



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, JUNE 2, 2020 10:00 A.M.

DISTRICT COURTROOM  
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

## MINUTES

MARSHALL MCBRIDE  
CHAIRMAN  
ATTORNEY

ANNE LANGER  
DISTRICT

JAY CARMONA  
VICE-CHAIRMAN

LANCE GILMAN  
COMMISSIONER  
TREASURER

VANESSA STEPHENS  
CLERK-

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**ROLL CALL via zoom:** Chairman McBride, Vice Chairman Carmona, Commissioner Gilman, County Manager Austin Osborne, District Attorney Keith Loomis, Clerk-Treasurer Vanessa Stephens, Fire Chief Jeff Nevin, Project Manager Mike Northan, Water/Sewer Project Manager Mike Nevin, Community Chest Director Erik Schoen, Emergency Management Director Joe Curtis, Recorder Marney Hansen-Martinez, Administrative Officer Jen Chapman, Community Development Director Martin Azevedo, Public Works Director Jason Wiezrbicki, Planner Kathy Canfield, Comptroller Jennifer McCain, Tourism Director Deny Dotson, Sheriff Antinoro, Senior Center Director Stacy York

### **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 the Pledge of Allegiance.

### **3. DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for June 2, 2020.

County Manager Osborne requested item #10 be continued to June 16, 2020, and item #12 be removed from the agenda.

Public Comment: None

**Motion:** I move to approve the Agenda for June 2, 2020, with the changes requested, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

### **4. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for April 21, 2020.

Public Comment: None

**Motion:** I move to approve the Minutes for April 21, 2020, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

## 5. CONSENT AGENDA:

I. For possible action, approval of claims in the amount of \$738,847.71

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

- a. BLC Coating, LLC - Out of County/1220 E. Greg St. Ste. #2 ~ Sparks, NV
- b. Elite Roof Systems & Solutions LLC - Contractor/507 Summer St. ~ Fernley, NV
- c. Haws Corporation - Out of County/1455 Kleppe Lane ~ Sparks, NV
- d. Norman Ventures LLC - Contractor/401 Ryland St. Ste. 205 ~ Reno, NV
- e. Slimpickins Construction - Handyman/141 S. L St. ~ Virginia City, NV

III. For possible action, approval of the Storey County Treasurer's Affidavit of Mailing Past Due Notice for all Delinquent Parcels.

IV. For possible action, approval of first reading of a General Home Business License for Highland Arms, Internet Firearm Sales, applicants are: Calvin, Pamela and Jacob Wiley, 2538 Cartwright Rd., Reno, NV 89521.

Public Comment: None

**Motion:** I move to approve today's Consent Agenda, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **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 :

- Regarding the civil unrest in parts of the country, he has been contacted by several businesses with concern for the safety of their business. Problems are not anticipated, but they are watching what is going out throughout the state and the region. They will respond accordingly should problems arise.

### Project Manager Mike Northan :

- The "scope of work" on the depot building is being reorganized to comply with legal directives from the County's legal counsel and public wage laws. The project should be out to bid in two to three weeks - the two scopes will be structural repair and fire suppression system.
- The architectural work on the Divide Building is about 92% complete. Mechanical, electrical, plumbing design is 80%. This should be out to bid in about two weeks. Plans and specifications will be out approximately June 19<sup>th</sup>. Bid opening will be around July 14.
- Working on a contract for manufacture, delivery, and erection of a metal building for the Virginia City Highlands Community Center. Preparation and site work will be done in the meantime. Additionally, bids will be solicited for re-work of the existing building.

### Erik Schoen , Community Chest Director:

- The medical clinic is now open on Mondays for "face to face" medical appointments. Appointments are required. Staff will meet people at the door. Phone 297-1267.

- The clinic is open to “tele-health” Tuesday thru Saturday.
- Early childhood education/daycare is full at 50% capacity - 10 students.
- The summer program will open next week and will be “capped” at 50% capacity.
- Community Chest has funds from the Eagles to provide utilities and other essentials to people who need help and find themselves short at this time. Funds not utilized will be given to the Senior Center.
- Community Resilience Forums are held on Mondays. This is a place for people to process emotions, thoughts, etc., in going through this experience.

**Jason Wiezrbicki , Public Work Director:**

- Mowing along the shoulders of roads is 85% complete.
- In a couple of weeks work will start on the Waste Management turn-around in Lockwood
- New playground equipment for Mark Twain park has arrived - installation will begin in the next two to three weeks.

