



Storey County Board of County Commissioners Agenda Action Report

Meeting date: June 17, 2014

Estimate of time required: 5-10 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title: Discussion/Possible Action:** Appointment of committee members to serve on the advisory question committee regarding a revision to the boundary between Storey County and Washoe County. The property is part of what is known as Sunny Hills.
2. **Recommended motion:** Appoint Larry Prater and Robert Maccario to serve as committee members on the advisory question committee regarding a revision to the boundary between Storey County and Washoe County. The property is part of what is known as Sunny Hills.
3. **Prepared by:** Vanessa Stephens
4. **Staff summary:** Two applications were received to serve on the ballot question committee. Larry Prater has applied in favor of the question and Robert Maccario in opposition to the question.
5. **Supporting materials:** Please find a copy of the application along with the resolution attached.
6. **Fiscal impact:** N/A

Funds Available:

Fund:

____ Comptroller


7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name: Clerk & Treasurer

 County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

Storey County, Nevada
Ballot Question Committee

Interest Form for Ballot Question; Sunny Hills advisory Ballot issue

Complete each section below. If not applicable, enter N/A. Type or print Clearly

Name Robert H. Maccario	Home Phone 847-7390	E-Mail maccario@dental- mba.com	Fax 847-7396
Street Address 1070 Combination Rd.		City Highlands	Zip 89521
Business Address 1036 Robinhood Dr. Stockton CA 95207		Business Phone 847-7390	Business Fax 847-7396
Name of Committee Sunny Hills Advisory vote committee			
Your Position on the Ballot Question: <input type="checkbox"/> In Favor x <input checked="" type="checkbox"/> Opposed			
If Representing An Organization: Organization Name: Organization Address: Organization Phone: Organization Fax: Organization E-Mail:			

State Your interest and qualification to serve on this Ballot Question Committee in support of your position. Use 200 words or less. Attach an additional page if necessary.

As a resident of the Highlands, I have been actively researching this development. I have met with Bill Maddox, various commissioners, and as a Board member of the Virginia Range Wildlife Protection Assoc I have a keen interest this advisory vote is presented fairly. I have been to all but one of the SHR presentations and spoken directly to Andy Durling regarding details of their plans.

Notice: The information provided herein is subject to the Nevada Revised Statutes, and may be disseminated accordingly.

- This Ballot Question Committee is an Ad Hoc Committee. A person may serve on more than one committee. Members serve without compensation. Once the general sample ballot is published, the responsibilities of the Ballot Question Committee will be complete.

Fax, email, mail or drop off your application to:

Storey County Clerk
PO Drawer D
26 South B Street
Virginia City, NV 89440
Fax 775-847-0921
Telephone 775-847-0969
Email vstephens@storeycounty.org

Storey County, Nevada
Ballot Question Committee

FILED

2014 MAY 22 PM 4:15

Interest Form for Ballot Question Sunny Hills

STOREY COUNTY CLERK

BY D. C. Neun
DEPUTY

Complete each section below. If not applicable, enter N/A. Type or print Clearly

Name <u>LARRY PRATER</u>	Home Phone <u>847-0465</u>	E-Mail <u>lprater@power.net</u>	Fax <u>847-0465</u>
Street Address <u>21870 BOWIE RD., V.C. HIGHLANDS</u>		City	Zip <u>89521</u>
Business Address <u>RETIRED CIVIL ENGINEER</u>		Business Phone	Business Fax
Name of Committee <u>SUNNY HILLS LAND EXCHANGE</u>			
Your Position on the Ballot Question: <input checked="" type="checkbox"/> In Favor <input type="checkbox"/> Opposed			
If Representing An Organization: Organization Name: Organization Address: Organization Phone: Organization Fax: Organization E-Mail:			
State Your interest and qualification to serve on this Ballot Question Committee in support of your position. Use 200 words or less. Attach an additional page if necessary. <u>I WOULD LIKE TO SEE THIS ISSUE RESOLVED WITH CONDITIONS PLACED ON THE DEVELOPMENT BY STOREY COUNTY. THE ONLY WAY WE CAN DO THAT IS BY MAKING THE LAND TRANSFER CONDITIONAL. I AM A</u>			

