



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

APRIL 20, 2021 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MEETING MINUTES

JAY CARMONA
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

CLAY MITCHELL
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Roll Call: Chairman Carmona, Vice-Chairman Mitchell, Commissioner Gilman, Clerk & Treasurer Vanessa Stephens, Fire Chief Jeremy Loncar, County Manager Austin Osborne, Planner Kathy Canfield, Deputy District Attorney Keith Loomis, Public Works Director Jason Wierzbicki, Employee Relations Jeanne Greene, Community Development Director Martin Azevedo, Emergency Management Director Joe Curtis, Communications Director Becky Parsons, Recorder Marney Hansen Martinez, IT Director James Deane, Sheriff Antinoro, Tourism Director Deny Dotson, Comptroller Jennifer McCain, Human Resources Director Tobi Whitten

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

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

2. PLEDGE OF ALLEGIANCE

Commissioner Carmona led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for April 20, 2021.

County Manager Osborne requested Item 10 be continued to May 18, 2021.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve today's Agenda and to continue item #10 to May 18, 2021, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

4. CONSENT AGENDA

I For consideration and possible approval of claims in the amount of \$2,411,733.81.

II For consideration and possible approval of the Justice Court Quarterly Report.

III For consideration and possible approval of business license first readings:

A. Boss Signs LLC - Contractor/ 1505 Greg St., Reno, NV

B. Davis Company Inc. -Contractor / 1955 Timber Way, Reno, NV

C. Don James Roofing - Contractor/1000 Glendale Ave., Sparks, NV

D. Foundation Building Materials, LLC. - Out of County/2300 Vassar St., Reno, NV

E. Hawthorne Plumbing Heating & Cooling - Contractor/4690 Longley Ln. #31, Reno, NV

F. Lifestyle Wrist Bands LLC. - Home Business/21350 Graves Rd., Reno, NV

G. Michelle Lenore Nichols - Out of County/1247 Woodside Dr. Apt 241, Carson City, NV

H. Seals USA Incorporated - Out of County/175 Wall St., Glendale Heights, IL

I. S.J. General Building Maintenance Inc. - Out of County/919 Berryessa Rd. Ste. 10, San Jose, CA

J. Specialty Welding and Turnarounds LLC - Contactor/40492 Cannon Rd., Gonlazes, LA

Public Comment: None

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

5. DISCUSSION/FOR POSSIBLE ACTION: Update, discussion, and provide direction to county staff and lobbyists regarding upcoming bills and legislation affecting Storey County including, but not limited to, SB 98 proposing Storey County's membership into the Carson Water Subconservancy District, AB 90 two-year interim study regarding regional impacts, and BDR 1109 Innovation Zone draft legislation, and other properly related matters.

County Manager Austin Osborne reviewed the following Bills:

- AB90 - Impact Study Bill: Converted to an interim study. The County's position is to support as amended.

Commissioner Gilman: Is pleased (the County) is joining the discussions. The County must put a CIP together and identify millions of dollars of County requirements for the health and public safety of people in the County. A key factor is to identify critical needs of the County. Including re-hab of Virginia City sub-standard buildings, road repairs, as well as other items. An extensive CIP must be looked at in a comprehensive manner.

Vice Chairman Mitchell: Is comfortable with (the County's) position and agrees with Commissioner Gilman that we need to look at what needs the County has.

Commissioner Gilman asked that the Board discuss the Innovation Zone.

Mr. Osborne: There is a draft document for AB90 doing what (Commissioner Gilman) has described, with a CIP included in the tentative budget. This can be brought to a future Board meeting for consideration.

Chairman Carmona is also interested in seeing the outcome of this study.

Public Comment re: AB90: None

Commissioner Gilman, having a pecuniary interest in a very small association with Blockchains in a separate LLC, recused from discussion or vote on this item.

Mr. Osborne: The Innovation Zone, BDR1109, is not a Bill yet. No one in the County has seen what is being done in the Legislature on this document. There is no indication about moving forward yet. (The Bill) is anticipated to be introduced before the end of the Legislature. It is understood this Board supports innovative technologies, crypto-currencies, etc. - and still supports the 2016 Master Plan for proposed development in Painted Rock. The Board opposes the separation of government as proposed in the draft. Staff will continue outreach in the communities.

Public Comment:

Eileen Gay, Painted Rock resident: Wrote a note to Senators and Assemblymen expressing her feelings as a resident. Some responses have been received and she is encouraged to hear more caution and concerns - and appreciates (the Board) keeping an eye on things.

Vice-Chairman Mitchell: Feels that discussions on this Bill have not been as productive as he would like. Maybe because we are dealing with different entities. If continuing discussions, it might be appropriate to have one of the proponents of the Bill, someone (from the Governor's Office or GOED) be present.

Chairman Carmona: Does not see a problem with that and has felt the same way throughout the process. It's best to wait until the Bill comes out - changes can be made to the draft. He would like to hear what the Governor, or someone from his staff, has to say.

Vice Chairman Mitchell asked if Chairman Carmona had a preference which way to go.

