



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

4/16/2024 10:00 AM

26 SOUTH B STREET, VIRGINIA CITY, NV

## MEETING MINUTES

JAY CARMONA  
*CHAIRMAN*

CLAY MITCHELL  
*VICE-CHAIRMAN*

LANCE GILMAN  
*COMMISSIONER*

ANNE LANGER  
*DISTRICT ATTORNEY*

JIM HINDLE  
*CLERK & TREASURER*

### **Roll Call**

√ Commission Chairman Jay Carmona, √ Commission Vice-Chair Clay Mitchell,  
√ Commissioner Lance Gilman, √ District Attorney Anne Langer, √ Clerk & Treasurer Jim Hindle,  
√ County Manager Austin Osborne, □ Deputy District Attorney Brian Brown

√ Assessor Jana Seddon  
□ Justice of the Peace Eileen Herrington  
√ Recorder Dru McPherson  
√ Sheriff Mike Cullen  
√ County Administrative Officer Honey Coughlin  
□ Fire Chief Jeremy Loncar  
√ Comptroller Jennifer McCain  
√ Business Development Manager Lara Mather  
□ Community Development Director Pete Renaud  
√ Emergency Management Director Adam Wilson  
√ Grants Manager Sara Sturtz

□ Human Resources Director Brandie Lopez  
√ IT Director James Deane  
□ Planning Manager Kathy Canfield  
√ Public Works Director Jason Wierzbicki  
√ Operations and Project Manager Mike Northan  
√ Senior Center Director Stacy York  
√ Tourism Director Todd Tuttle  
Other:  
√ St. Mary's Art Center Executive Director & Chair –  
VCTC Arika Perry

Total Attendance: 57

In-Person - 27

Zoom - 30

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

Commissioner Carmona called the meeting to order at 10:02 a.m.

### **2. CONVENE AS THE STOREY COUNTY BOARD OF COUNTY COMMISSIONERS**

### 3. PLEDGE OF ALLEGIANCE

**4. PUBLIC COMMENT (No Action):** Gary Schmidt made comments on three pieces of legislation he is proposing regarding government transparency (attached). He criticized the county for violation of the open meeting laws and said officials could be fined or removed by the state if found in violation. If counsel advises officials to take an action in violation of the Open Meeting Law, counsel may be required to pay a fine.

**5. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval of the agenda for the April 16, 2024, meeting.

County Manager Austin Osborne requested that Item #16 be moved to just after Item #8.

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve today's agenda with the one noted change. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

### 6. CONSENT AGENDA FOR POSSIBLE ACTION:

I. Justice Court Quarterly Report to Commissioners.

II. Approval of claims in the amount of \$4,911,664.95.

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

- A. High Impact Sign & Design – Contractor / 820 Wigwam Pkwy. Ste 100 ~ Henderson, NV
- B. Huston High Desert Excavation LLC – Contractor / 11140 Larson RD. ~ Reno, NV
- C. NJ Tool Sales LLC – Out of County / 1527 Riverpark Pkwy. ~ Dayton, NV
- D. TYG EXPRESS – Out of County / 1495 E. Prater Way Ste. 107 ~ Sparks, NV

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve today's Consent agenda as presented. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

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

#### Operations and Projects

- Mike Northan said that Taylor Street is open to vehicle traffic. He praised staff and contractors. The Federal Emergency Management Agency is still considering this project for reimbursement.
- Senior Services is focusing on their temporary location for the Lockwood Senior Center, in anticipation for work on the new Lockwood Community Center to begin. Staff is

looking at drawings and specifications, followed by design, permits and bidding. Lumos and Associates is going over the review of bidding requirements.

- Smaller projects the office is working on include the Community Development building, Mark Twain Community Center, the TRI Government building, and the VC Highlands Community Center.

### **Business Development Office**

- Lara Mather went to Washington for the Reno/Sparks Chamber of Commerce DC Fly-in. Had one-on-one time with the senators and congressman. They talked about local and regional issues.

### **Planning Department**

- County Manager Austin Osborne speaking for Planning Manager Kathy Canfield, said the Washoe-Storey Conservation District is holding a public workshop on April 25 at the Highlands Fire Station from 5:30 to 6:30 p.m. to discuss noxious weeds, stormwater management and other issues. Representatives from state agencies will be present. Mr. Osborne said he will make sure word gets out to Highlands' residents.

### **Community Development**

- Mr. Osborne, speaking for Community Development Director Pete Renaud, said the department is updating the business license ordinance and working with all departments.