35 YR. RESIDENT OF V.C. HIGHLANDS, A FORMER
COUNTY COMMISSIONER AND A CURRENT MEMBER
OF THE PLANNING COMMISSION.

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Fax 775-847-0921
Telephone 775-847-0969
Email vstephens@storeycounty.org

Resolution No. 14-397

**A Resolution of the Storey County Board of County Commissioners
to place an advisory question on the ballot
at the 2014 general election regarding a revision to the boundary
between Storey County and Washoe County.**

Whereas, the Nevada State Legislature, has amended NRS 243.240 to allow the revision of the boundary line between Storey County and Washoe County effective on the adoption of a resolution by the Boards of County Commissioners of Storey County and Washoe County.

Whereas, the Storey County Board of County Commissioners desires that this advisory question be placed on the 2014 general election ballot so that the citizens of Storey County may vote on the question.

Whereas, the result of the voting on this question does not place any legal requirement on the Board.

Whereas, there is a time limitation of June 30, 2015, that the Boards of Storey and Washoe Counties must act by if there is to be a revision in the boundary.

The Board of County Commissioners resolves to place the following advisory question on the 2014 general election ballot:

Should the Storey County Board of County Commissioners pass a resolution revising the boundary between Storey County and Washoe County that would result in approximately 1192 acres of property currently in Storey County becoming part of Washoe County?

A. The explanation of the question.

The question asks if approximately 1192 acres in Storey County should become part of Washoe County. The property is part of what is known as Sunny Hills. (See attached map)

The Sunny Hills property lies in both Washoe and Storey County. Currently there is no infrastructure in Storey County to support the development of the Sunny Hills property inside Storey County. The Sunny Hills property located in Washoe County is identified in the Truckee Meadows Regional Plan and is included within the Truckee Meadows Service Area in the City of Reno's Sphere of Influence. This area is currently planned to be served by infrastructure located within the City of Reno and Washoe County.

The Nevada Legislature passed SB 272 during the 2013 session. SB 272 amended the statutory provisions in NRS section 243.340 to allow two boundary changes between the counties. Any revision requires the approval of both Storey and Washoe County. The two boundary line revisions are contained in section 1 and section 1.5 of chapter 94, Statutes of

Nevada 2013, at pages 307 and 310, respectively. Section 1 describes a boundary change that would include approximately 1192 acres of property (part of Sunny Hills) currently in Storey County into Washoe County. Section 1.5 describes a boundary change of land in currently in Washoe County north of the Truckee River and south of I-80 east of Mustang and west of Waltham Way that would become part of Storey County. This question only addresses the section 1 boundary change.

In order to make the boundary adjustment in section 1 of the act effective, the boards of county commissioners of both Washoe and Storey County, before June 30, 2015, must pass a resolution approving the revisions to the boundary line between the counties.

B. The digest:

1. If the Storey and Washoe Boards pass a resolution revising the boundary, Storey County will lose the real property tax revenue paid by the property and Washoe County will gain the real property tax revenue. Storey County may also lose revenue because there is a possibility that the development of the property would increase its value and generate more real property tax. Storey County may have to provide services that would be paid for by the increase in revenue.

2. Existing laws that will be changed by the approval of a resolution by both Storey and Washoe County Boards to revise the boundary between the counties:

- a) NRS 243.333 Boundary of Storey County
- b) NRS 243.340 Boundary of Washoe County

If the Boards of County Commissioners of both counties approve a resolution moving the boundary to include the approximately 1192 acres into Washoe County, the appropriate version of NRS 243.340 will become effective. The Boards may adopt both boundary revisions, either of the revisions, or none of the revisions.

C. The result of the voting on this question does not place any legal requirement on the governing body, any member of the governing body or any officer of the political subdivision.

