainage project and obtain an easement.

### **Community Relations Director Cherie Nevin :**

- Unveiling of the new miner sculpture will be held on October 25<sup>th</sup> (Nevada Day), at noon in Miners Park.
- As part of National Night Out at Miners Park tonight, Quad County Health Preparedness Program will do a water POD (point of distribution) - enabling the County to test practices used in an emergency. Carson City Health & Human Services will also attend.
- Annual Quad County hazmat training exercise is scheduled for October 5<sup>th</sup> in the Industrial Park.
- There is an opening for Site Manager for the Community/Senior Center in Lockwood. Applications accepted until August 12<sup>th</sup>.

### **Fire Marshal Martin Aze vedo:**

- The Delta Saloon bar area may open by the end of August. The kitchen and restaurant by January 1<sup>st</sup>.

### **Community Chest /Library Director Erik Schoen :**

- Fencing at the early childhood/preschool education center is the last item needed in order to pass State inspection. Hopefully the center will open in September.
- Next year the organization will be 30 years old. Over the next year, he will invite managers of different programs to speak to the Board of Commissioners. 5 years ago, daily attendance at one of the youth programs was about 22 - now it is 52.

### **Virginia City Senior Center Director Stacey York :**

- In addition to National Night Out, it is also Root Beer Float Day. Root beer floats will be served at both locations.
- Annual "lasagna cookoff" will be held October 4<sup>th</sup>.
- This year's calendar fundraiser will be "Women on the Comstock", to premier later this year.

### **Public Works Director Jason Wiez rbicki:**

- Reviewed phase 1 of the new drainage project in Mark Twain. 1,600 feet of culvert pipe and ditches will be installed. He reviewed the locations of the project. This project should start within the next couple of weeks.
- Public Works purchased a John Deere 20/20 5090E utility tractor with attachment. This will enable them to mow and maintain ditches and road shoulders - reducing fuels throughout the County. It can also be used for grade and finish work, and will be utilized year-round.
- A flood workshop will be held in Mark Twain on August 14, 5PM.

**V&T General Manager Elaine Barkdull -Spencer :**

- To date - 11 weeks into season, with 10 weeks remaining - there have been 5,159 passengers brought to Virginia City. This does not include the "Wine Train". Total last year, there was just over 7,000.
- Friday, August 16<sup>th</sup>, will be the 150<sup>th</sup> Anniversary train. This will increase riders to Virginia City on Fridays via that train.
- The 18 is close to being finished. This will enable 3 carloads every weekend.

**VCTC Director Deny Dotson :**

- Hot August Nights is now one of the bigger events in Virginia City - it was well attended.
- Participants, as well as visitors looking at the cars, were in town very early. Merchants didn't adjust to the early hours, which was a missed opportunity. Hopefully this will be alleviated in the future by communicating this to the merchants.
- This Thursday, Hot August Nights, will hold a poker run, with a stop in town. Parking will be set aside on the west side of C Street for this event.
- The Rodeo and Fiesta del Charro is the next big event. A cattle drive will take place on C Street. C Street will be closed Saturday between Flowery and Taylor for a street party sponsored by the Firehouse.
- The Public Works crew has been amazing at the fairgrounds - putting in fencing, gates, leveling the property, installing signs. The shop will be a tremendous asset for storage. Thank you.
- \$10 tickets for locals are being sold at the Visitors Center for the 5PM show at the Camel Races.

**Lockwood Community Cent er representative Edna Cudworth :**

- Asked the County to write off part of the taxes on #15, which has been condemned. It is a health hazard, and they are asking for a little break.

Chairman McBride asked if they have talked to the Assessor's office. Ms. Cudworth indicated they have.

Mr. Osborne said this is being looked into. Adjustments are being looked at and Ms. Cudworth will be contacted regarding this matter.