**Mike Nevin :**

- The Gold Hill Wastewater project is on target for submittal of the 90% plan review sometime this month. USDA is working with SHPO on the National Park 106 requirements addressing a couple of concerns. There are requirements at the Federal and State levels for information to be handled directly - not by email.
- The NVEnergy permit at the Gold Hill site is in the process of being applied for. NVEnergy will need to determine what is needed to supply power to the site.
- Fluence, the contractor building the equipment, is on-target and has been excellent to work with.
- The Hillside Tank project: We are in contact with USDA rep Cheryl Couch. She indicated they are in communication with the National Park Service and they have responded to questions from NPS. We are waiting for final determination, however Cheryl did authorize (the County) to put the project to bid. That has been done. A pre-bid meeting for interested contractors will be held Tuesday, June 9<sup>th</sup>. Bid-opening date is June 23<sup>rd</sup>.

**Deny Dotson , VCTC Director:**

- Just about every business and attraction will be open this week. The train is hoping to open later this week, as well as a couple of mine tours.
- Unfortunately, a couple of more events have been lost. This is understandable and (the VCTC) stands behind those decisions.
- Comstock Classics Car Club and Cops & Classics have cancelled their events.
- VCTC is still trying to work out something for July 4<sup>th</sup>.
- Not the best news, but understandable and not unexpected.
- Working with Liquid Blue on a couple of events to fill where events have been cancelled. More details in a few weeks.

Commissioner Gilman thanked Mr. Dotson for doing a great job in a difficult time.

**Martin Azevedo , Community Development Director /Fire Marshal:**

- Last month Community Development issued: 17 construction documents; 28 permits; 6 new nuisances; with 109 inspections completed.
- Staff working remotely have been brought back to the office.
- Remote inspections are still being conducted. This is going well. They will go out to jobsites when needed.

**Joe Curtis , Emergency Management Director:**

- Reviewed current Covid cases in the Quad County area. Currently 48 active, with 144 recovered; 5 deaths. Storey County has had only 1 case, who is recovered.
- Community based testing was recently held in Virginia City and Lockwood. Planning is in progress for testing to continue in both locations. Mark Twain residents can come to Virginia City or to Dayton.
- There is a possibility that one of the testing sites in Storey County will continue for some months into the future.
- There is a little rise of cases in workplaces within the Quad County area. Department heads should be aware of mask and distancing factors within the workplace.
- As seen on weekends in Virginia City, people are not understanding the importance of the use of masks, maintaining distancing, and so forth.
- People who are ordered or required to stay and have tested positive, or have had documented exposure, seem to be following that. If people are not complying, information needs to be given to proper sources.
- We are moving forward with the project for placement of hand sanitation dispensers on C Street. June 15<sup>th</sup> has been set as a deadline for installation of dispensers.
- We have talked to the School District regarding graduation exercises - the ideas are innovative.
- In light of the violence and activities in the region and our proximity to Reno, we are closely monitoring activities state-wide and giving thought to various aspects of activity. We are concerned with the tourist aspect of Virginia City and the industrial aspect of TRI. Close contact is being kept with State EM, as well as with other resources.

**Jennifer McCain, Comptroller:**

- The final budget has been turned in to Taxation - we are waiting for approval. We have moved into the augment process.

**Fire Chief Jeff Nevin :**

- The vacant Battalion Chief position has been filled with Jim Morgan, recently a Captain with Lyon County Fire.
- Fuels projects have continued in the Highlands and Virginia City areas. Clean up of the fire break above town has been completed.
- Seasonal applications are still being sought. There is one position left to fill.
- Graduation is this week and the Fire Department has been asked to lead a couple of parades through town for the graduates. This will take place tomorrow afternoon and Saturday late morning.

**County Manager Austin Osborne:**

- A “webinar” will take place Wednesday, 3 PM, to meet with the Nevada SBA Director to discuss SBA loans and grants affected by Covid, as well as just to have a conversation with him. He is willing to spend time talking with Virginia City and Storey County merchants and businesses. This is an exclusive meeting for us. So far there are two RSVP’s - Mr. Osborne would like to see a higher number. This will be posted on the County facebook. This is a great opportunity - people in town will be asked questions about their experience and frustrations. This information will go back to the State office to try and make changes for people here.
- There is discussion in Lockwood regarding the County-approved easement on Peri Ranch Road. The County is in conversation with the Lockwood Community Corporation Board. He will attend the next Board meeting to explain the easement, that the community is protected,

and that the County will enforce certain provisions of that easement to insure there is no traffic going through the community.