### **VCTC**

- Todd Tuttle, Tourism Director, said the Father-Daughter Day and Dance was a huge success,
- The Grand Prix is April 27-28 with more than 800 entries. C street will be closed on Saturday and Sunday mornings from Sutton to Union for the start of the race before 10 a.m. and Union will be closed for the two days of the race. Residents should watch for motorcycles.
- Mark Twain Days, sponsored by Carson City will be held May 10-12, starting with a special train on Friday. There will be shuttles to participating venues.
- Chili on the Comstock will be May 18-19. C Street will be closed from Sutton to Taylor streets.

### **IT Department**

- Director James Deane said he is working with CC Communications to implement the fiber optic project for Virginia City.

### **Assessor's Office**

- Assessor Jana Seddon said at the end of April, the office will send out occupancy cards. Everyone needs to turn this in to get the 3 percent tax cap.



### Senior Services

- Director Stacy York said that on April 18 a Town Hall meet and greet at will be at the Lockwood Center.
- Mobile medical services will be in Mark Twain at Lockwood.

### Clerk-Treasurer's Office

- Jim Hindle said the office is preparing for the June 11 primary election, with early voting beginning May 25.
- Real Property courtesy letters for those in arrears on taxes have been sent out. From FY 21-22, the county had a 17 percent increase in delinquent parcels. This year, we see a 33 percent increase in delinquency.

### 8. BOARD COMMENT (No Action - No Public Comment)

Commissioner Mitchell said Panasonic cut the ribbon on new training facility. Vantage Data Centers did a groundbreaking for their facility.

### 16. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval to proclaim April 14, 2024, thru April 20, 2024, as National Public Safety Telecommunications Week.

Sheriff Mike Cullen said this was created in observance of dispatch operators. He read the proclamation.

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to proclaim April 14, 2024, through April 20, 2024, as National Public Safety Telecommunications week in Storey County, NV. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

### 9. DISCUSSION/FOR POSSIBLE ACTION: Consideration and possible approval for First Reading of Bill No. 140 Ord No. 24-328 Zoning Code text amendments to amend the language of Storey County Code Title 17, Chapter 17.16 R1 Residential Zone, Sections 17.16.030 and 17.16.040; Chapter 17.20 R2 Multi-Family Residential Zone, Sections 17.20.025 and 17.20.070; Chapter 17.24 A Agricultural Zone, Section 17.24.025 and 17.24.070; Chapter 17.30 CR Commercial-Residential Zone, Section 17.30.030; Chapter 17.40 E Estate Zone, Sections 17.40.025 and 17.40.050; and 17.44 SPR Special Planning Review Zone, Section 17.44.030. The proposed amendments will allow 401 square-feet as the minimum area of a single-family dwelling with a special use permit in the above referenced zoning districts.

County Manager Austin Osborne speaking on behalf of Kathy Canfield, said she worked with the Building Department and came up with the ordinance amendment to allow for 401 square



feet or more single-family homes in all areas except the Virginia City Highlands. He said there was no opposition to this. This is at the request of Commissioner Mitchell.

Commissioner Mitchell said he would prefer not to have a Special Use Permit requirement, but could revisit it. Mr. Osborne said that this would not affect the historic downtown district, which does allow for smaller buildings. He said staff have worked with the Assessor's Office allowing for 12 feet on each side. Mr. Osborne read the title of the ordinance.

Public Comment: Gary Schmidt supported the action, but said it did not go far enough. He said 600 feet with an administrative permit would be appropriate. He said the minimum lot size should go down to 3,000 or less.

**Motion:** In accordance with the recommendation by the Planning Commission and staff, I Commissioner Mitchell, hereby move to approve the First Reading of Bill No. 140 Ord No. 24-328, an ordinance amending provisions of Storey County Code Title 17, Chapter 17.16 R1 Residential Zone, Sections 17.16.030 and 17.16.040; Chapter 17.20 R2 Multi-Family Residential Zone, Sections 17.20.025 and 17.20.070; Chapter 17.24 A Agricultural Zone, Section 17.24.025 and 17.24.070; Chapter 17.30 CR Commercial-Residential Zone, Section 17.30.030; Chapter 17.40 E Estate Zone, Sections 17.40.025 and 17.40.050; and 17.44 SPR Special Planning Review Zone, Section 17.44.030. The proposed amendments will allow 401 square-feet as the minimum area of a single-family dwelling with a special use permit in the above referenced zoning districts. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**10. DISCUSSION/FOR POSSIBLE ACTION:** Discussion and consideration for approval amendments to Sections 5.9F and 10.5, and Exhibits 1, 2A, and 2B adding and clarifying language related to resident solid waste self-haul and related fee schedules at the Virginia City Transfer Station, and Consumer Price Index (CPI) considerations in the Solid Waste Franchise Agreement between Storey County and Waste Management, Inc. (dba "Storey County Sanitation").