**Water/Sewer Project Manager Mike Nevin** gave project updates:

- Hillside Tanks (Water Phase 2):
  - Site visit has been completed to determine location and elevation of the new water tanks.
  - They will attempt to keep the two existing tanks in service during this project. The smaller tank may have to be dismantled.
  - The project design is in process with the 60% review presented to the County this month.
- Gold Hill Sewer:
  - Comstock Historic District has approved the building design and site layout.
  - The DuFresne family attended the Comstock Historic District meeting and were in agreement with a few alterations to the equipment for the package plant.
  - This will be brought to this Board when completed.
  - A design kickoff meeting was held with the various agencies involved.
  - The application with State Revolving Fund has been updated and submitted.
  - Mr. Nevin reviewed a site survey done of the area and explained how the County received some of the property from the DuFresne's.

- The Assessor's Office along with Planning, have reviewed issues regarding the property and have decided on the best process to clean up the issues and bring it into compliance. The DuFresne family is in agreement with the solutions to resolve the issues.
- Farr West has prepared a report describing information relative to the on-site disposal system, the problems, and what needs to be done.

**Deputy District Attorney Keith Loomis :**

- A Settlement Conference will be held next Tuesday regarding the International Investments lawsuit. The County is involved as it holds a tax lien on the subject property in this lawsuit.

**County Manager Austin Osborne :**

- Merilee Miller sent her appreciation for the sign in Peri Ranch Park, Lockwood.
- A final review of the Mark Twain Flood Mitigation Study will be presented at the workshop in Mark Twain on August 14<sup>th</sup>.
- We are going to start keeping track of public record requests due to the amount of hours being put into these requests. This will show how much is being put into requests. We are discussing putting more records on the website to mitigate some of this.
- Tomorrow - 8 AM, coffee with the County Manager and the Tourism Director will be held to discuss C Street and other concerns. Businesses, as well as others, are encouraged to come.
- In response to Ms. Cudworth's request, the Consent Agenda addresses her concerns. We will meet with her so she can look at the amended numbers.
- County Recorder Jen Chapman has accepted the position of County Administration Officer.

**7. BOARD COMMENT (No Action - No Public Comment)**

Chairman McBride announced the passing of long-time resident, Lamar (Bax) Baxla.

**8. PUBLIC HEARING AT 10:30 A.M. (No Action):** Public hearing to consider objections to proposed lease of a portion of the County owned building located at 800 South C Street in Virginia City, NV to Divide Fitness, Inc.

No public comment.

**11. DISCUSSION/POSSIBLE ACTION:** Acceptance of the annual work program as presented by the Nevada Department of Transportation (NDOT) and validation of the top two concerns based on previous discussions.

Lee Bonner introduced the new NDOT Director Kristina Swallow.

Ms. Swallow recognized Chairman McBride for his work and service with NDOT, presenting him with the "Super Awesome" coin.

Ms. Swallow said approximately \$600,000 in gas tax is contributed into the system each year by Storey County. There are "ups and downs" over the years. Today's meeting is to reaffirm the County's top two priorities presented last year. Cape-seal of SR 439 will be done within the next year.

Chairman McBride discussed the dangerous situation with the acceleration lane going on to Hwy I- 80 west at Lockwood. This is number one - and must stay - on the priority list.

Vice Chairman Gilman agreed and said for the residents in the area this is seen as a serious situation for an accident.

Ms. Swallow reviewed the second priority - SR341 storm-water management.

Chairman McBride commented on the County's great working relationship with the NDOT crew working at the station in Virginia City. The NDOT crew does a great job.

Public Comment:

**Kris Thompson, TRIC Project Manager** also discussed the acceleration lane at TRI and explained that it is utilized by the mostly elderly residents of Lockwood. It is very difficult to get on (I-80) at this on-ramp. Big rigs utilize I-80 24-7.

Mr. Thompson also commented that NDOT has been fantastic. They are professional, responsible, and accessible. Thank on behalf of TRI.

Mr. Osborne reaffirmed what has been said - the relationship with NDOT is appreciated.

