



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, SEPTEMBER 3, 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-

---

**ROLL CALL:** Chairman McBride, Vice Chairman Gilman, Commissioner Carmona, County Manager Austin Osborne, Clerk-Treasurer Vanessa Stephens, Deputy District Attorney Keith Loomis, Sheriff Antinoro, Comptroller Hugh Gallagher, IT Director James Deane, Fire Marshal Martin Azevedo, Interim Recorder Marney Hansen-Martinez, Director of Communications Dave Ballard, Tourism Director Deny Dotson, Administrative Officer Jen Chapman, Public Works Director Jason Wiezrbicki, Project Coordinator Mike Northan

### **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 September 3, 2019.

Mr. Osborne requested item 5II be removed from the Consent Agenda and to follow item 10 on the regular agenda. He also requested item 8 be removed from the agenda.

Public Comment: None

**Motion:** I move to approve Agenda for September 3, 2019, with changes, **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 July 23, 2019.

Public Comment:

**Mark Joseph Phillips, Virginia City Resident:** Referred to page 2, item 5 of the July 23, 2019 minutes. His concern is publication of the lease and the lack of availability of the newspaper during the publication period. He also commented that County Manager Osborne has failed to file a Financial Disclosure Statement.

**Motion:** I move to approve Minutes for July 23, 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 claims in the amount of \$2,398,505.10.
- II For possible action, approval of Assessor's Recommended Corrections to 2016-17, 2017-18, 2018-19 and 2019-20 Secured Tax Rolls. **This item was pulled to be heard on regular agenda.**
- III For possible action, approval of the Assessor's Log of Changes made to the 2019-20 Secured Roll pursuant to NRS 361.310.
- IV For possible action, approval of 1st reading for business license Virginia City Gun Works, 145 S C St. Unit #C, Virginia City, NV 89440. Applicants are Erin Stoneback and TJ Lord.
- V For possible action, approval of business license first readings:
  - A. A & J Paving - Contractor / 1490 Cherokee Trail ~ Reno, NV
  - B. Big Johnson Construction, LLC - Contractor / 138 West St. ~ Ft. Morgan, CO
  - C. Burke Roofing, Inc. - Contractor / 109 Shadow Mountain Dr ~ Fernley, NV
  - D. E & M Contracting, LLC - Contractor / 4880 Donovan Way ~ N. Las Vegas, NV
  - E. Gerhardt & Berry Construction, Inc. - Contractor / PO Box 51749 ~ Sparks, NV
  - F. Phillip Joel Kasper - Contractor / 3131 Oreana Dr ~ Carson City, NV
  - G. Qumulo, Inc. - General / 1501 4th Avenue Ste. 1600 ~ Seattle, WA
  - H. Sick Inc. - General / 6900 W 110th St. ~ Bloomington, MN
  - I. Wetzel Tank Construction CO, Inc. - Contractor / 105 W Cherokee St. ~ Southwest City, MO
  - J. Capital Machinery Systems, Inc. - General / 3207 Angle Road ~ Pendleton, IN
  - K. Centimark Corporation - Contractor / 1010 Winding Creed Rd. Ste. 130 ~ Roseville, CA

Public Comment:

None

**Motion:** Approve Consent Agenda for September 3, 2019, **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

**Fire Marshal Martin Azevedo :**

- The Delta bar is now open. Reconstruction is starting on the kitchen areas.

**Tourism Director Deny Dotson :**

- The Camel Races are this weekend, starting with Friday 5PM to 7PM. This is new this year - tickets are \$10.
- Saturday and Sunday ticket sales are going really well. They will sell out.
- School buses are scheduled to provide free transportation to the venue.
- The outside wall of the Visitor's Center - damaged by rain fall - will be torn down and replaced.
- The V&T Commission report number are doing well. Engine 18 is expected to be in service by next month.

**Interim Recorder Marney Hansen-Martinez :**

- The Recorder's Office has completed imaging of documents back to 1974.
- The office is in process of implementing Fraud Guard. Citizens can sign up with an email address to be alerted when something is recorded in their name.

**Public Works Director Jason Weizrbicki:**

- Upsizing of the main culvert crossings in Mark Twain has been completed. Ditches and driveway culverts have been started on Martin Lane.
- On September 10<sup>th</sup> through 12<sup>th</sup>, there will be delays- up to 30 minutes - on Six Mile Canyon for road repair.