Mr. Osborne asked for this item to be continued until the end of the agenda so that Joe Sloan from Sloan Vasquez McAfee was available; he was expected to appear.

Public Comment: Gary Schmidt said he believed that garbage collection during special events should have extended hours of the transfer station. He suggested an antique-style garbage truck come through town in the evenings after events.

Commissioner Carmona noted that there were four town hall meetings on this subject, and he didn't see many in attendance at any of the events.

**Motion:** I, Commissioner Mitchell, move to motion to continue this item to be heard after item #29 during today's meeting. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**11. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval for Special Use Permit (File 2024-007), to request additional building height beyond the 75-feet allowed by the applicable zoning ordinance. The applicant proposes the maximum building heights to be approximately 120-feet to accommodate anticipated three story buildings with needs for additional ceiling height for each story. This Special Use Permit request is for a maximum height of 125-feet to allow for a buffer as final equipment and building design have not yet been completed. This additional height will apply to the northern portion of the Switch Reno Citadel campus where several buildings may be constructed. The property is located within the Tahoe Reno Industrial Center, at 1 Superloop Circle and 3800 Peru Drive, McCarran, Storey County, NV, Assessor's Parcel Numbers 005-071-57, 005-081- 07 and 005-081-10.

Mr. Osborne said that Switch has equipment that needs to extend above the minimum height requirement on a portion of their land in TRIC. The Planning Commission supported the permit. There are conditions, from the fire district, and this is a 24-month permit. Mr. Osborne read the findings.

Public Comment: None

**Motion:** In accordance with the recommendation by the Planning Commission and staff, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I Commissioner Mitchell, move to approve Special Use Permit 2024-007 for additional building height beyond the 75-feet allowed by the applicable zoning ordinance. The applicant proposes the maximum building heights to be approximately 120-feet to accommodate anticipated three story buildings with needs for additional ceiling height for each story. This Special Use Permit request is for a maximum height of 125-feet to allow for a buffer as final equipment and building design have not yet been completed. This additional height will apply to the northern portion of the Switch Reno Citadel campus where several buildings may be constructed. The property is located within the Tahoe Reno Industrial Center, at 1 Superloop Circle and 3800 Peru Drive, McCarran, Storey County, NV, Assessor's Parcel Numbers 005-071- 57, 005-081-07 and 005-081-10. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**12. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval for Special Use Permit (File 2024-011). The applicant is requesting to operate a home enterprise agricultural business that includes growing vegetables, microgreens, lavender and indigenous plants and trees. The planting will occur on the property and within a greenhouse on the residential parcel. The business will utilize water from a water tank with water brought to the



site for the proposed activity. The property is located at 2431 Grizzley Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-023-12.

Mr. Osborne said this is a small-scale agricultural home-based business. It will not use domestic well water for the business. No more than three vehicles per day or seven per week will visit the business. Mr. Osborne read the findings.

Public Comment: None

**Motion:** In accordance with the recommendation by the Planning Commission and staff, the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I Commissioner Mitchell, move to approve Special Use Permit (File 2024-011) to operate a home enterprise agricultural business that includes growing vegetables, microgreens, lavender and indigenous plants and trees. The planting will occur on the property and within a greenhouse on the residential parcel. The business will utilize water from a water tank with water brought to the site for the proposed activity. The property is located at 2431 Grizzley Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-023-12. Seconded by: Lance Gilman. Vote: Motion passed unanimously.

**13. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval for ROW Abandonment (File 2024-006). The applicant is requesting to abandon a portion of Silver Street and "I" Street located within the fairground's property in Virginia City, Storey County, Nevada. Silver Street between platted "H" and "K" Streets and "I" Street between Page Street and approximately 541.54 feet north of Silver Street are proposed to be abandoned. The right-of-way to be abandoned will be consolidated into the adjacent parcels of land owned by Storey County and become one parcel. The right-of-way to be abandoned borders APNs 001-173-01, 001-135-06, 001-136-01 and 001-176-01. The abandonment is proposed to allow for improvements to occur at the fairgrounds site. With the existing rights-of-way and property lines, locating permanent structures within required setbacks and outside of rights-of-way is difficult. The abandonment will allow for more flexibility in siting improvements.

Mr. Osborne said this is a major road in the middle of the Fairgrounds property, being abandoned from the county to the county and will clean up this situation. Conditions on utility easements will not be affected and a survey must be completed in 12 months. Mr. Osborne read the findings.