Chairman Carmona: Discussions have not been productive. He would like to wait until the Bill "drops", look at the language - then start conversations.

Motion: I, Commissioner Mitchell, move to instruct staff to retain all of our previous instructions with the exception that we will wait until we have actual Bill wording to engage in further

discussions with the Bills proponents, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Chairman Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

Mr. Osborne continued review of Bills being watched:

SB98 - Carson Water Subconservancy Bill: Waiting for the Natural Resources Committee to hear it.

SB39 - Crypto-currency: Watching - no problem found.

SB249 - Construction Hours Bill: Applies only to HOA's. Thank you to the sponsor for the amendment.

SB94 - Trespass on Ways: (Gates across roadways) Still moving forward - there is a lot of discussion going on with ranchers in the east. Also, with different uses in west Nevada.

SB107 - Wrongful Termination: Would allow someone to come back in 7, rather than 2, years to sue the County for alleged wrongful termination. There are complications when it comes to Workers Compensation.

SB110 - Tech Strategies: Blockchain elements seeming to have some good components.

SB153 - Daylight Savings Time: Bill is "dead".

SB394 - "Craft" distilleries: Provides more flexibility for beer and wine craft distilleries.

SB13 - Would change end-fund balance of a county or fire district, that's not subject to union bargaining, from 16.6% to 25%. It was advised to not open this up during legislative session - once open, it is subject to anything - including 0%, where all money would be bargained. It appears the 16.6% will remain.

The Bill moving Nevada Day to a different day - "dead".

Chairman Carmona said the "killing" of the Daylight Savings Bill is disappointing.

Mr. Osborne: We have been commenting to Mary Walker, and her group, on dozens of Bills.

Department Heads watching Bills related to their departments:

Chief Loncar:

- AB97, has financial implications for the Fire District - regarding foams used on Class B or liquid fuel fires. The County has the 2nd largest cache of Class B (foam) in western Nevada, and it is looking to be outlawed. With passage of this Bill, at a cost of almost \$40 a gallon - 2,800 gallons would have to be replaced, plus additional amount for disposal fees. They are working with other agencies to develop a plan as this is expected to be pushed through.

Fire Marshal Azevedo:

- The Forestry Bill - the State Fire Marshal would be charged with enforcing some of the forestry and wildland urban-interface rules. The State Fire Marshal said it looks like they are going to be taken out of that. This means we would have to enforce it.
- SB33 - 75 ft. rule for commercial buildings: Being pushed by southern Nevada, with push-back from northern Nevada. The current rule is 55 ft. in Northern Nevada Building and Fire Code amendments. A building that high adds to needed equipment and skill levels. Southern Nevada is going to do it - there is an attempt by northern Nevada to not have to do it.

Sheriff Antinoro:

- Mental Health is a big push this session. A bill requiring first responders to undergo annual mental health assessments is gaining traction. The assessments are estimated to cost about \$200 each.
- AB131-Would expand who is to wear body cameras. This could be up to a \$15,000 to \$20,000 annual cost.

Jana Seddon, Assessor:

- Most Bills affecting tax base have died - including AB279, SB10, and SB64.
- SB297 passed out of committee - allows for a 10% exemption for community gardens.

Vice Chairman Mitchell asked if there was interest in taking a position in opposition to AB321, making voting changes due to Covid - including ballot harvesting - permanent. He is concerned with a lot of the provisions.

Commissioner Gilman shares those concerns. He is not sure how much input we would have at that level.

Chairman Carmona also shares these concerns and is opposed.

Vice Chairman Mitchell: Our lobbyists also represent other counties allowing the County to have more "fire power". But it's also a restriction, having them lobby for a position as there needs to be substantial agreement between those counties. It is probably appropriate to oppose the Bill as a county - instruct staff to do so and see where it goes.

Mr. Osborne: The Mary Walker group works for all four quad-counties. A lot of times, they will take on big issues like this sort of thing. He will relay the Board's position to NACO - this is what they do.

Public Comment: None

Motion: I make a motion to instruct staff to oppose AB321, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

Sheriff Antinoro:

- This Friday is "coffee with the Sheriff" at Lockwood Market - 8 to 10 am.
- Last Friday, they did "tip-a-cup" at Virginia City Joe's and raised quite a bit of money for Special Olympics.
- The Sheriff and Chairman Carmona are participating in the Polar Plunge in support of Special Olympics.

Fire Chief Loncar:

- Fuel burning begins this week in Six Mile Canyon.
- Minimum applicants have applied for Seasonal Fuels Reduction positions. He is reaching out to anyone who may know someone that may be interested.
- Staff joined several fire departments in Washoe Valley for the Nevada Donor Network - bringing awareness to donating organs. Go to NVDonor.org for information.

Vice Chairman Mitchell thanked Chief Loncar for responding to his request to have fuels work done on a property in the Highlands.

Jason Wierzbicki, Public Works Director:

- Re-paving/rebuild of Edith Lane in Mark Twain has been completed.
- Ditch/drainage work begins starts today in the Highlands ahead of the Cartwright Road project.
- A water leak occurred and was repaired at Washington and L in February. Last week it was found that the water had gone into cavities underneath Washington. Washington has been torn out between L and M and will be re-paved the second week of May.