Adopted this 10 day of May 2014 by the following vote:

Vote: Ayes: Commissioners: McBride
Gilman
Sjovangen

Nays: Commissioners: None

Absent: Commissioners: None

Marshall McBride
Marshall McBride, Chairman
Storey County Board of Commissioners

Attest:

Vanessa Stephens
Vanessa Stephens
Clerk & Treasurer, Storey County

**LEGAL DESCRIPTION
FOR POTENTIAL
SUNNY HILLS LAND TRADE**

All that certain real property situate within Section One (1), Township Eighteen (18) North, Range Twenty (20) East, Mount Diablo Meridian, and a portion of Section Six (6), Township Eighteen (18) North, Range Twenty-One (21) East, Mount Diablo Meridian, Storey County, Nevada, being a Lots 39-62 of Record of Survey Map No. 44300, recorded May 3, 1979, and Lots 53-57 of Division of Land Map No. 43954, recorded March 19, 1979, all in the Official Records of Storey County, Nevada, and being more particularly described as follows:

BEGINNING at the Northwest corner of said Section One (1), as shown on said Record of Survey Map No. 4430;

THENCE departing said northwest corner and along the north line of said Section, South 88°47'50" East a distance of 2636.62 feet to the North One-Quarter corner of said Section;

THENCE continuing along said north line, South 89°05'48" East a distance of 2648.40 feet to the Northeast corner of said Section;

THENCE departing said corner and along the north line of said Section Six (6), South 89°02'43" East a distance of 3452.57 feet to the North One-Quarter corner of said Section;

THENCE departing said corner and continuing along said north line, North 88°37'00" East a distance of 637.83 feet;

THENCE departing said north line, South 12°25'49" East a distance of 2504.99 feet;

THENCE South 02°01'41" West a distance of 671.51 feet;

THENCE South 04°57'57" East a distance of 1153.58 feet;

THENCE South 38°40'56" East a distance of 268.28 feet;

THENCE South 47°38'11" East a distance of 1133.28 feet to the Southeast corner of said Section Six (6);

THENCE departing said corner and along the south line of said Section, South 89°55'14" West a distance of 5760.01 feet to the Southwest corner of said Section;

THENCE departing said corner and along the south line of Said Section One (1), North 87°49'56" West a distance of 2589.86 feet to the South One-Quarter Corner of said Section;

THENCE departing said corner and continuing along said south line, South 89°38'28" West a distance of 2602.80 feet to the Southwest corner of said Section;

THENCE departing said corner and along the west line of said Section, North 00°28'08" West a distance of 5305.40 feet to the **POINT OF BEGINNING**;

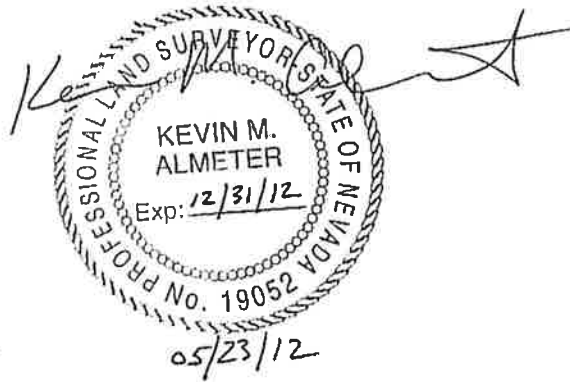
Containing 1,192.17 acres of land, more or less.

The basis of bearings for this description is identical to that as shown on Record of Survey Map No. 44300, recorded May 3, 1979, in the Official Records of Storey County, Nevada.

Note: A field boundary survey was not conducted for the preparation of this legal description, and was compiled using record data. This legal description is provided as a convenience and is not intended for the purpose of subdividing land not in conformance with Nevada Revised Statutes.