Commissioners Gilman and Mitchell supported the action.

Public Comment: None



**Motion:** In accordance with the recommendation by the Planning Commission and staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I, Commissioner Mitchell, hereby move to approve the abandonment of a portion of Silver Street and “I” Street located within the fairground’s property in Virginia City, Storey County, Nevada. Silver Street between platted “H” and “K” Streets and “I” Street between Page Street and approximately 541.54 feet north of Silver Street are proposed to be abandoned. The right-of-way to be abandoned will be consolidated into the adjacent parcels of land owned by Storey County and become one parcel. The right-of-way to be abandoned borders APNs 001-173-01, 001-135-06, 001-136-01 and 001-176-01. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**14. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval for Storey County to enter into a lease agreement with the Rainbow Bend Homeowners Association to lease the Rainbow Bend Clubhouse for \$500.00 a month, for a period of 12 to 18 months, starting May 1, 2024. The space is needed for the Lockwood Senior Community Center during construction of their new facility.

Senior Services Director Stacy York said this will allow senior services operators to run while the new senior center is being built. She does not anticipate costs to make the clubhouse ready,

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve the lease agreement with the Rainbow Bend Homeowners Association to lease the Rainbow Bend Clubhouse for \$500.00 a month, for a period of 12 to 18 months, starting May 1, 2024. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**15. DISCUSSION ONLY/NO POSSIBLE ACTION:** Storey County FY25 Tentative to Final Budget update.

Comptroller Jennifer McCain said there were a few changes between the Tentative Budget and the Final Budget. Among those changes are:

- The cost of health insurance for employees will drop in cost from 15 percent to 10 percent, so every department will see a 5 percent decrease in their budget.
- There was an error of \$500 in the Commissioners training budget, as one person was left off the list.
- In the Administrative, a bill from the National Association of Employers sent a membership bill, so that budget went from \$1,000 to \$2,108.
- In Emergency Management, the department will change from CodeRed to another vendor at a cost of \$2,055.
- In the Road Department, we have begun to enter the projects in DOWL’s Road CIP. This increases the line item by \$2.9 million for a total of \$3.1 million. We are reducing the

Mark Twain Capitol Improvement Budget by \$500,000, Lockwood's by \$300,000, and TRIC by \$100,000. In cooperation with Public Works, the Comptroller's Office plans to create a general road management account with \$300,000. There will also be a possible rollover of the Lousetown project that will cause an increase of \$700. The road budget will be \$6.7 million, which will require a transfer from the General Fund.

- For the Capital Fund, we have moved the fiber coax from the General to the Computer Internet line-item account, a \$500,000 change. We have also added the Mark Twain network wiring to the same Computer Internet account, as well as finishing the security cameras countywide. Total cost of all for the Capital Fund is \$235,000.

Public Comment: None

**17. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval to direct county staff to begin researching the process for possible implementation of the Commercial Property Assessed Clean Energy Program (C-PACE).

Business Development Officer Lara Mather said this program allows commercial property owners, including commercial residential property owners to obtain low-cost, long-term financing for energy efficiency, water conservation, and renewable energy projects. Additional time and resources will be needed to determine whether this program is or is not viable in Storey County. She said it is overseen by a third-party entity. A lien is placed on the property, not the person and is a state program. It is a priority lien. Other lien holders on a property would have to agree.

Ms. Mather said this can help with residential, such as apartments with 5 or more units. It can help with roofing and windows as well.

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve directing county staff to begin researching the process for possible implementation of the Commercial Property Assessed Clean Energy Program (C-PACE). **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**18. DISCUSSION/FOR POSSIBLE ACTION:** Consider and possibly accept apparent low bid from Sierra Nevada Construction, Inc. for the Lousetown Road Reconstruction project in an amount not to exceed the bid price of \$4,681,007.00. On April 4, 2024, DOWL held a bid opening for the Lousetown Road Reconstruction Project on behalf of Storey County, and Sierra Nevada Construction, Inc. is the apparent low bidder.

Public Works Director Jason Wierzbicki said six bids were received, with Spanish Springs Construction offering the highest bid at \$6,992,000 and Sierra Nevada Construction had the lowest bid at \$4,681,007. Staff recommended Sierra Nevada Construction's bid to be



approved. He said the bid was lower than anticipated and work should start in the next few weeks.