**Motion:** I move to accept the annual work program with NDOT and validation of the top two concerns based upon the previous discussion, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**9. DISCUSSION/POSSIBLE ACTION:** Consideration and possible action on approval/denial of a proposed lease of a portion of a building owned by Storey County located at 800 South C Street in Virginia City, NV to Divide Fitness, Inc., for a monthly rental of \$1,500.00 per month at a term of up to 2 years subject to earlier termination by Lessee upon 30 days of notice to Lessor and commencing on the Effective Date and ending two years from the effective date. The portion of the building, commonly referred to as the Divide Building, is approximately 5,590 square feet and is currently occupied by Divide Fitness, Inc. Should the County not yet own the Divide Building through delays in close of escrow, the Board of County Commissioners may consider approval conditioned upon the close of escrow and transfer of ownership to the County.

Chairman McBride said this property closed escrow yesterday.

Mr. Osborne explained this is part of the July 2, 2019 Purchase Agreement. This lease is \$1,500 per month for two years. Divide Fitness pays the taxes on its portion of the building.

Public Comment: None

**Motion:** I, Lance Gilman, motion to approve a lease of a portion of the building owned by Storey County at 800 South C Street in Virginia City, Nevada, to Divide Fitness, Inc., for a monthly rental of \$1,500 per month at a term of up to two years, subject to earlier termination by lessee upon 30 days of notice to lessor and commencing on the effective date and ending two years from the effective date. The portion of the building commonly referred to as the Divide Building, is approximately 5,590 square feet and is currently occupied by Divide Fitness, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**10. DISCUSSION/POSSIBLE ACTION:** Approve contract with Dube Architectural Group for architecture, HVAC, electrical, structural, and civil design services relating to the proposed tenant improvement work at 800 South C Street, Virginia City, Nevada, for the provisions of county facilities

to include Justice Court. This item does not amend or affect the fee schedule for said services approved by the board on 07/02/2019.

Mr. Osborne said the scope of work for the Justice Court was previously approved. This item is to approve the architectural and design services of the Dube Architectural Group for the proposed tenant improvements. There are a couple of minor changes.

Public Comment: None

**Motion:** Based on the recommendation by staff, I, Lance Gilman, move to approve a contract with Dube Architectural Group for architecture, HVAC, electrical, structural, and civil design services relating to the proposed tenant improvement work at 800 South C Street, Virginia City, Nevada, for the provisions of county facilities to include Justice Court. This motion does not amend or affect the fee schedule for said services approved by the board on 07/02/2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## **12. DISCUSSION/POSSIBLE ACTION:** Proclamation Supporting the 2020 United States Census.

Cherie Nevin read the Staff Report explaining the importance of the Census, what the Complete Count Committee is, and who the Storey County participants on the Committee are.

Ms. Nevin read the Proclamation:

A Proclamation Supporting the 2020 United States Census, Storey County, Nevada  
Whereas, an accurate census count is vital to our community and residents' well-being by helping planner determine where to locate vital programs and services; and  
Whereas, more than \$675 billion per year in federal and state funding is allocated to states and communities based on census data; and  
Whereas, census data ensure fair Congressional representation by determining how many seats each state will have in the U.S. House of Representatives as well as the redistricting of State legislatures, county commissions, and voting districts; and  
Whereas, the 2020 Census creates jobs that stimulate growth and increase employment opportunities in our state and region; and  
Whereas, the information collected by the Census is protected by law and remains confidential for 72 years; and  
Whereas, we support the goals and ideals of the 2020 Census and encourage individuals in our community to participate; and  
Whereas, we support Census takers as they help our community complete an accurate count; and  
Whereas, we encourage and support a Complete Count Committee for Storey County; and  
NOW, THEREFORE, We, the Storey County Board of Commissioners, do hereby proclaim the County of Storey as "2020 United States Census Bureau Partner" and hereby set my hand and cause the official seal of Storey County to be affixed this 6<sup>th</sup> day of August 2019.  
ADOPTED this 6<sup>th</sup> day of August, 2019.

Public Comment: None

Chairman McBride said it is important that numbers are accurately counted for distribution of Federal funds.

U. S. Census representative Kim Burgess said that address canvassing has started. People will be going door-to-door to verify addresses.

**Motion:** I move to approve the Proclamation supporting the 2020 United States Census in Storey County, Nevada, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**13. DISCUSSION/POSSIBLE ACTION:** Possible approval of Resolution No. 19-549 requesting the assistance of the State of Nevada Attorney General in the prosecution of a criminal matter.