**County Manager Austin Osborne :**

- Thank you to Miles Construction for donating \$250 to the Slammer Museum during the celebration of Pat Whitten's retirement.
- With the purchase of the freight depot, Jason Weizrbicki is excited to provide some type of parking at the depot for upcoming events.
- A task force is being put together to determine what needs to be done with the depot - dealing with everything from roof, sprinklers, and parking so that it can be used for events.
- Working with Sherrie Whelan at the TRI GID. She has skilled at what she does and has "taken the bull by the horns". The County is working with her to provide some "in kind" space at Station 75. Ultimately, a more situated will be created for the GID.
- He will be meeting with Linda Ritter to prepare her scope of work for the Strategic Plan.
- In the last two weeks, 52 hours has been spent on one item of public record requests.
- Waste Management negotiations have been positive. Items discussed include:
  1. Improvements to the transfer station;
  2. A location in the Highlands providing a type of recycling;
  3. Creating fair rates across the County;
  4. Zero charge for waste at the School District;
  5. Free dump vouchers, rather than free dump days;
  6. Allowing Mark Twain to use Dayton Transfer Station rather than Virginia City;
  7. Getting rates down and service to residents is the number one objective;
  8. Waste Management has been very cooperative, and there have been discussions with other providers as well.

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

**Chairman McBride:**

- The County closed escrow on the freight depot property last Friday.
- This last weekend the Civil War reenactors were in town.

**8. DISCUSSION/POSSIBLE ACTION:** Authorize the 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 removed from the agenda

**9. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of 99 year lease of the Ice House and associated real property to the Storey County Jeep Posse for an annual rent of \$1.

Deputy District Attorney Keith Loomis reviewed this item, a proposed lease of the Ice House as indicated in the title. This is authorized by State statute - the Jeep Posse meets the requirements for a corporation for public benefit. The County is authorized to enter into a lease for up to 99 years.

County Manager Osborne explained it would be appropriate for this lease to be retroactive to the last known lease in 1992, with the 99 year period starting from that date - creating a 72 year remaining lease. This is a "clean up"- creating a proper lease, indemnifications, scope of work - things that should have happened in the 90's.

Public Comment:

**Rollie Hess, Jeep Posse member** said the Jeep Posse has been in charge of the Ice House for almost 60 years. He explained the work the Jeep Posse has done to maintain the building. It was decided to hold off on further work until there is a "sound lease". Mr. Hess reviewed the scholarships, and requirements, given away over the last 30 years - totaling between \$50,000 - \$60,000. Most of the funds going to children whose family are not involved in the Jeep Posse. They have never said no to a request from local organizations or schools for a donation. He is in favor of the lease being retroactive 72 years.

**Greg "Bum" Hess, Jeep Posse member** reviewed other things the Jeep Posse does in addition to scholarships - including letting organizations and people use the facilities. They also assist in search and rescue. With a solid lease they can put their efforts into maintaining the historic building.

**Nicole Barde, Storey County resident:** Missing from the new lease is the term being retroactive to the previous 1992 lease and the payment of \$1.00. Is this deliberate?

Mr. Loomis replied that this came up after the proposed lease was prepared. If it is to be retroactive, an amended lease will be provided. The \$1.00 per year term is in the lease.

Chairman McBride: It's in the original lease.

Ms. Barde said it should be referred to in the new document. In addition, she objects to the County doing business with an organization comprised only of men. Other "fraternal" organizations own their own buildings and do not get County support. How can the County do business with an organization that broadly discriminates?

**Debra Durden, Virginia City resident** commented that no woman has applied. The members should have been asked if they do invite women.

**Robertina Ruth Pearson:** Would like to a member of the organization - they do a lot for the town. She would like to show that they do not discriminate.

**Casey Kelley, Storey County Jeep Posse President** : The By-Laws do not exclude women from the group. All new members are invited into the group by other Posse members.

**Sam Toll, Gold Hill resident :** Complimented the Jeep Posse on past contributions. Both the Clampers and Eagles own their buildings - paid for without County involvement. The last two approved cell towers generate about \$1,500 per month for the Jeep Posse, as well as an existing lease generating the same amount. Whatever the amount, the Jeep Posse shares in revenues.

Chairman McBride said the Jeep Posse does not collect any money from the cell tower lease, and the County does not reimburse them. The County gives the Jeep Posse a "block grant" grant each, like all of the other non-profits in the County. The Eagles and Clampers do take care of their own buildings - the Jeep Posse takes care of a County-owned building.