Becky Parsons, Communications Director:

- They should know more about the move-in date for their new location on Thursday.

Joe Curtis, Emergency Management Director:

- Storey County has had 93 Covid cases, with 6 active. 3 new cases happened since April 1st. The positivity rate is very low.
- The Quad-County has 12,268 cases. Active cases have dropped about 50%. There have been only two deaths since April 6th.
- There have been very few participants in recent testing locations - with an average of five people. The County is required to provide testing sites for the near future. Check the website for dates. There are test sites set for May.
- Vaccinations are being given this morning. With another site in the next few weeks. A lot of vaccination appointments are not being filled. Interested residents are urged to utilize the County sites. Check the County website for information.
- The County's "re-opening" plan has been submitted to the State. It was well received.
- The plan is based on what the Governor recently came out with. Our plan is more restrictive. This will be reviewed to see how we may be able to do other things that are more in line with what the Governor is doing.
- The Carson City Health & Human Services (CCHS) vaccination site in TRI has completed its stay - with about 4,000 people vaccinated. We thought there would be more. A number of large businesses brought in their contractors to vaccinate their staff.
- Due to last year's problems with smoke, air quality sensors have been purchased and will be installed early next week. One in the Highlands, one each at the high school and at the

grammar school. The difference in the air between the two locations is amazing. Air quality reports out of Reno are so close to Lockwood, it doesn't mean much to put one in that area.

Vice Chairman Mitchell: Is there any indication of acceptance of our re-opening plan or a request for modification from the Task Force?

Mr. Curtis said he doesn't think there will be any request for changes at this time. He was referring to doing a review, based on what the Governor has changed already, and make some positive changes for the month of May.

Deny Dotson, VCTC Director:

- They are seeing an influx (of people) in town, especially on the weekend.
- The partnership of Cemetery Gin and the Frey Ranch has ended. VCTC is working with two other Nevada distilleries. An announcement will be made when more information is available. The intent is to keep it.
- Reorganization of the V&T Commission is in process. Interviews are being held for a General Manager this week. Rail-bikes started last week.
- Looking at the latter part of summer for the steam engine to come up to Virginia City.
- Tom Gray's local operation will probably start the end of May.
- The next meeting of the County's Wildlife Advisory Board is April 26th, 4PM, at the Ponderosa Saloon. The Division of Wildlife does a lot of work in Storey County. They will talk about issues with bears, the introduction of sheep in the Industrial Park, as well as other matters involving NDOW. This is a public meeting.

Jennifer McCain, Comptroller:

- All budgets have been turned in to Taxation and are in review.

Jana Seddon:

- There was a good turnout last week for the Appraiser's Conference held at the Fourth Ward School. Thank you Nora Stefu and staff at the 4th Ward; the IT Department for setting up equipment; Deny Dotson for talking about what's going on in Virginia City; and Austin Osborne speaking about Storey County. The restaurants did a great job in feeding everyone.

James Deane, IT Director:

- A training grant was recently received from the State of Nevada. Thank you to the State.
- Staff member, Douglas Young, completed his (?) training course and qualified last Friday.

Tobi Whitten, Human Resources Director:

- Open enrollment for Storey County employee health benefits is currently happening. Informational meetings will be held tomorrow and Thursday. Reach out to the HR office with any questions.

Arika Perry, Director - St. Mary's Art Center:

- They are looking for a contractor for the CCHP (\$100,000) grant - to address the porch, print room, chimney re-pointing, and east façade windows. The majority of the work is scheduled for July when they are closed for the month.
- They are working on a re-opening plan.

Whitney Brunson, Pipers Opera House:

- They have had some events. Bingo, with themes, the 3rd Thursday of every month. Country dancing, and "Spirits with the Spirits" cocktail mixing event - each held once a month. Information available at pipersoperahouse.com; also on facebook; and Instagram.
- They have had a few weddings and smaller events. Tours are being done when there isn't an event. Masks are required for all events, along with social distancing.
- Pipers Players are doing a "murder mystery" kicking off at the end of the month. Tickets are available.

Austin Osborne, County Manager:

- The re-opening plan was presented to the State Task Force on April 14. There were a few questions, overall they were fine. Thank you to Mr. Curtis and the Quad-Counties for putting it together.
- A letter was released to the public summarizing what the opening plan looks like so far. We will be going to 100% capacity on May 1st. Businesses in Storey County can operate at 100% if that capacity provides 6 feet of social distancing until June 1st. After June 1st, that will no longer apply.
- If this Board wishes, the May 4th Commission meeting will be in-person - still providing "zoom" for anyone who wants to join remotely. He understands by June 1st, the Governor's Office will no longer have the exemption for the physical location of a Commission meeting. We will continue with the "zoom" option.
- Tourism and special events will continue to be reviewed for approval to insure CDC guidelines for safety are followed - for the indefinite future.
- The County will maintain hand sanitizers, enhanced cleaning, PPE, plexi-glass separation, contracted restroom service, assisting businesses with mitigation, providing personal equipment to businesses upon request, public outreach and monitoring. These will also continue indefinitely.
- Gatherings, events, and recreation are limited to 250 people indoors. There is no limitation outdoors. Tourism events will go through local review to insure CDC is complied with.
- County offices are encouraged to maintain mitigation efforts on a case-by-case basis.
- Social media will continue - the Covid website and "town halls". For the foreseeable future, "town halls" will be outside.
- Covid testing and vaccinations will continue with the quad-counties.
- Reminder - the Governor still has the mask mandate in place.