Comptroller McCain said that his project was allowed for in the Capital Improvement Fund, and there will be some transfers to make this happen,

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve the bid from Sierra Nevada Construction in the amount of \$4,681,007.00 and to allow the Public Works Director to sign the contract for the Lousetown Road Reconstruction Project. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

#### **19. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSING BOARD**

**20. DISCUSSION/FOR POSSIBLE ACTION:** For consideration and possible approval of the Second Reading On-Sale/Off-Sale Liquor License. The applicant is Arturo Valadez, Bonanza Cantina located at 27 North C Street, Virginia City, Nevada.

Deputy Frank Valdez said the only possible concern is a past financial issue, which was charged off by the creditor. No other issues of concern existed.

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve the Second Reading of the On-Sale/Off-Sale Liquor License. The applicant is Arturo Valadez, Bonanza Cantina, located at 27 North C Street, Virginia City, Nevada. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

#### **21. RECESS TO RECONVENE AS THE STOREY COUNTY BOARD OF COUNTY COMMISSIONERS**

**22. DISCUSSION/FOR POSSIBLE ACTION:** Consideration to possibly approve a proposal from Headway Transportation for design of a traffic signal system for the intersection of Electric Avenue and Milan Drive in TRI for an amount not to exceed \$95,000.

Mike Northan, Operations and Projects Coordinator said proposals were submitted for design of the traffic signal system, and staff recommends the proposal from Headway Transportation.

Public Comment: None



**Motion:** I, Commissioner Mitchell, move to approve the proposal from Headway Transportation for design of a traffic signal system for the intersection of Electric Avenue and Milan Drive in TRI for an amount not to exceed \$95,000 and to authorize the county manger to sign the proposal. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 23. DISCUSSION/FOR POSSIBLE ACTION:** Discussion and possible consideration approving the County Manager and/or Emergency Management Director signing the attached draft letter presented by the Nevada Association of Counties (NACO) for possible submittal to the Nevada Congressional Delegation supporting restoration of emergency management federal grants, and other properly related matters.

Director of Emergency Management Adam Wilson said FEMA had decreased emergency management grants by 10 percent. For FY2024. This reduces funding to 2007 levels. This letter requests additional funding for FY2025. Other counties have signed the letter.

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve the County Manager and/or Emergency Management Director signing the attached draft letter presented by the Nevada Association of Counties (NACO) for possible submittal to the Nevada Congressional Delegation supporting restoration of emergency management federal grants, and other properly related matters. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 24. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval to delete the 2022-23 and 2023-24 Personal Property unpaid tax bills for MH001114 in the amount of \$24.50. This Mobile Home burned in 2019 and the Assessor's Office was not notified, and we did not realize this was an unlivable/unrepairable structure until we started our delinquent notice postings. This item was continued from the April 2, 2024, board meeting.

Assessor Jana Seddon said this mobile home burned during difficulty with communications between departments on the fire. Only the mobile home burned, and the mobile is in probate as the owner has passed away. No reassessment of real property is necessary. The mobile home cannot be removed from the property until probate is completed.

Public Comment: Mr. Schmidt recommended that given the write-off of the Personal Property, the Assessor should reassess the property as he believes this probably decreases overall land value.

**Motion:** I, Commissioner Mitchell, move to approve deleting the 2022-23 and 2023-24 Personal Property unpaid tax bills for MH001114 in the amount of \$24.50. This Mobile Home burned in 2019 and the Assessor's Office was not notified, and we did not realize this was an unlivable/unrepairable structure until we started our delinquent notice postings. This

item was continued from the April 2, 2024, board meeting. **Seconded by:** Lance Gilman.  
**Vote:** Motion passed unanimously.

- 25. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval of Corporation Quitclaim Deed from Con-Virginia Mining Company to Storey County for APN 001-311-06, a portion of U.S. Survey No. 119 for Piety Hill, as described in the enclosed exhibits hereto.

District Attorney Anne Langer said that Hugh Roy Marshall has agreed to deed the surface rights on his property to Storey County so that grants that were unobtainable because Storey County did not own the property with the stipulation that the 6.37 acres would only be used for nonprofit purposes. If the property is not used for nonprofit purposes, it will revert to the grantor. Rew Goodenow, representative of Con-Virginia Mining Co., said the property is near St. Mary's Art Center, and there will be adjustment in the tax rolls.

Business Development Officer Lara Mather said this opens historic preservation and future grant opportunities.

Arika Perry, director of St. Mary's Art Center expressed her thanks to all involved. She will include recognition for Hugh Roy Marshall in an upcoming exhibition.