**LEGAL DESCRIPTION
FOR POTENTIAL
SUNNY HILLS LAND TRADE**

Prepared by:
Wood Rodgers, Inc.
5440 Reno Corporate Dr.
Reno, NV 89511



Kevin M. Almeter, P.L.S.
Nevada Certificate No. 19052

EXHIBIT

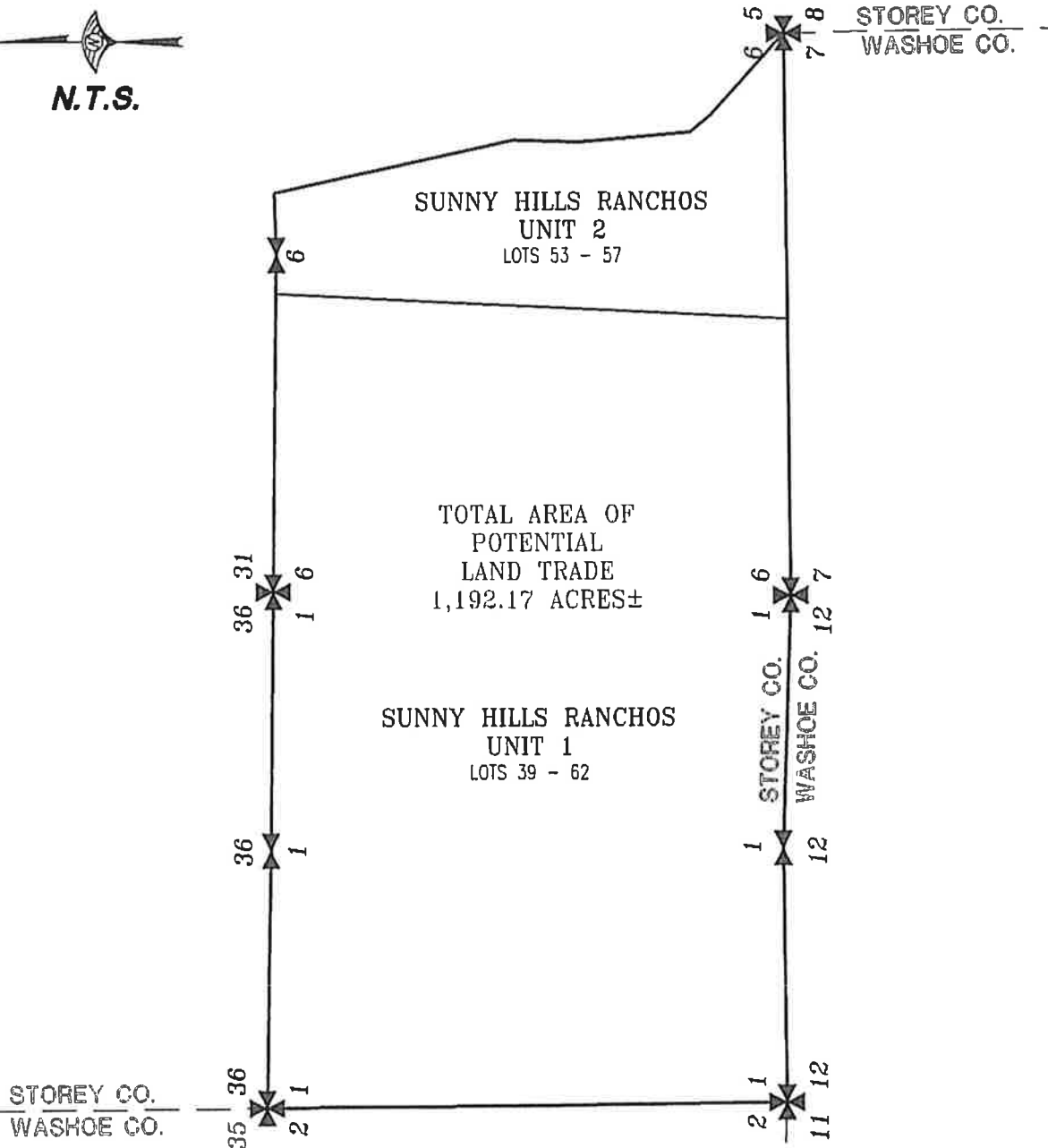
PLAT TO ACCOMPANY
DESCRIPTION

POTENTIAL SUNNY HILLS LAND TRADE

PORTION OF SECTION 6, T. 18 N., R. 21 E.
AND SECTION 1, T. 18 N., R. 20 E., M.D.M.
STOREY COUNTY NEVADA



N.T.S.