- There will be an open-air Town Hall held at the Highlands mail boxes at 5:15 P.M. A second Town Hall will be held 8:30 AM Thursday, at the Roasting House, which will be tailored for businesses.

7. BOARD COMMENT (No Action – No Public Comment)

None

8. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of National Public Safety Telecommunicators Week 2021 Proclamation.

Becky Parsons, Communications Director: National Public Safety Telecommunicators Week 2021 Proclamation was April 11 through 17 where people in public safety are honored. This year a "Challenge Point" award program with two awards, has been created. First, "What's Your Emergency" - the "Why" award. Second, the "Love" award (listen, obtain, visualize, and execute). The "Why" award goes to Dave Duke who did a fantastic job on a homicide call. Thank you also to his partners Rachel Ferris, Shaye Segale, and Michelle Stoveken. The "Love" award goes to Shayle Segale for doing everything necessary on an "amber alert". Thank you to Michelle Stoveken and Dave Curtis for their assistance.

Ms. Parsons said the Storey County Communication team is special and each one gives everything they have every time they are at work. Thank you to them.

Ms. Parsons read the Proclamation:

" A Proclamation Declaring April 11, 2021 through April 17, 2021 National Public Telecommunicators Week in Storey County, Nevada.

Whereas, behind every emergency/response that takes place in Storey County there is a team of dedicated, professional Communications Specialist who are often the first and most vital link between our citizens and emergency services; and

Whereas, Storey County Communications Specialists are the lifeblood of information for public safety personnel 24 hours a day, seven days a week, providing a critical safety service to the Storey County Sheriff's Office, Storey County Fire Protection District, Storey County Public Works; and

Whereas, Storey County Communications Specialists who serve at the Storey County Communication Center have exhibited compassion, understanding and professionalism during the thousands of calls for services each year; and

Whereas, Every Storey County Communications Specialist is certified by the International Academy of Emergency Dispatch in Emergency Medical Dispatch, Emergency Police Dispatch so that they may Provide a substantial contribution to the apprehension of criminals, suppression treatment of medical patients throughout Storey County; and

Now, therefore, We, the Storey County Board of Commissioners, do hereby proclaim the week of April 11-17, 2021, to be observed as: "Public Safety Telecommunications Week" in Storey County, Nevada, in honor of our County's less visible, but vitally important first responders: the dedicated and professional Communications Specialists who are always ready to serve the interest of the public safety no matter how difficult or stressful the circumstances.

Adopted this 20th day of April 2021."

Public Comment:

Sheriff Antinoro: Over the years, he has worked with a lot of dispatchers. These folks are some of the best he ever had the privilege to work with. The incidents Ms. Parsons referred to went like "clockwork" - they deserve every bit of recognition.

Chairman Carmona agreed. He has had to opportunity to watch them work - they do a great job.

FireChief Loncar: Thank you to Ms. Parsons - her staff is amazing. Along with the Sheriff, he has experienced an "array" of different dispatches. With just a call, the dispatchers step up and take care of everything. This is a great staff and he appreciates all they do.

Motion: I, Commissioner Mitchell, move to proclaim April 11th through 17th 2021 as National Public Safety Telecommunicators Week in Storey County, and to adopt the resolution as presented,

Action: Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman,

Vote: Motion carried by unanimous vote, **(Summary:** Yes=3

9. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval of SUP 2021-15 by applicant Brighton Denison. The applicant requests a special use permit to operate an outdoor establishment. The outdoor venue will include a variety of scheduled uses and events including a farmer's market, craft fair, live music and dancing, wedding venue and other outdoor events. A deck is proposed to be constructed on the property similar to the neighboring property (Roasting House) which will provide the setting for all the outdoor events and be accessed from C Street. The property is located at 47 N. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-086-05.

Senior Planner Kathy Canfield reviewed this item for an outdoor event venue. Applicant proposes to construct a deck on the property and host events. The parcel is on C Street and is zoned commercial/residential. Ms. Canfield described the location and explained there are substantial hurdles to construct an actual building on this parcel which has been vacant over 40 years. Staff recommends approval. The Planning Commission considered this item and discussed several issues with the project. The Planning Commission recommended adding three additional conditions of approval: 1) that portable restroom facilities be in the character of a historic district;

2) the deck be constructed so that it would allow for future building (on the deck); 3) there be no vendor parking on C Street - loading/unloading would be allowed. With the added conditions, the Planning Commission voted approval.