**County Clerk Vanessa Stephens :**

- Early voting is still going on. Ballots are being accepted from 8AM to 6PM. So far, turnout is over 25%.
- There is still no opening date for DMV.

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

**Vice Chairman Carmona:**

- Longtime Highlands resident, Marty Flatley, passed away.

**Chairman McBride:**

- Thank you to Joe Curtis and his staff for what he is doing for Storey County and working with the Quad-County Emergency Services. He gets out a daily report out on the status of the Quad-County numbers during this Covid situation.
- Governor Sisolak also sends out daily reports on a broader basis dealing with Covid.
- Looking at the graphs, Nevada has been on a “flat line” for almost two months.
- Testing has gone up. The Governor wants to test 2% of the State’s population (approximately 60,000) on a monthly basis. The more tests - the more positives, but also more negatives. Going forward, the numbers should look better.
- The Governor moved into Phase 2 last week. We’re looking forward to Phase 3 where restrictions should be lifted a little more - although we don’t think Phase 3 has been written yet.
- As restrictions are relaxed, we will see more people. Maybe Mr. Dotson can pull some “eleventh hour” events before the tourist season is over.
- Residents and County personnel are doing a really good job. Handwashing is a very big deal.

**8. DISCUSSION/POSSIBLE ACTION:** Consideration and possible action to accept easement for a waterline crossing a parcel of real property near the Divide bearing APN 001-041-10 from Hess Construction in return for waiving the fees for a commercial water and sewer hook-up for the property on which the easement has been granted.

Mike Nevin explained this waterline is crucial to Virginia City, Gold Hill, and Silver City. Mr. Nevin reviewed the history of this property regarding original construction of the waterline and that there was never an easement for the portion that crosses property owned by Hess Construction. Hess Construction has agreed to the easement with the stipulation that the County provide commercial water and sewer hookup. The waterline most likely could not have been relocated without at least 10 times the cost of the water/sewer hookup provided to Hess Construction. The easement is 10’ by approximately 180’.

Public Comment:

**Sam Toll, Gold Hill resident:** What’s the value of a commercial water/sewer hookup?

Public Works Director Jason Weizrbicki: \$8,900.

Chairman McBride commented that a lot of deals made in the “old days” were verbal agreements, no contracts - with nothing recorded.

**Motion:** I, Jay Carmona, move to approve to accept the easement for a waterline across a parcel of real property bearing APN 001-041-10 from Hess Construction and waive the hook-up fees for a

commercial water and sewer hookup to that property, and authorize the Chairman to sign, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman,

Mr. Osborne reviewed an amendment to the map.

**Revised motion:**

**Motion:** I, Jay Carmona, move to approve to accept the easement for a waterline across a parcel of real property bearing APN 001-041-10 from Hess Construction and waive the hook-up fees for a commercial water and sewer hookup to that property, and authorize the Chairman to sign, with the noted amendment to the map, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**9. DISCUSSION/POSSIBLE ACTION :** Consideration and possible action to approve contract with Nevada Department of Health and Human Services, Division of Health Care Financing and Policy (DHCFP) and with the Nevada Department of Health and Human Services, Division of Welfare and Supportive Services (DWSS) regarding the administration of services determining the eligibility of applicants and the eligibility of medical services provided eligible applicants for Medicaid payments and addressing the County's portion of those payments.

Deputy District Attorney Keith Loomis reviewed this contract which basically provides that the State evaluate eligibility of persons applying for Medicaid benefits. The County is required to provide a partial match of the Federal funds for Medicaid payments, as stated in this contract.

Public Comment: None

Chairman McBride: The amount of this contract is \$42,622.61 for two years.

**Motion:** I, Jay Carmona, move to approve contract with Nevada Division of Health Care Financing and Policy and with the Nevada Division of Welfare and Supportive Services (DWSS) to provide Medicaid match services, and authorize the County Manager to sign, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**10. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of Stipulation (Stipulation #4) between Storey County and the Tahoe-Reno Industrial Center LLC (TRI Center) addressing additional revenues to be included as project revenues that are available to retire outstanding vouchers issued by Storey County to TRI Center, providing for the retirement of vouchers in the amount of four million dollars by TRI Center in lieu of constructing a fire station and park, for the conveyance of real property (APN 005-041-65) to Storey County by TRI Center as a location for constructing a new fire station and other matters properly related thereto.