Mr. Loomis explained this case involves a law enforcement officer who is a crime victim. That officer has a pending suit against the County making it difficult for the District Attorney's office in pursuing the case. The Attorney General's office has agreed to handle the case if this Resolution is approved.

Public Comment: None

**Motion:** I move to approve Resolution No. 19-549, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**14. DISCUSSION/POSSIBLE ACTION:** Approval of Resolution No. 19-550 adopting the findings by the Director of the State of Nevada Department of Business and Industry pertaining to the issuance of industrial development revenue bonds in one or more issues in an aggregate amount not to exceed \$50,000,000 for the purpose of assisting in the financing or a refinancing of a portion of the costs of (i) constructing, improving and equipping a facility to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada and/or (ii) the improvements to and equipping of a facility used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada. Approval of the County is required pursuant to NRS 349.580(2).

This is a request from Fulcrum BioEnergy for up to \$50,000,000 from the State's allocation of private activity volume cap in order to enhance the facility at TRI. This will provide funding for a bio-refinery and connection to a solar facility. This facility will produce jet fuel from garbage -one of the first in the United States to do so.

Vice Chairman Gilman said this is an incredible time - to actually see trash from landfills used to create jet fuel. (Fulcrum) is the leading edge of this technology and we are proud to have them in Storey County.

Public Comment:

**Sam Toll:** He is very encouraged by (Fulcrum's) technology and the impact on landfills. It is great to see them in Storey County. Does this request have any impact on Storey County's ability to raise funds, if needed in the future?

Mr. Osborne: This will not adversely affect the County and is not related to the bond the cap as the next item is.

Business & Industry representative: The IRS authorizes bonding for the State based on population. \$318 million in authorizations for tax exempt bonds were received this year. 50% goes to local governments and 50% to the Director's Office. It does not affect any bonding capacity for local



governments. Payment (on the bonds) is not held against the citizens of Nevada. The company, and its investors, proposing the project is solely liable.

Mr. Toll: Commended Fulcrum on its technology. This is how companies with a business model are capable of “running on its own two feet” without taxpayer encumbrance runs itself.

**Motion:** , **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**15. DISCUSSION/POSSIBLE ACTION:** Approval of Resolution No. 19-551 approving the transfer of Storey County’s allocation of its private activity bond volume cap to the Director of the State of Nevada Department of Business and Industry to support Fulcrum Sierra Holdings, LLC’s efforts to obtain bonding and funding support through the State of Nevada Department of Business and Industry for the purpose of assisting in the financing or refinancing of a portion of the costs of (i) constructing, improving and equipping a facility to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada and/or (ii) the improvements to and equipping of a facility used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada. The transfer of the private activity bond volume cap is being made pursuant to NAC 348A.180.

Item removed.

**16. DISCUSSION/POSSIBLE ACTION:** Authorize the County Manager to approve a contract with Lumos & Associates up to \$85,000 to develop the Comstock and Highlands Area Water Master Plan, a master plan and capital improvement plan for future water demand, supply, storage, transmission, and distribution for central and south Storey County communities including the Comstock, Highlands, and Mark Twain. The plan will also include the Silver City water system in Lyon County under a cost-share agreement in which Lyon County will contribute \$13,000 toward the contract cost. Item removed.

**17. DISCUSSION/POSSIBLE ACTION:** County Manager to approve a contract with CFA, Inc. for assistance in professional planning and engineering services related to any planned unit development and/or large land subdivision applications or proposals in Storey County. This contract will provide assistance to county planning staff with certain civil and engineering review of such applications and projects, although there are no such applications occurring or anticipated to occur at this time. Item continued to August 20, 2019.

**18. DISCUSSION/POSSIBLE ACTION:** Acknowledgment of the resignation of Jennifer Chapman as Storey County Recorder and interim appointment of Marney Martinez as Storey County Recorder effective August 6, 2019.

Mr. Osborne explained with Jen Chapman leaving the office of County Recorder, Deputy Recorder Marney Martinez - based on past practice - will fill the position of interim County Recorder until such time as a request for letters of interest to serve as Storey County Recorder can be posted and published in the newspaper. The position will be filled for the remainder of this year until the next election.