Commissioner Gilman: Was there any discussion regarding uses for the deck? Any suggestion to limit uses? He does not see a "flea market", and assumes this would be for a farmers' market,

artists, concerts - that sort of thing. He asks staff to take this into consideration and is concerned how usage may deteriorate.

Vice-Chairman Mitchell: Echoes concerns regarding quality. The applicant may want to address this. And to clarify the level of this deck would be with C Street.

Applicant, Brighton Denison: At the boardwalk, the deck itself will be level with C Street. He believes there will be a drop-off of about 1 foot, there will also be fencing.

Vice-Chairman Mitchell: Believes there's a concern about vendors being brought in and control over appropriate participation, licensing, etc. What procedures are in place and how do you insure people meet the requirements?

Mr. Denison: They are fine art/craft only. The company is Great American Craft Fairs - it is under his control. All vendors must go through, and meet, jurying requirements to comply with handmade standards. The person that made the art, must be there to sell it. They also plan to have weddings and live music on the deck. The fine art and crafts would include farmers' market. Other than that he does not see any other events happening there. He understands all vendors would need a temporary permit through the VCTC for anything sold on the deck. Taxes are also collected and submitted to Taxation for each vendor.

Chairman Carmona: Listening to the Planning Commission meeting, he was impressed by the accommodations Mr. Denison is willing to make. Including that several spots would be open to merchants in town during an event. With the lack of plumbing, Mr. Denison indicated that an older outhouse-like structure would be built so not to look at a "porta potty". This brings a benefit to the community and it is welcomed. It was shown that he is willing to help the local merchants. looks forward this project.

Mr. Denison: If a building were to be placed on the deck, there would be no structural issues.

Public Comment: None

Ms. Canfield pointed out there is a revised motion for approval. The concern about this being a "flea market" was brought up at the Planning Commission. Ms. Canfield suggested the motion not exclude flea markets, but that the motion state there is no flea markets with exception that there be a special event permit from the VCTC if there was some event doing flea markets for the whole town - or keep it as is.

Commissioner Gilman said he is satisfied with that answer. Some limitation and approval by the VCTC for a controlled environment would be excellent.

Vice Chairman Mitchell questioned the wording of a motion.

Ms. Canfield suggested a condition of approval to the effect - "flea markets shall not be permitted unless incorporated into a special event associated with the Virginia City Tourism Commission and authorized by a VCTC permit".

Mr. Dotson: In talking with District Attorneys for years, he has been careful in limiting what a person can legally sell in town and does not think it's the (VCTC's) right. They put them in a location so as not to compete with a local merchant. He does not believe we want to get into what a person can or cannot do. He understands what (the Board) wants to do and feels Mr. Denison is "on board". How is a "flea market" defined? It may mean something to one person and something else to another. He would defer this to "legal".

Deputy District Attorney Loomis: The definition of "flea market" may be hard to come up with. He thinks the special condition of limiting "flea markets" to only those approved by the VCTC could work.

Ms. Canfield: (Storey County) code has a definition. "Flea market refers to a building or outdoor area where second-hand goods, articles, and antiques are temporarily or intermittently offered for barter, trade, or retail sale to the general public. This term does not include garage or yard sales, or any other retail establishment otherwise defined or classified in this chapter."

Vice Chairman Mitchell: With this clear definition, it could be appropriate to be somewhat specific about what types of events are appropriate. If it's not contained within a building, there is more visual impact. He is comfortable with that definition, with the proposed additional conditions, if Mr. Dennison is okay with something along these lines.

Mr. Dennison said he is okay with that and even with having all events approved by the Tourism Board. He only plans on fine art and craft, as well as weddings. Anything else, he is willing to get approval.

Vice Chairman Mitchell: We can talk about events down the line.

Mr. Dotson doesn't want to see any additional red-tape/restrictions put on any merchant.

Mr. Dennison has a record working proactively with his office as well as many other municipalities and does what he says he's going to do. Mr. Dotson sees this as only positive going forward. If there was a problem, speaking with him would resolve it. If the Commission wants to put something in - VCTC would be okay if it is not restrictive to a person's ability to make money.

Ms. Canfield: Mr. Dennison will not have to go to VCTC to get permits for his property as long as he matches the definition of this Special Use Permit. If he wanted to do something associated with a special event that is related to that event, he would have to go through the VCTC. Just having all the other things, he would not have to go to the VCTC.

Mr. Dotson clarified, vendors on Mr. Denison's property would still have to get a business license to sell in Storey County.

Ms. Canfield: Yes, but (Mr. Denison) does not need to get approval for having those (vendors) there.

Vice Chairman Mitchell: If (a vendor) was a regular participant, he would be able to get a "regular" Storey County business license.

Commissioner Gilman: Appreciates Ms. Canfield's definition of "flea market". Usually it's used goods and things people want to get rid of - not in keeping with what we want to see on C Street. He favors amending the motion to prohibit flea market based on the County's definition. There is no certainty who may own the deck in the future, a prohibition against flea markets on the main street would be appropriate.