Continued to June 16, 2020

**11. DISCUSSION/POSSIBLE ACTION:** Move general "Public Comment" toward the beginning and end of each agenda of the Board of Storey County Commissioners until further notice.

Chairman McBride reviewed the background of "public comment" being at the end of meetings. Previously, questions were able to be answered during public comment - until members of the public, who met outside prior to meetings, would organize to inundate the Board with questions and criticism, looking for the "gotcha" moment - taking up a lot of time. There would be lot of other people and agencies present who would like to get through the agenda.

Explaining how public comment will be heard and asking that it not be argumentative or confrontational - public comment can once again be placed somewhere at the beginning, as well as the end, of the meeting. Public comment is for anyone to comment on anything that is not on the day's agenda. The Board takes comment on each "actionable" item at the time it is heard, limited to three minutes. For questions on the agenda, whichever department is responsible can be contacted prior to the meeting. Agendas are posted approximately a week before the scheduled meeting, and three days before special meetings - ample time for the public to review agendas. As long as everything is calm, we can go forward with this.

Commissioner Gilman commented that he sat through the difficult times. Members of the public have been asking for this opportunity. If it stays positive and it is constructive criticism - he is 100% in support.

Vice-Chairman Carmona said he whole-heartedly supports this. We all hope meetings go smoothly and believes this is an important move. He thanked Chair McBride for putting this on the agenda.

**Public Comment:**

**Sam Toll:** Is delighted the Commission has decided to take this step. He has asked for this to happen since he started attending meetings. This sends a message that the community and their input is welcome - critical or complimentary - for open, transparent communication.

**Clay Mitchell , Virginia City resident:** Thinks this is the right move. Thank you.

Chair McBride asked Deputy District Attorney Keith Loomis if it was appropriate for him to make the motion since it was his idea. Mr. Loomis answered that he can make the motion.

**Motion:** I, Marshall McBride, motion to move general "Public Comment" to the beginning of each agenda of the Board of Storey County Commissioners until further notice, **Moved by:** Chairman McBride **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**12. DISCUSSION/POSSIBLE ACTION:** Authorize the county manager to approve proposals from Sierra Builders and Pezzonella-Ferrari Consulting to complete the first phase of work to the V&T Freight Depot Building consisting of structural repairs to the roof on an hourly basis with a total number not to exceed \$108,025.00.

Removed from the agenda.

**13. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval regarding Resolution No. 20-577 Storey County Hazardous Mitigation Plan.

Joe Curtis, Emergency Management Director, reviewed the background of the Hazardous Mitigation Plan required by the Federal Emergency Management Agency (FEMA). The plan includes what we would do to minimize the potential damage to the County that would cause significant loss of dollars to residents, businesses, etc. The plan is reviewed and updated every five years. The plan is very extensive and is prepared with the assistance of contractors who do this regularly. Public assistance is also part of the preparation.

Mr. Curtis listed potential situations including: drought, earthquake, epidemics, flooding, hazardous material events, severe weather, terrorism, wildland and catastrophic fires. Goals and objectives, and mitigation efforts are set up. Mitigation actions are prioritized and then implemented.

The 2020 Plan is complete and has been submitted to FEMA for approval. FEMA requested more interaction with the Carson River Subconservancy Water District. This has been done.

The Plan is presented to the Board for consideration and accepted.

Public Comment: None

**Motion:** I, Jay Carmona, move to approve Resolution No. 20-577 for the Storey County Hazardous Mitigation Plan update, **Moved by:** Vice Chairman Carmona **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**14. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval regarding Amended Resolution No. 20-573 granting the Storey County Senior Center the sum of \$377,716.00 for the purpose of maintaining the Storey County Senior Center and for providing programs and services to seniors to promote independent and healthy lifestyles.

Keith Loomis explained this is an amended Resolution correcting an error in the amount in the previous Resolution.

Jennifer McCain, Comptroller, said the change is due to additions requested by Commissioner Gilman, and some confusion when the original Resolution was created regarding the entire budget and the actual amount requested. The new Resolution reflects the actual amount.