Mr. Toll commented that other County-owned facilities have a Board of Directors. This is absent from the lease agreement with the Jeep Posse. There is no transparency to what they are doing, other than the scholarships - the last scholarships were \$4,000. The best move for the County would be to allow the Jeep Posse to purchase the building at fair market value, remove the cell towers from the land, and allow an organization - such as Community Chest - to take over the block grants generated by the cell towers to be used in more impactful manner on residents.

Rollie Hess clarified that a total of \$5,000 in scholarships was given to four recipients (\$1,250 each) last year.

Mr. Osborne said the new lease includes a map - the cell towers are excluded from the map and not included. Regarding terms - the lease states the Jeep Posse must meet the Public Use Benefit portion, as well as other things. A note should be made to the new lease referencing a payment of \$99 made in 1992 will apply to the new lease for the remaining period.

Vice-Commissioner Gilman comments seem to be about justifying the existence of the Jeep Posse. They have been a great community support group for 50 years, plus. This item has nothing to do with justifying their existence. There is an existing lease which we are re-drafting.

Chairman McBride this is basically cleaning up the verbiage of the lease. If he was lost or injured somewhere in the County - these are the guys to call. The Jeep Posse brings a lot to this community and he fully supports this action.

**Motion:** I move to approve the re-drafting of the lease subject to the approval of the Jeep Posse, and their consideration, in light of the fact that they have an existing lease with the County today, **Action:** Approve, **Moved by:** Vice Chairman Gilman,  
Commissioner Carmona commented that he agrees if we're cleaning up verbiage, we should not start the 99 years over,  
**Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**10. DISCUSSION/POSSIBLE APPROVAL:** Consideration and possible approval of settlement agreement between International Investments, the Peri Trust and Vanessa Stephens as Storey County Treasurer and Tax Receiver in Case No. 18 RP 00002 1E filed in the First Judicial District Court.

Deputy District Attorney Keith Loomis explained that International Investments filed suit for quiet title to real property in Lockwood. The property contains the old Bridge Ranch brothel building. Mr. Loomis reviewed the background of the suit. Tax payments have not been made since 2007 leading to the Treasurer's right to sell the property to collect the taxes, penalties, and interest. The Peri Trust

was also named in the suit due to a claim that they owned real property underneath the improvements. A settlement agreement was reached whereby International Investments will pay the County \$42,302.89 for past due taxes. The County will forgive penalties and interest as authorized by NRS, based on the fact the tax bills were not going to International Investments. The Assessor will reduce the value of the building to \$0 based on the state of disrepair. The County will contribute \$3,000 to the removal of the building as it basically a nuisance. International Investments is obligated to do this within the next two years.

Chairman McBride commented this settlement allows the County to receive back-taxes and to continue to receive property taxes in the future. This will also take care of the nuisance building. He recommends acceptance of this agreement.

Chair McBride called for recess at 10:45 A.M.  
Meeting reconvened at 10:52 A.M.

Public Comment:  
None

**Motion:** I, Lance Gilman, move to approve the terms of the settlement agreement reached between International Investments LLC, the Peri Trust, and Vanessa Stephens in her role as the Storey County Treasurer and Tax Receiver, and ratify the Chairman's signature to that agreement, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**5.II FOR POSSIBLE ACTION, APPROVAL** of Assessor's Recommended Corrections to 2016-17, 2017-18, 2018-19 and 2019-20 Secured Tax Rolls.

Keith Loomis explained this item is part of the Settlement Agreement to re-evaluate the value of the improvements from what they were in 2007 to zero dollars today, as well as the last three years.

Public Comment:  
None

**Motion:** I move to approve (Assessor's Recommended Corrections to 2016-17, 2017-18, 2018-19 and 2019-20 Secured Tax Rolls), **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**11. DISCUSSION/POSSIBLE ACTION:** Consideration and possible award of fuel contract to lowest and most responsive bidders as follows:

- Fuel contract award to Carson Valley Oil at rack rate plus \$0.12 per gallon for Storey County Public Works and **rack rate plus \$0.15 per gallon for Virginia City Highlands fire station;**
- Fuel Contract award to Interstate Oil at rack rate plus \$0.08 for fire station in Lockwood and Government Center in TRI;
- Propane contract award to Ferrellgas at \$0.32 per gallon to County over BPN TARGA price in San Francisco; \$0.50 per gallon for County employees over BPN TARGA price in San Francisco ; and \$0.60 per gallon for Storey County residents over BPN TARGA price in San Francisco.

Austin Osborne asked to continue the propane portion of this item and hear the fuel portion today.