Ms. Canfield said the permit is "non-transferable". If Mr. Denison sold the property and someone else was to propose an outdoor venue on the deck, they would need a Special Use Permit.

Vice Chairman Mitchell: Respects and appreciates the time, expense, and commitment of those in town who take on the task of upgrading and restoring historic properties - whether home or business. That is why a lot of the buildings still exist. In this case, the financial commitment, while not the same as taking on a building, it is not insignificant. The lot has not served productive use for decades. A productive use, with proper limitations, is much better than it sitting there any longer. There will be opportunities for surrounding businesses to partner when Mr. Dennison, providing things that compliment what Mr. Dennison wants to do. Several merchants have indicated they are excited about the opportunities. He is in support.

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, including additional conditions labeled O, P, Q, and new condition R - (read by Ms. Canfield) "flea markets shall not be permitted unless incorporated into a special event associated with the Virginia City Tourism Commission and authorized by a Virginia City Tourism Commission permit" - I, Commissioner Mitchell, move to approve Special Use Permit 2021-15 to operate an outdoor establishment. The outdoor venue will include a variety of scheduled uses and events, including a farmers market, craft fair, live music and dancing, wedding venue, and other outdoor events. The deck is proposed to be constructed on the property similar to the neighboring property which will provide the setting for all outdoor events and be accessed from C Street. The property is located at 47 No. C Street, Virginia City, Nevada - Assessor's Parcel No. APN001-086-05,

Ms. Canfield read the findings of fact:

This approval is for Special Use Permit 2021-15 to operate an outdoor establishment.

The outdoor venue will include a variety of scheduled uses and events including a farmer's

market, craft fair, live music and dancing, wedding venue and other outdoor events.

A deck is proposed to be constructed on the property similar to the neighboring property which provides the setting for all the outdoor events and be accessed from C Street.

The property is located at 47 N. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-086-05.

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 proposed location, size, height, operations, and other plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.

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 planning 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 17.30, CR – Commercial Residential Zone.

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

10. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of SUP 2021-18 by applicants Kevin and Ambre Chevalier. The applicants request a Special Use Permit to operate an automotive services business in an existing garage structure at 790 South A Street, in the Divide neighborhood of Virginia City, APN 001-041-12.

Continued to May 18, 2021.

11. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval Road Abandonment 2021-17 by applicant Jeremy Loncar. The applicant requests to abandon the undeveloped, approximate 30-foot-wide public right-of-way associated with Sutton Street between Howard Street and Stewart Street in Virginia City. The area of the abandoned right-of-way will be consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-023-01, 001-016-10 and 001-016-11, which are all owned by the applicant.

Ms. Canfield reviewed this request to abandon an undeveloped portion of Sutton Street. This area will be consolidated with adjacent property. Applicant owns property on both sides of the area. There are no utilities in this section. There is a fire hydrant in the area - if necessary, a public utility easement will be obtained. Noticing requirements have been followed. Staff and the Planning Commission recommend approval.

Public Comment: None

Motion: In accordance with the recommendation by staff and the Planning Commission, the Findings under Section 3a, and in compliance with all conditions of approval, I, Commissioner Mitchell, move to approve the abandonment of the undeveloped, approximate 30-foot-wide public right-of-way associated with Sutton Street between Howard Street and Stewart Street in Virginia City. The area of the abandoned right-of-way will be consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-023-01, 001-016-10 and 001-016-11, which are all owned by the applicant, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman,

Ms. Canfield read the findings:

This approval is to abandon the undeveloped, approximate 30-foot wide public right-of-way associated with Sutton Street between Howard Street and Stewart Street in Virginia City. The area of the abandoned right-of-way will be consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-023-01, 001-016-10 and 001-016-11, which are all owned by the applicant.

The Abandonment complies with NRS 278.480 relating to Abandonment of a street or easement.

The Abandonment complies with all Federal, State, and County regulations pertaining to vacation or abandonment of streets or easements, including NRS 278.240.

The Abandonment will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity

The Abandonment will not cause the public to be materially injured by the proposed abandonment. The conditions of approval for the requested Abandonment do not conflict with the minimum requirements in Storey County Code Chapters 17.12.090, General Provision – Access and Right-of-Ways, or any other Federal, State, or County regulations.

Vote: Motion carried by unanimous vote, **(Summary:** Yes=3)

12. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of Amendment to the Governmental Services Agreement (GSA) for Storey County Economic Diversification District No. 1 (Tesla) between Storey County, Storey County Fire Protection District, and Tesla, for Fiscal Years 2020/21 - 2023/24 increasing reimbursement amounts for certain services provided to Tesla by the county. ***Continued from April 6, 2021.***

Austin Osborne summarized the tentative proposal. Negotiations have been on-going since 2019. The existing contract has not expired and will be renewed. The contract allows for renegotiation of certain government costs. This is what's being looked at. Staff has provided data related to time spent on things related to Tesla. A discrepancy was found between actual staff cost, as well as others, and the Government Services Agreement (GSA). The current agreement may bring in between \$900,000 to over \$1 million to the County per year. Elements of Electric Avenue have been negotiated - about \$2.7 million estimated cost to repair the road.