Public Comment:

**Sam Toll:** Thanked Jen Chapman for her service as County Recorder. Her replacement is an excellent choice and hopefully she will be elected when the time comes.

**Jen Chapman:** “I am resigning from my elected position of County Recorder effective August 6, 2019. I would like to extend a heartfelt thank you for all of the support that you have given to the Recorder’s office during my years in office. Because of our support, the support of the community and a phenomenal staff, the Recorder’s office has been able to accomplish many things over the years, including imaging and conservation of important historical documents, complete software changes, and revisions of office policies and procedures to apply standards and best practices to the recording process. This has allowed us to streamline and improve the way services are provided to both internal and external partners. However, I seized an exciting opportunity that would allow me to apply my education and skills on a broader county level, working and still serving both Storey County and the community. And while I may not be the Recorder, I will be available for any assistance, training, questions or support and the office is staffed by those same dedicated, familiar faces that have always graced the office. I have always supported and encouraged the talent present in the office, and will continue to do so. I am hoping that this can also be an opportunity for those still remaining. Thank you for your support and looking forward to my new chapter.”

Chairman McBride also thanked Ms. Chapman for her exemplary service and excellent job as County Recorder.

**Motion:** I move to appoint Marney Martinez as interim County Recorder, final appointment to be made at a date to be determined, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**19. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of refund of excess funds paid for community development permits in the amount of \$71,266.97. Item to be continued to TBD.

Continued to a date to be determined.

**20. DISCUSSION/POSSIBLE ACTION:** Special Use Permit request 2019-032 by Community Chest Inc. The applicant is requesting to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor’s Parcel Number (APN) 001-156-02.

Planner Kathy Canfield presented this request by Community Chest for a childcare facility with more than four children. This requires a Special Use Permit. The number of children will be based on licensing by the State and Sheriff. Staff and the Planning Commission recommend approval.

Chairman McBride: This is a great addition to the services already provided (by Community Chest).

Public Comment: None

This approval is for Special Use Permit 2019-032 to operate a childcare facility at the existing **Storey County Youth & Community Resource Center exceeding four children.** The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property

owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.

The proposed project complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.

**The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.**

The proposed project will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.

The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.

The Special Use Permit conforms to the 2016 Storey County Master Plan for the Virginia City, **Comstock Area Plan area in which the subject property is located.** A discussion supporting this finding is provided in Section 2.C of this staff report and the contents thereof are cited in an approval of this Special Use Permit.

The conditions under the Special Use Permit do not conflict with the minimum requirements in Storey County Code Sections 17.03.150 - Special Use Permit and Section 17.15 P - Public Zone.

**Motion:** In accordance with the recommendation by staff and the Planning Commission, the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I, Lance Gilman, move to approve Special Use Permit 2019-032 to operate a childcare facility at the existing Storey County Youth & **Community Resource Center exceeding four children.** The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**21. DISCUSSION/POSSIBLE ACTION :** A zoning code text amendment, File 2019-031, to amend the language of Chapter 17.40, E Estates Zone, and Section 17.12.100(H) of the Storey County Zoning Ordinance, to change the number of dogs allowed and the acreage size associated with a Special Use Permit requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates.

Ms. Canfield said this a request to modify language in the zoning code for Estate zoning to be allowed to keep more dogs on less acreage. Ms. Canfield reviewed the current requirements. Staff does not support the requested modifications as there is the potential for more nuisance issues. This is not the way to go - at some point there may be an animal ordinance addressing current issues. The Planning Commission voted 4-0 to not approve. No comments were received from the public.

Chairman McBride said he was contacted by a concerned Highlands resident who was advised this was not a request by someone in the Highlands.

Ms. Canfield reviewed the number of dogs allowed and the changes over the years. Currently the number is four.

Mr. Osborne explained why the number of dogs allowed over the years has changed. Some type of mitigating factor is necessary for noise and other safety hazards, but we do not want it to be as arduous as other counties in the area.