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve the acceptance of Corporation Quitclaim Deed from Con-Virginia Mining Company to Storey County, State of Nevada, for APN 001-311-06, a portion of U.S. Survey No. 119 for Piety Hill, containing an area of 6.37 acres of land as described in the agenda title, staff summary and enclosed exhibits. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

- 26. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval of Quitclaim Deed to properly deed land acquired through the 2018 Storey County Federal Lands Act to private properties in the subject area of the Lands Act, as described in the enclosed exhibits hereto.

Mr. Osborne said that over the past 15 years we have worked with Congress to try to get 1,745 acres transferred from the federal government to Storey County ownership to get rid of clouded titles. About the early 1900s townsites were created over federal land without oversight, which was common in mining towns. We worked with Congress and the DA's Office and Recorder's Office to make this work. In 2023 we got AB143 passed. This affects about 600 residents and 200 businesses affected by this situation.

Ms. Langer said changing it from Storey County quitclaiming took a lot of implementation twists & turns. The existing 2003 law authorized the commission to accept the quitclaim



from the Bureau of Land Management, with 1,303 parcels affected. There will be a procedure to clear the titles

Recorder Dru McPherson said the recorder will record the two quitclaim deeds, within the Lands Bill boundaries, and a new transfer tax exemption for these properties means there will be no cost to the taxpayer. Once they are recorded, they will be available to title companies for title searches. Property owners enrolled in the fraud guard service will receive notice, then notice of conveyance as well as the property deed, all sent by certified mail. Each parcel will receive its own mailing. Deeds will be available to access online.

Ms. Langer said this was an amazing accomplishment for all involved. She said that if for some reason someone wanted to opt out, they could seek legal counsel and they could disclaim their interest.

Assessor Jana Seddon said her Office is including all the parcels and are updating addresses and ownership information. There will be no change of owners of record. She said no part of this will trigger a re-assessment and no change of value, but might change parcel size to define or split various parcels. She said that would be a legal issue, and residents would get their own attorney to show the federal government should have been paying taxes on the parcels,

Public Comment: Gary Schmidt said no one can be forced to accept a quitclaim deed. He thought the opt-out provision was a problem; people should opt-in. He expressed concern about mine shafts.

**Motion:** I, Commissioner Mitchell, move to approve the acceptance of Quitclaim Deed from Storey County, to “convey real property...acquired by the county directly from the Federal Government for the purpose of clearing title to the real property” to “the person or persons, as applicable, who have an interest in the real property,” through the 2018 Storey County Federal Lands Act in the subject area of the Lands Act, as described in the enclosed exhibits hereto. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**27. DISCUSSION/FOR POSSIBLE ACTION:** Consideration and possible approval of first reading of Bill No. 141, Ordinance No. 24-329 amending Storey County Code Title 15 – BUILDINGS AND CONSTRUCTION, Chapter 15.08 Building Official, Section 15.08.060 Appeals from Decisions to more efficiently hear and decide appeals of orders, decisions, or determinations made by the building official or determinations made by the fire marshal about the International Fire Code, the Wildland Urban Interface code or any amendments by replacing the Board of Appeals with Hearing Officers.

Ms. Langer said this is to have an effective board of appeals, like nuisances, using qualified people to be judges who were not employed by the jurisdiction. We have some interest in



citizens being a part of it. These people will come before the BOC, and there will be some compensation for the judges. County Manager Austin Osborne read the title of the ordinance.

Commissioner Mitchell said this is needed. If an appeal is made, is the hearing officer's decision final or does it come to the BOC?

Ms. Langer said she would like to investigate that. She said it was an informal process, with competent citizens in the fields of construction and fire safety. The pro tem hearing officers must provide written findings. She said changes could be made between first and second readings.

Public Comment: Gary Schmidt said the item was important and was concerned about conflicts of interest related to the closeness of the pro tem hearing officers to the building department. He wanted the hearing officers to be elected positions.

Commissioner Mitchell said that with the small size of the county, connections could be unavoidable. Ms. Langer said she will address that. She believes what will happen is someone will file that with a court.

**Motion:** I, Commissioner Mitchell, move to approve the First Reading amending Storey County Code Title 15 - BUILDINGS AND CONSTRUCTION, Chapter 15.08 Building Official, Section 15.08.060 Appeals from Decisions to more efficiently hear and decide appeals of orders, decisions, or determinations made by the building official or determinations made by the fire marshal about the International Fire Code, the Wildland Urban Interface code or any amendments by replacing the Board of Appeals with Hearing Officers. I further move to correct the title to match the summary in the proposed ordinance, and to instruct staff to work with other county elected officials to explore process around further appeals beyond a hearing officer and what that procedure would be. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**28. DISCUSSION/FOR POSSIBLE ACTION:** Discussion and possible direction to county staff and consultant regarding the draft Storey County Strategic Plan. This information will be used to update the draft plan and bring it back to the board for consideration in May of 2024.