Commissioner Gilman: There have been a lot of discussions and information offered from others in the County. This is important as it takes us through 2024 when the abatements expire and full payments will come from Tesla. All the work by County staff, as well as Tesla, is appreciated. We will come out with an agreement all can appreciate.

Vice Chairman Mitchell: Is glad to see that this has come to something that will be equitable.

Mr. Osborne asked to continue this item to the May 4th Commission meeting. He believes there will be an agreement by that date.

Public Comment: None

Motion: I, Commissioner Mitchell, move to continue item No. 12 to the May 4th meeting, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman

Vote: Motion carried by unanimous vote, **(Summary:** Yes=3)

13. RECESS TO CONVENE AS THE STOREY COUNTY FIRE PROTECTION DISTRICT

14. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of Amendment to the Governmental Services Agreement (GSA) for Storey County Economic Diversification District No. 1 (Tesla) between Storey County, Storey County Fire Protection District, and Tesla, for Fiscal Years 2020/21 - 2023/24 increasing reimbursement amounts for certain services provided to Tesla by the county. **Continued from April 6, 2021.**

Mr. Osborne: This is for the Fire District. There is an agreement between the Fire District and Tesla to offset costs. The agreement is not expiring, it has a re-opening clause. The actual cost of the Fire District versus what's in the Government Services Agreement has a discrepancy of roughly 50% of the cost to the Fire District for sick firefighters, with some additional fees to be covered. (The County) has worked with Tesla. Chief Loncar has been very helpful in providing hours and actual costs for staff, along with overtime data including costs being used in the Services Agreement, that is currently not in the agreement. This agreement also expires in 2024.

Mr. Osborne requests this item also be continued to the May 4th Commission meeting.

Chief Loncar: Nothing to add. Hopefully, this can be "wrapped up" soon - we're getting close.

Public Comment: None

Motion: I, Commissioner Mitchell, move to continue Item 14 on today's agenda to the meeting on May 4th, 2021, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

15. DISCUSSION/POSSIBLE ACTION: To approve an increase and modifications to the Storey County Fire Protection District Ambulance Subscription program effective July 1st, 2021.

Chief Loncar: To comply with regulations, the Ambulance Subscription program - where citizens sign up to bill their insurance is being reviewed. Anything above the insurance, they "write off". Adjustments are needed to keep the program going. Federal regulations state they need to take in as much as they write off. A recent medicare audit shows rates need to be adjusted to make the program "sound". Two changes are proposed: 1) eliminate the four categories to two - single (\$74, higher than current), and a household (\$125, covers entire household). This should adjust the numbers to what is brought in and what is written off to be compliant with Medicare and Medicaid. Renewals go out June 1st; the program starts July 1st. He would like to get this out on social media so that people can get the discounted rates. This is a "last opportunity" as rates increase July 1st.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the proposed changes to the Storey County Fire Protection District Ambulance Subscription program, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Meeting recessed for 5 minutes.

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

17. DISCUSSION/POSSIBLE ACTION: Consideration and possible action, Bid acceptance of Storey County Cartwright Road Rehabilitation Project.

Jason Wierzbicki, Public Works Director: This is for approval of the Cartwright Road rehabilitation project. This is for slurry seal from 341 to Station 72, as well as patching several areas. SNC is the low bidder - \$144,028.40.

Chairman Carmona: Glad to see this has come down from the \$200,000 range.

Public Comment: None

Motion: In accordance with staff recommendation, I, Commissioner Mitchell, make a motion to approve the apparent low bidder for the Storey County Cartwright Road Rehabilitation Project to Sierra Nevada Construction (SNC) in the amount of \$144,028.40, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

18. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of Tax Management Associates Contract - Addendum to extend contract.

Jana Seddon, County Assessor presented this item for approval to extend the contract for business/personal property tax review. This is for all businesses in the county above a certain dollar amount. Many businesses in TRI have home bases out of the State. Nevada has very different personal property tax laws. Tax Management Associates does the on-site business. The Appraiser's Office reviews what Tax Management does. Tax Management Associates, the Appraiser's Office, and the business owner work together to come to an agreement on what may, or may not, be owed. This request is to extend the contract for three years beginning July 1, 2021. The number of businesses being audited has been cut back drastically. Ms. Seddon believes they are looking at close to \$1 million for personal property outstanding taxes never declared. Every year the number of accounts being audited decreases.

Public Comment: None

Vice Chairman Mitchell: With 5 years in, do you feel (Tax Management Associates) provide good value and working relationship?

Ms. Seddon: Absolutely.

Motion: I, Commissioner Mitchell, move to approve the addendum to the contract with Tax Management Associates, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

19. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of Pictometry Contract - Amendment to extend contract.

Ms. Seddon explained this is for extension of the contract with Pictometry (now Eagle View), providing aerial imagery for the County. This allows assessments to be done from the office. The Pictometry is also used by other County offices, including Planning, and 911. EDawn has used it to view growth in the County. This is an invaluable asset to the County.