Commissioner Gilman said Stacy (York) and Beth (Kempf) are doing a wonderful job with the Senior Centers and with outreach, and we thank them very much.

Public Comment:

**Sam Toll:** Agrees with the Commissioner Gilman. It is very encouraging to see what is being done in Storey County. Is any of this amount going for capital improvements or is it for services?

Chairman McBride: This is in their budget. The documents were submitted two weeks ago.

**Motion:** I, Jay Carmona, move to approve amended Resolution No. 20-573 granting the Storey County Senior Center the sum of \$377,716.00 for the purpose of maintaining the Storey County Senior Center and for providing programs and services to seniors to promote independent and healthy lifestyles, **Moved by:** Vice Chairman Carmona **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**15. DISCUSSION/POSSIBLE ACTION:** Consideration and Possible approval of Termination of Easement providing for termination of the non-exclusive easement provided by the Nevada Division of State Lands (State Lands) to Storey County for maintenance of the bridge where the USA Parkway crosses the Truckee River and conveying the easement back to State Lands. Long term maintenance of the bridge will be completed by NDOT.

Deputy District Attorney Loomis: In February, the County notified State Lands of termination of its interest in maintaining the referenced bridge - with NDOT taking over the maintenance. There is still an issue with NDOT taking over the maintenance. An amendment was sent to NDOT but it has not yet been returned. This will have to be done for NDOT to take over. State Lands has been in discussion with NDOT and are prepared to grant NDOT the easement to take over the bridge.

Chairman McBride commented that a lot of these people (NDOT) are working from home.

Commissioner Gilman wants assurance that if the Resolution passes, the County will get long-term maintenance of the bridge. If that doesn't happen, where does the liability fall?

Mr. Loomis: State Lands is going to accept termination of the easement - it will be their property again. They have indicated the easement will be granted to NDOT - NDOT will provide the amended agreement and take over the maintenance. We do not have that yet.

Commissioner Gilman: So it will be up to State Lands, not Storey County, to finalize the agreement.

Mr. Loomis: That's true. We do want to get the amended agreement back from NDOT for our purposes. Mr. Loomis said he supports approval.

Public Comment: None

**Motion:** I, Jay Carmona, motion to approve termination of the easement and authorize the Chairman to sign the termination of the easement conveying the bridge maintenance easement back to State Lands, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**16. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of second reading of Bill No. 120, Ordinance 20-309, providing for whistleblower protections as required by AB 274 of the 2019 Legislative Session.

Mr. Loomis explained the 2019 Legislature passed AB 274 requiring all counties to adopt an ordinance protecting whistleblowers. This ordinance is intended to accomplish that.

Public Comment:

**Sam Toll** said he is encouraged the Board is adopting this and referred to an incident where an employee felt they had to leave after filing a whistleblower complaint. This type of protection is appropriate and could have prevented that person from leaving the community.

**Motion:** I, Jay Carmona, move to approve second reading of Bill No. 120, Ordinance 20-309, providing for whistleblower protections, **Action:** Approve, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

Mr. Loomis explained this settlement was originally approved in August 2019. In the interim, the Peri Trusts and International Investments changed the terms of the agreement as between themselves - with no impact on the County. In an excess of caution, he requests the Board re-approve the Agreement due to the change.

Public Comment: None

**Motion:** I, Jay Carmona, move to approve the terms of the revised settlement agreement between International Investments, LLC; the Peri Trusts; and Vanessa Stephens in her roll as Storey County

Treasurer and Tax Receiver, and ratify the Chairman's signature to the agreement, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

- 18. DISCUSSION/POSSIBLE ACTION :** Approval of business license second readings:  
a. Bergelectric-Helix JV II - Contractor/3182 Lionshead Ave ~ Carlsbad, CA

Public Comment: None

**Motion:** I, Commissioner Carmona, move to approve the second reading of Business License item A, **Moved by:** Vice Chairman Carmona, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

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

**Sam Toll:** The Ferrari Hill Climb is still on in September. They have been granted a temporary permit from Tourism. They are re-evaluating whether or not to have the car show. Again, he appreciates (the Board) moving public comment back to the beginning of the meeting.

Chair McBride: We look forward to the Governor's next directives and hope he will relax directives and move into Phase 3. Perhaps then we can meet back in the courtroom again.

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

The meeting was adjourned by the Chair at 11:25 AM

Respectfully submitted,

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