Linda Ritter of Linda Ritter Consulting said what this document does is align the actions of the county to what the county has chosen, then develop the strategy. Strategic plans were done at the department level. Then those goals were aligned with the county. Public input was received from all the communities. This plan is for a one-year period, because conditions change. Ms. Ritter went over the plan.

Mr. Osborne said changes were made to the formatting and what is the specific things we are going to do. An example was to provide broadband to the public. They will implement a MOU with CC Communications. Next year the plan is to build to another level.

Commissioner Mitchell said some of these tactics carry over more than one year. Mr. Osborne is that one of the objectives is to work on a three-year plan, but for now it is a one-year plan. Ms. Ritter said as the plans are refined, multi-year plans would be possible. Administrative Officer Honey Coughlin said that staff was working to coordinate the Capital Improvement Plan and the Strategic Plan, so with the plans working together it will be clear what years objectives will come into play.

Commissioner Mitchell said he was opposed to increasing water connection fees. If we must increase those fees, can we provide a grant program to offset the increases, so that the money still flows into the program, but the user does not see an increase. Mr. Osborne said that is up to the board. Ms. Coughlin asked: do you mean you want the county to look for grant funding? Commissioner Mitchell said yes, but he wanted to come up with an internal program, or seek new revenue, but a way to repurpose dollars that incentivize behavior that we are looking for, such as increasing housing stock. Can we avoid those increased fees by taking other county funding or outside funding to offset those increases. He said he prefers doing something internally, so we don't put the brakes on development. Ms. Coughlin said she had been working on federal grants, but the language is so specific it excludes what we can do. Mr. Osborne said this could be a very substantial fiscal event for us. Staff would like to see where this item would be in the strategic plan. Commissioner Mitchell said this was a new idea, and half-baked. He wanted an additive to offset the user, so the full brunt of those fees isn't borne by the people who want to build residences. Mr. Osborne said he would like to leave the item in there, but add alternative methods and come back with them at the next meeting. Ms. Ritter said any increase will still come back to the board. Public Works Director Jason Wierzbicki said the main reason behind the increase was to be more in line with surrounding areas. It doesn't cover parts cost, much less labor costs. Commissioner Mitchell said he understood that, but if we want to provide more housing in a fair and proper way, then it is something worth looking at. Mr. Osborne said because it is an enterprise fund, perhaps there is a strategic plan concept where we can supply grants or scholarships or some kind of subsidy to help certain types of housing such as affordable housing, workforce housing, if the housing meets certain criteria.

Public Comment: Gary Schmidt said for housing, de-regulate. Local businesses suffer from seasonality. De-regulate the lot size. Make it less economically burdensome. I support anything you can do to subsidize this for housing.

Commissioner Mitchell said lot size can be looked at. In supporting historic preservation, he wanted to look at the 501c3 aspect of Piper's Opera House. Mr. Osborne said that can be explored. Ms. Coughlin said that these items are on the CIP, and the tactics would be fine-tuned.



On supporting tourism development, Commissioner Mitchell asked about the possibility of a small convention center in town. Ms. Coughlin said that is farther down in the CIP. The staff is working on a five-year CIP. Mr. Osborne said we need to have collaboration with the VCTC.

Commissioner Mitchell asked for better organization of the website, with the hiring of a content manager. Mr. Osborne said it was in the plan.

**Motion:** I, Commissioner Mitchell, move to accept the proposed draft Storey County Strategic Plan with the following changes to take into account the discussion and comments that were made on the record today, and for the draft to be brought to the board at a future meeting for possible adoption. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

(Item 10 was delayed to this point.)

**10. DISCUSSION/FOR POSSIBLE ACTION:** Discussion and consideration for approval amendments to Sections 5.9F and 10.5, and Exhibits 1, 2A, and 2B adding and clarifying language related to resident solid waste self-haul and related fee schedules at the Virginia City Transfer Station, and Consumer Price Index (CPI) considerations in the Solid Waste Franchise Agreement between Storey County and Waste Management, Inc. (dba "Storey County Sanitation").

Mr. Osborne had asked for this item to be continued until the end of the agenda so that Joe Sloan from Sloan Vasquez McAfee was available; he was expected to appear.

Mr. Sloan said that Mr. Osborne noted that the operation of the transfer station merited some edits describing the responsibilities of the contractor. Waste Management agreed to the changes. Handling charges are 5 percent over 2023 rates.

