

Austin Osborne – County Manager  
Jim Hindle – Planning Commission Chair  
Planning Commission Board Members  
Sheriff Antinoro  
District Attorney Langer

I am writing to request postponement of any further action on agenda #9 on the October 1<sup>st</sup> Planning Commission meeting until the open criminal investigations into violations of the current land use and Brothel ordinances are resolved. As stated in a prior meeting, it was as a result of the questions I raised and these subsequent criminal investigations that this zoning designation was drafted by Storey County.

In 2017, I submitted a criminal complaint to the SCSO regarding the illegal use of a residence at 5, 5B, 58, 1000, and 1011 Wild Horse Canyon Drive by Lance Gilman employee Kris Thompson. As you know, the current zoning ordinance prohibits the use of the land as a residence for anyone other than the owner of the property and, on a temporary basis, the sex worker contractors who stay there for specified periods of time as required by their contracts.

As an employee of Lance Gilman and TRI Land Development, Mr. Thompson and anyone else not in his immediate “single family” is not permitted to live on the premises under the current zoning ordinance. However, both Thompson and other Gilman employees, (Ms. Jennifer Barnes, Yu Hui Kang, and Ciarra Martin) all list the above addresses as their legal residence. All of them use this address as their residence for voting purposes in Storey County.

Additionally, per the Brothel Ordinance, Mr Thompson is not permitted to even be on the premises unless he is a customer, visiting vendor or brothel employee with a valid brothel work card. According to SCSO, he does not possess a valid work card.

The SCSO did the investigation and concluded that Mr. Thompson was in violation of the Storey County Brothel and Zoning ordinances and forwarded these findings to the office of DA Langer.

DA Langer requested that the Nevada Division of Investigations (NDI) do a separate investigation into both Kris Thompsons ordinance violations as well as my other criminal complaint against Lance Gilman for claiming that 5 Wild Horse Canyon was his primary residence when 199 Steptoe was listed as his primary residence in Washoe county.

The NDI returned their findings on both criminal complaints in December 2019 with the recommendation for prosecution. DA Langer sent these findings to the DAs of Washoe and Lyon Counties with a request for them to prosecute which they declined. DA Langer has yet to disposition these cases and so they remain open.

My concern is that by creating this new Brothel zoning designation, the alleged current and past alleged criminal behavior of Mr. Thompson will be excused and he will not be held to account.

The following amendment in particular is customized to “forgive” his specific violation : *“Residential uses exclusively for the owner of the licensed brothel and the licensed brothel owner’s family and guests; employees directly associated with the licensed brothel; independent contractors that work as*

*prostitutes, grounds keepers, food and beverage preparers, housekeeping, and other services at the licensed brothel; and healthcare providers and agents of the licensed brothel”*

This would be a slap in the face to those citizens who have been held accountable for their offenses and paid the price for them. This would demonstrate that special treatment is given to some people who are well “connected” in the county by changing the rules.

The County to change the rules that Kris Thompson appears to be currently violating. This is simply wrong and an outrage if it happens.

Creating this zoning designation is the wrong move not only because it is completely unnecessary, but it also allows people who have been violating the law for years to now have the law change to accommodate their lawless behavior. Adopting this new zoning designation would tell the public that Special Interests are held to a separate standard than the rest of the residents in the county.

Imagine a regular citizen of the county who is facing a misdemeanor for watering horses tells the DA to hold off on prosecution while he or she petitions the County Commissioners and successfully has the ordinance changed.

I am prohibited by NRS from quoting or reproducing the NDI investigative report but it is public record and you can request a copy from the NDI at : <http://id.dps.nv.gov/>

In addition to my own concerns there were other concerns raised by Storey County and Highlands resident Jed Margolin. Some of his concerns, as stated by him are:

~~“Board” means the Storey County Board of County Commissioners. "Board" means the Brothel Licensing Board of Storey County consisting of the board of county commissioners and the sheriff of Storey County.~~

\*\*\*This removes the Sheriff from having an input to the regulation of the Brothel.

#### **5.16.040 Powers of the licensing board.**

A. The licensing board has the ~~sole~~ authority to ~~grant~~ approve or deny a ~~permit~~ license to operate a brothel, and ~~the sole authority may recommend to the board of county commissioners for approval to make, alter and rescind~~ all necessary regulations setting forth the terms and conditions under which ~~permits~~ licenses and work cards may be applied for, the terms and conditions under which ~~permits~~ licenses may be applied for granted, transferred, revoked or canceled, ~~the forms, fees, requirements, and procedures for processing work cards, where brothels may be located within the county,~~ and any and all other regulations necessary regarding the conditions under which the brothels may be allowed to operate.

\*\*\*It looks like the Sheriff will no longer have the authority over work cards either.

~~E. A loan related to the brothel equal to or greater than twenty five thousand dollars must be reported to the sheriff and loan documents must be provided within thirty days.~~

\*\*\*I think this is what got Gilman into trouble several years ago. Now it will be gone.

#### **5.16.100 Issuance of license and automatic renewal.**

The requirement of a brothel zone approval does not apply to licensed brothel uses existing before the approval of this ordinance. A licensed brothel existing before this ordinance is exempt from the brothel zone requirement but may apply for a brothel zone for the existing brothel premises even if it does not comply with the area requirements of the brothel zone . If an existing licensed brothel applies for a zone change for the brothel and is denied a zone change the brothel may continue as a legal use without brothel zone.

\*\*\*It looks like Gilman's Brothel is effectively getting a pre-emptive pardon in the event he does not get re-elected

On top of everything else, this amendment appears to take us back to the days of Joe Conforte when, in election years, he would register his girls to vote.

Bottomline, I think that there are may lingering questions about this amendment that require time to answer. I request that the Board take that time rather than rushing this amendment thru without the resolution to the criminal complaints and carefully considering the consequences of the many changes suggested or simple, more effective solutions to this problem.

This action directly benefits a single well connected and powerful person... not the residents of the county.

I believe that taking slow and measured steps with a particular focus on simplicity, transparency and equity is in order.

Thank you for your kind attention to this matter,

Sam Toll

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