Public Comment: None

**Motion:** In accordance with the recommendation by staff and the Planning Commission, and in accordance with the Findings of Fact under Section 5b of this report, and other Findings deemed appropriate by the Board of County Commissioners, I, Lance Gilman, move to deny Zoning Code Text Amendment, file 2019-031, to amend the language of chapter 17.40 17.40, E Estates Zone, and Section 17.12.100(H) of the Storey County Zoning Ordinance, to allow for a change in the number of dogs and the acreage size associated with a Special Use Permit requirement, this request also amends

Section 17.12.100(H), General Provisions, which identifies the acreage requirement. This zone text amendment would be applicable to all land in the Storey County zoned estates,

Ms. Canfield read the Findings for denial: This denial is for a zoning code text amendment, File 2019-031, to amend the language of chapter 17.40, E Estates Zone, of the Storey County Zoning Ordinance, to allow for a change to the number of dogs and the acreage size associated with a **Special Use Permit requirement. This request also amends Section 17.12.100(H), General Provisions, which identifies the acreage requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates. The language for the zoning code text amendment do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.**

**Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## 22. DISCUSSION/POSSIBLE ACTION:

- a. Denial of agenda item request made by Sam Toll

## 23. DISCUSSION/POSSIBLE ACTION: Approval of Business License second readings:

- A. Future Fire Protection, Inc - Contractor / PO Box 50238 ~ Sparks, NV
- B. J V Sheehan General Contracting - Contractor / 2640 Emily St. ~ Reno, NV
- C. Shanghai Express Restaurant - General / 1269 Baring Blvd ~ Sparks, NV
- D. Spectrotel, Inc. - General / 1595 Peachtree Pkwy Ste. 204-337 ~ Cumming, GA
- E. VC NV Bed & Breakfast Sun Mtn. House - General / PO Box 162 ~ Virginia City, NV
- F. Tank Connection, LLC - Contractor / 3609 N. 16th St ~ Parsons, KS
- G. Corona Steel, Inc. - Contractor / 3015 106th St. S ~ Lakewood, WA

H. Crestline Construction - Contractor / 3600 Crates Way Ste. 100 ~ The Dalles, OR

Public Comment: None

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

**24. PUBLIC COMMENT (No Action):**

**Sam Toll:** Expressed disappointment that his request to have Public Comment at the beginning of and the end the meeting (was not considered). This discourages public interaction and comment, and forces them to wait to the end of the meeting.

Mr. Toll said he hopes Ms. Chapman will be given the opportunity to be the County's Public Information Officer to handle public record requests. This would mitigate some unnecessary efforts or clarify requests so there is the least amount of impact on County resources as possible. The claim that he has cost the County thousands of dollars in fees for record requests is unsubstantiated. There is an opportunity with Mr. Osborne "taking the reins" for a new beginning in transparency. Mr. Osborne has a (community) meeting tomorrow morning and he has already held meetings in Lockwood and the Highlands, with Mark Twain planned. Mr. Toll is very encouraged by his stance and position.

It is very disappointing that the Commission does not allow the constituents to come first.

**Kris Thompson :** Today is a good example of not having public comment first. It would have meant that the NDOT Director and staff, and other residents who had business before the Commission, would have had to sit and wait. It's good for the County to leave (public comment) at the end, and take care of the constituents, residents, and businesses, who coordinated ahead of time to have items on the agenda.

**Nicole Barde:** In answer to Mr. Thompson's concerns, the agenda can be (and has been) altered if there are time requirements for (businesses and residents) who have matters on the agenda. Other public meeting agendas do have public comment at the front end. There are people who would like to attend, then get out and do their daily business.

**25. ADJOURNMENT OF ALL ACTIVE AND RECESSED BOARDS ON THE AGENDA**

The meeting was adjourned by the Chair at 11:44 AM

**26. CLOSED SESSION:** Closed session involving Storey County Fire Protection District Commissioners. Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with Fire Protection District management and legal counsel regarding labor negotiations with the Storey County Firefighters' Association IAFF Local 4227. This meeting will begin immediately after the regular meeting of the Board of County Commissioners

Respectfully submitted,

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