Reno

Sparks

WASHOE COUNTY

STOREY COUNTY

Sunny Hills
Trade Area

WASHOE COUNTY

STOREY COUNTY



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: June 17, 2014

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☒

1. **Title:** Discussion and possible action to approve an agreement between Storey County, the Nevada Division of Environmental Protection (NDEP) and Comstock Mining, Inc. (CMI). CMI will give Storey County \$116,000.00 to assist with off-setting portions of the costs for the purchase a 2015 Elgin Broom Bear Street Sweeper. As a result of the payment of funds by CMI, NDEP will enter into a consent decree with Comstock for the purpose of settling claims associated with Notices of Alleged Air Quality Violations Nos. 2477 issued by NDEP.
 2. **Recommended motion:** I move to approve the agreement between Storey County, the Nevada Division of Environmental Protection (NDEP) and Comstock Mining, Inc. (CMI) which will result in CMI giving Storey County \$116,000.00 to assist with off-setting portions of the costs for the purchase a 2015 Elgin Broom Bear Street Sweeper.
 3. **Prepared by:** William A. Maddox
- Department:** District Attorney **Telephone:** (775) 847-0964
4. **Staff summary:** See attached Agreement which calls for CMI to give Storey County \$116,000.00 to assist with off-setting portions of the costs for the purchase a 2015 Elgin Broom Bear Street Sweeper.
 5. **Supporting materials:** See attached Agreement.
 6. **Fiscal impact:** Storey County will receive \$116,000.

Funds Available: _____ Fund: _____ Comptroller

7. **Legal review required:** (if yes the district attorney must sign off by initialing)
_____ District Attorney

8. **Reviewed by:**

_____ Department Head

Department Name: _____

 _____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. _____

AGREEMENT
BETWEEN
STOREY COUNTY
AND
COMSTOCK MINING, INC.

This Agreement (the “Agreement”) is entered into by and between Storey County and Comstock Mining, Inc. (“Comstock”). The Nevada Division of Environmental Protection (“NDEP”) is a third party beneficiary to the Agreement as set forth below.

I. AUTHORITY

This Agreement is entered into in accordance with the power granted to the county by NRS 244.270 which provides that “The boards of county commissioners shall have power and jurisdiction in their respective counties to control and manage the property, real and personal, belonging to the county, and to receive, by donation, any property for the use and benefit of the county.”

II. PURPOSE

WHEREAS, Storey County will utilize funds provided by Comstock to assist with off-setting portions of costs for the purchase a 2015 Elgin Broom Bear Street Sweeper, PM 10 Compliant with equipment that complies with the most current Federal Motor Vehicle Standards, Federal Environmental Protection Agency engine emission standards and current requirements of Nevada Revised Statues. This new unit will replace and older unit that was lost to fire in January 0f 2014.

Now, THEREFORE, in consideration of the premises and material promises set forth in this Agreement, Comstock agrees to provide One Hundred and Sixteen Thousand Dollars (\$116,000.00) towards the purchase of a street sweeper for Storey County. Storey County agrees to use the money provided by Comstock hereunder for the sole purpose of effectuating the project.

III. GENERAL PROVISIONS

A. Definitions

Whenever the terms set forth below are used in this Agreement, the following definitions shall apply:

1. “Funds” shall mean funds contributed by Comstock in the amount of One Hundred and Sixteen Thousand Dollars (\$116,000.00) to the account designated by Storey County for the purpose of purchasing a Street Sweeper.

2. “Project” shall mean the purchase of a street sweeper for Storey County.