Chairman Carmona: The HOA has used it too. It's a very valuable program.

Vice Chairman Mitchell: Does this provide a good value, good relationship?

Ms. Seddon: Absolutely. They do training and webinars. This is a great company to work with.

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the amendment to extend the Pictometry contract, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

20. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval Memorandum of Understanding between Piper's Opera House Programs Inc. (Corporation) (a Nevada non-profit corporation) and Storey County providing for the management and administration of Piper's Opera House.

Deputy District Attorney Keith Loomis presented the Memorandum of Understanding for Piper's Opera House Programs Inc., defining the relationship between the County and Piper's Opera House. It states the County controls Piper's Opera House. The Director will answer to the (inaudible) as well as to the Executive Director of the VCTC. (The Director) will provide administration for the Opera House. The County will be responsible for the majority of expenses incurred to operate. The Opera House Programs, Inc., is a private entity that does fundraising. They will keep the money raised and use it for rehabilitation.

Public Comment: None

Vice Chairman Mitchell: Does the Director position answer to both the Tourism Director and the County Manager? As a line of authority, does that have potential for conflict? He wants to make sure it is a positive working situation.

Mr. Osborne said this person does not answer directly to him.

Mr. Loomis: Paragraph 2 addresses that (question), stating "among the employees provided will be an Opera House Director who will be in overall charge of the Opera House programs and operations and who will be answerable to the County Manager and/or the Executive Director, or his/her assistant at the VCTC." Mr. Loomis does not think there will be conflict because ultimately Mr. Dotson (as Executive Director) is answerable to the County Manager as well.

Mr. Dotson: Does not think anything will change. The basis behind this is to establish a non-profit for Pipers that can accept donations - accept and balance. If we wanted to take donations or a corporate partner wanted sponsor renovation, it could not be accepted as (Pipers) is a County building. To accept donations and work seamlessly with the County, a non-profit needs to be set up. These are the "baby steps" for the Special Events Coordinator to start working with that Board. Mr. Dotson and Katie Demuth will be the liaisons with the County. That's the intent of this agreement.

Vice Chairman Mitchell: He supports those goals. We have agreements with the non-profits and he wants to avoid ambiguity that could lead to misunderstandings of people not being empowered to do their job. As long as everyone is clear on how that goes. Is this a job title change? As a County employee, is there a change in classification? Does the person operating the Opera House, have broad range powers to hire and fire? He would like to understand the position as outlined.

Mr. Dotson: There was discussion regarding this. It was thought it is too early in this project's infancy that it wouldn't be in the employee's best interest to "jump" right now from a County position. The goal is work down-the-road for it to stand on its own. Right now, there will not be any job description. It will be more the (the Special Events Coordinator) working with the Board.

Mr. Osborne agrees. The objective, right now, is to get separation where the Board qualifies for endowments and funding. Then there is the operations side - that's what Mr. Dotson does. He agrees that one day Pipers may get to the point to be run under a different structure. Based on the past, this is a good transition that may last 1, 2, or 3 years.

Vice Chairman Mitchell said he has no objection to the goal of this agreement. In the interim, are there implications in changes of the way things are structured - or does it continue the way it is. Because that position continuing as a County employee - different wording and titles are being used.

Mr. Osborne: H.R. staff has been working with Mr. Dotson, and the other parties, to "iron out" the complexities. This will continue as the transition happens.

Motion: I, Commissioner Mitchell, move to approve the Memorandum of Understanding between Corporation and Storey County, and authorize the County Manager to sign, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman
Vote: Motion carried by unanimous vote, **(Summary:** Yes=3)

21. DISCUSSION/POSSIBLE ACTION: Approval of 7 business licenses Second Readings:

- A. Associa Sierra North - Out of County/10509 Professional Cir. Ste. 200, Reno, NV
- B. Data Clean Corporation - Out of County/1033 Graceland Ave., Des Plaines, IL
- C. DME Services LLC - Contractor/3188 University Ct., Elko, NV
- D. Mountain Concrete Plumbing LLC - Out of County/1750 Franklin Way, Sparks, NV
- E. MSC Industrial Supply Co. Inc. - Out of County.75 Maxess Rd., Melville, NY
- F. Rounds Bakery - Out of County/748 S. Meadow Pkwy A-9 PMB 289, Reno, NV
- G. Silver State LLC - General/7400 USA Parkway, McCarran, NV
- H. Shadow Valley Construction/SVX Construction - Contractor/3232 Joy Ln., Reno, NV

Public Comment: None

Motion: I, Commissioner Mitchell, move to approve the second reading of business licenses as outlined in the agenda, **Action:** Approve, **Moved by:** Vice Chairman Mitchell, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

22. PUBLIC COMMENT (No Action)

None

23. ADJOURNMENT of all active and recessed Boards on the Agenda

Chairman Carmona adjourned the meeting at 12:48 P.M.

Respectfully submitted,

By: _____
Vanessa Stephens Clerk-Treasurer