Commissioner Mitchell asked about Sunday service at the transfer station. Mr. Sloan said he believed that Sunday service was incorporated. Mr. Osborne said the stipulation was that the transfer station would be open three days a week, with one of those days being either Saturday or Sunday. Mr. Osborne said there was Sunday collection on C Street.

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve the presented amendments to Sections 5.9F and 10.5, and Exhibits 1, 2A, and 2B adding and clarifying language related to resident solid waste self-haul and related fee schedules at the Virginia City Transfer Station, and Consumer Price Index (CPI) considerations in the Solid Waste Franchise Agreement between



Storey County and Waste Management, Inc. (dba "Storey County Sanitation). **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

**29. DISCUSSION/FOR POSSIBLE ACTION:** For consideration and possible approval of business license second readings:

- A. Bab Cafe – Out of County / 303 W. 3rd St. Ste. 130 ~ Reno, NV
- B. HITT Contracting Inc. – Contractor / 2900 Fairview Park Dr. ~ Falls Church, VA
- C. JCCORD LLC – Contractor / 261 Sunpac Ave. ~ Henderson, NV
- D. Miller Concrete LLC – Contractor / 9215 Moonset Ct. ~ Reno, NV
- E. OneStudio D+A – Professional / 6151 Lakeside Dr. Ste 1100 ~ Reno, NV
- F. Silver Strike Concrete – Out of County / 3401 Fitzgerald Rd. ~ Rancho Cordova, CA

Public Comment: None

**Motion:** I, Commissioner Mitchell, move to approve the second readings of business licenses listed under Item #29 listed as A through 5. **Seconded by:** Lance Gilman. **Vote:** Motion passed unanimously.

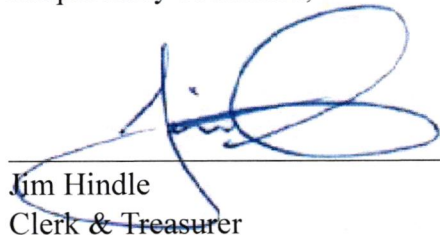
**30. PUBLIC COMMENT (No Action):** Gary Schmidt spoke again on lot size. He said that outside of A, B and C streets, other lots could be used for workforce housing. He also seeks moving to five county commissioners. He said three was too much of a concentration of power.

**31. CORRESPONDENCE/NO ACTION:** Correspondence.

**32. ADJOURNMENT OF ALL ACTIVE AND RECESSED BOARDS ON THE AGENDA**  
Chairman Carmona adjourned the meeting at 1:38 p.m.

**33. CLOSED SESSION:** Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding labor negotiations with the Storey County Sheriff's Office Employees' Association NAFSA Local 9110. This meeting will commence immediately following the regular commission meeting

Respectfully submitted,



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Jim Hindle  
Clerk & Treasurer

**Appendix to the Minutes**

**Of April 16<sup>th</sup>, 2024**

**HANDOUTS IN THE MEETING**



## **PROPOSED NEW LEGISLATION !**

**by Storey County Committee for accountability in government  
Gary Schmidt 775 622-4670 nobullschmidt@hotmail.com**

### **NRS 241.016 2 (a) shall be repealed !**

NRS 241.016 2 (a) is the section/provision that exempts the Nevada State Legislature from the Open Meeting Law! Removing (repealing) this exemption would then require the Nevada State Legislature to comply with the Open Meeting law like any other Public Body !

### **Assembly Bill 496 from June of 2015 shall be repealed !**

**A section should be added to NRS 239 declaring that the Nevada State Legislators shall be fully subject to all the provisions of NRS 239, the Nevada Public Records Act !**

AB 496 proposed by the Legislative Council Bureau in June of 2015 declared that the Nevada State Legislature was exempt from the Nevada Public Records Law ! When repealed along with a new section within the Nevada Public Records Act, NRS 239, that declaratively states that the Nevada State Legislators shall comply with the Public Records Law, NRS 239, it should be made absolutely clear that State Legislators are not above or over the people they just represent the people and they should be fully compliant with the Public Records Law and their activities including their communications related to legislative activities should be fully transparent !

### **Adopt new section i NRS 241 that states;**

**If a County or City Legal Counsel or private legal counsel that advises a Public Body advices them incorrectly in any manner involving the Open Meeting Law as evidenced by any finale ruling or order from the Nevada Judicial Court System then that legal counsel will be subject to the fines as provided for under NRS 241.040 4 for violations of the Open Meeting Law! Further, if any said legal counsel should be assessed said fines three times in any 5 year period said legal counsel whether elected or appointed shall be barred from representing or advising any Public Body in regards to any Open Meeting Law issues for a five year period from the date of the third fine !**