3. Except as provided in Section III.D. of this Agreement, Notices and Communications, “party” or “parties” shall mean Storey County and Comstock.

4. “Consent Decree” shall mean the consent decree to be entered into by an between Comstock and NDEP for the purpose of settling claims associated with Notices of Alleged Air Quality Violations Nos. 2477 issued by NDEP.

B. Commitments

1. Comstock agrees to pay the Funds by wire transfer within thirty (30) days of the date the Consent Decree is entered in the First Judicial District Court of the State of Nevada in and for the County of Storey in accordance with the wire payment instructions attached hereto as Exhibit A. Comstock shall be under no obligation to act in accordance with the preceding sentence until such time as the Consent Decree is entered. By depositing the Funds in accordance with the preceding sentence, Comstock will complete its obligation under the terms of this Agreement. Comstock shall in no manner be responsible for executing any aspect of the purchase of the street sweeper. Furthermore, Comstock’s contribution to the Project is limited to a one-time payment of the Funds. Comstock makes no representations as to whether its contribution is sufficient to complete the Project and shall not be responsible for any financial shortfall in completing the Project.

2. Storey County agrees to use best efforts to complete the Project within a reasonable period of time. Storey County agrees that it shall use the Funds solely for funding the Project. Storey County agrees to provide an accounting for the use of the Funds towards the Project when requested to do so by Comstock or NDEP until such time as Storey County has provided a final accounting demonstrating that the Funds have been fully expended. Such accounting shall be provided by Storey County within thirty (30) days of receiving the request and the accounting shall be provided to both Comstock and NDEP regardless of which entity makes the request.

C. Third Party Beneficiary

Except as provided in this paragraph, this Agreement is not intended to and shall not create any rights in any person or entity not a party to this Agreement. Pursuant to the Consent Decree, Comstock has agreed to enter into this Agreement and to fund the Project as specified herein. While not a party to this Agreement, NDEP is a third party beneficiary to the Agreement and, as such, is entitled to enforce its terms.

D. Notices and Communications

When used in this paragraph only, the term “party” or “parties” shall mean Comstock, Storey County, and NDEP. All notices, demands and requests which may be or are required to be given by the parties shall be in writing and shall be personally served on the designated party, delivered by express courier, sent by e-mail (if sent by e-mail transmission a duplicate copy shall be sent by first class mail), or sent by United States certified or registered mail, postage prepaid, addressed to the parties as follows unless a party hereto designates otherwise in writing:

If to Comstock Mining LLC: Corrado DeGasperis

President & CEO, Comstock Mining LLC
P.O. Box 1118
1200 American Flat Road
Virginia City, NV 89440

If to Storey County:

Marshall McBride, Chairman
Storey County Board of County Commissioners
26 South B Street
P. O. Box 176
Virginia City, Nevada 89440
e-mail: mmcbride@storeycounty.org
phone: 847-0968

If to NDEP:

Mr. Robert Bamford, Chief
Nevada Division of Environmental Protection,
Bureau of Air Pollution Control
901 So. Stewart St., Suite 4001
Carson City, NV 89701
e-mail: rbamford@ndep.nv.gov
phone: 775-687-9330

If personally delivered, notices and other communications under this Agreement shall be deemed to have been given and received and shall be effective when personally delivered; if sent by mail in the form specified in this section, notices and other communications under this Agreement shall be deemed to have been given and received and shall be effective when deposited in the U.S. mail. If sent by e-mail, notices and other communications under this Agreement shall be deemed to have been given and received and shall be effective when the e-mail is sent. Either party may, by notice so delivered to the other, change the address to which delivery shall thereafter be made. Any such communication shall be deemed effective as of the date and time it is actually received.

IV. EFFECTIVE DATE

This Agreement shall be effective as of the latter date of (i) its execution by both parties, and (ii) entry of the Consent Decree in the First Judicial District Court of the State of Nevada in and for the County of Storey.