Project Coordinator Mike Northan said bids for gasoline and diesel deliveries were solicited and received. Competitive bids were received from Carson Valley Oil and Interstate Oil. Staff is recommending the bid be awarded split between the two as stated in this item.

Public Comment:

**Nicole Barde:** Thanked the County for its negotiations Waste Management, the propane, and all of that. As a diesel user, why not negotiate diesel for the rest of the County residents. It would be great to get the benefit of the County's rate for the residents.

Mr. Northan said this was modeled the arrangement of the existing contract.

Chairman McBride commented maybe this can be done in the future.

Mr. Northan explained this contract is for 12 months, extendable by 36 months.

**Motion:** I, Lance Gilman, move to award the contract for the fuel deliver to Interstate Oil for the Lockwood and TRI locations, and to Carson Valley Oil, for the Virginia City and Highlands locations, and I further move to continue the award of the contract for propane delivery to Ferrellgas to September 17, 2019 Commission meeting, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**12. DISCUSSION/POSSIBLE ACTION:** Authorize County Manager to approve a Task Order with Farr West Engineering to provide professional services, drawings and specifications, assistance in bidding, construction management, and materials testing for the rehabilitation of approximately 650,000 square feet of existing roadway in Storey County for an amount not to exceed \$35,971.00.

Public Works Director Jason Wiezrbicki explained this item allows Farr West Engineering to provide surveying, testing of materials, and drawings, for this road re-hab project. This includes six roads in TRI, and two total rebuilds in Mark Twain.

Public Comment:

None

**Motion:** I, Lance Gilman, move to approve the County Manager to authorize a Task Order for Farr West Engineering to provide professional services for the rehabilitation of approximately 650,000 square feet of existing roadway in Storey County, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**13. DISCUSSION/POSSIBLE ACTION:** Authorize the County Manager to approve Task Order as part of Master Services Agreement for Farr West Engineering to perform GIS services and Parcel Map Books and Change to Storey County Assessor's Office and other offices and departments of Storey County.

Mr. Osborne, on behalf of Assessor Jana Seddon, said this is part of an annual contract for GIS services for the Assessor's and other offices. Approval is recommended.

Public Comment: None

**Motion:** I move to approve and authorize County Manager to approve Task Order as part of Master Services Agreement for Farr West Engineering to perform GIS services and Parcel Map Books and Change to Storey County Assessor's Office and other offices and departments of Storey County,  
**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. 19-555 supporting Fulcrum Sierra Holdings, LLC's efforts to obtain bonding and funding support through the Director of the State of Nevada Department of Business and Industry for 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.

Mr. Osborne explained Fulcrum made adjustments to previous actions taken by this Board. This is not a Storey County bond, there is no impact to the County budget. This is a Resolution that this Board supports Fulcrum.

Public Comment: None

**Motion:** Based on the recommendation by staff, I, Lance Gilman, move to approve Resolution No. 19-555 supporting Fulcrum Sierra Holdings, LLC's efforts to obtain bonding and funding support through the Director of the State of Nevada Department of Business and Industry for 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, **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 business license second readings:

- A. Kelley Erosion Control, Inc. - Contractor / 2395 B Tampa St. ~ Reno, NV
- B. N J B Electric LLC - Contractor / 5250 Palo Alto Circle ~ Sparks, NV
- C. Peak Builders Co. - Contractor / 2004 Michael Dr. ~ Carson City, NV
- D. Splendid Cup - Home Business / 2530 Flatiron Rd ~ Virginia City Highlands, NV
- E. Sunlit USA, Inc. - General / 1400 Waltham Way
- F. Zayo Group, LLC - General / 1821 30th St. ~ Boulder, CO

On behalf of Community Development, Mr. Osborne recommended approval of items A. through F.

Public Comment: None

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

**16. PUBLIC COMMENT (No Action)**

**Debra Durden, Virginia City resident :** Complained about the speeding on Washington Street. This includes ATV's and dirt bikes that belong on the dirt. She requested suggested six additional 20 mile

per hour signs be installed on the street. She also said dog barking is a problem and is annoying. She has complained to the Sheriff, but no citations have been issued.

**Sam Toll, Gold Hill resident** : Seconded the previous speaker's comments regarding speeding. Once again is requesting that public comment be added to the beginning of the meeting. He also inquired about the Public Records request that required 52 hours of Public Records requests. Thanked Mr. Osborne for fulfilling his requests.

The meeting was adjourned by the Chair at 11:20 AM

Respectfully submitted,

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