V. TERMINATION

Either party to this Agreement may terminate this Agreement with written notice to the other party. Comstock shall not terminate this agreement without first obtaining approval, in writing, from NDEP. In the event that Comstock or Storey County elects to terminate this Agreement, Storey County shall return the Funds, or the portion of the Funds unexpended, to NDEP's general Supplemental Environmental Project (SEP) Fund.

VI. BINDING EFFECT

This Agreement shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

VII. ENTIRE AGREEMENT

This Agreement represents the entire agreement between the parties with respect to the subject matter hereof and shall be construed without reference to any prior or other agreement between the parties. This Agreement may not be amended or supplemented except by an instrument in writing signed by both parties.

VIII. CONSTRUCTION AND ENFORCEMENT

This Agreement shall be construed in accordance with and governed by the laws of the United States of American and the State of Nevada, as applicable. The headings used herein are for convenience only and shall be disregarded in construing and enforcing this Agreement. Each party has carefully reviewed and approved this Agreement and, accordingly, the general rule that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.

IX. SURVIVAL

All representations, covenants, warranties, indemnification, assistance, cooperation, confidentiality and other provisions of this Agreement containing obligations that are intended to continue beyond the termination of this Agreement shall survive such termination and remain in effect until their existence is of no benefit to either party.

X. COUNTERPARTS

This Agreement may be executed in multiple counterparts, which taken together shall constitute one and the same instrument.

XI. SIGNATURES

For purposes of executing this Agreement, a party's signature transmitted via electronic scan (for example, PDF) shall be deemed to be the equivalent of an original signature.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized agents.

Comstock, Inc.

By: _____ Date: _____
Corrado DeGasperis
President & CEO, Comstock Mining LLC
P.O. Box 1118
1200 American Flat Road
Virginia City, NV 89440

Storey County

By: _____ Date: _____
Marshall McBride
Chairman, Storey County Board of Commissioners
P. O. Box 176
26 South B Street
Virginia City, Nevada 89440



Storey County Board of County Commissioners Agenda Action Report

Meeting date: June 17, 2014

Estimate of time required: 15-20 Minutes

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. Title: Resolution #14-402; Making Changes to Water Rates for Service in Virginia City, Gold Hill and Silver City and Changes to Sewer Rates for Service in Virginia City and Gold Hill.

2. Recommended motion: Motion to Approve Changes to Water and Sewer Rates as provided for in Resolution #14-402; effective July 1, 2014

3. Prepared by: Mike Nevin

Department: Public Works

Telephone: 847-0958

4. Staff summary: Annual rate setting of water and sewer rates per resolution as provided for Storey County Code 13.10.010. Base rates will increase per the Rate Analysis completed in 2011. This would be the fourth of the five year phased in increase for operational costs. In addition a small increase of one-half of one percent is necessary to cover a 19.56% increase in water purchased from the State of Nevada Marlette Water System. The monthly sewer fee increase includes the cost to provide for the debt service re-payment on bonds recently issued for the construction of the new wastewater treatment facility

5. Supporting materials: Attached Resolution #14-402 and Analysis of State Rate Increase

6. Fiscal impact:

Funds Available:

Fund:

____ Comptroller

7. Legal review required:

____ District Attorney

8. Reviewed by:

MN Department Head

Department Name: Commissioner's Office

Mike Nevin County Manager

Other agency review: _____

9. Board action:

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

RESOLUTION 14-402

A RESOLUTION MAKING CHANGES TO WATER RATES FOR SERVICE IN VIRGINIA CITY, GOLD HILL, AND SILVER CITY AND SEWER RATES FOR SERVICE IN VIRGINIA CITY AND GOLD HILL.

WHEREAS, Storey County Code 13.10.010 provides that the Storey County Commissioners may establish water and sewer service rates by resolution, and

WHEREAS, additional cost of operation of the water and sewer treatment plant, construction and maintenance on the present water and sewer systems will require additional funds to be paid for by increasing the rates of the water and sewer users of the systems as explained in the Storey County Rate Analysis completed in 2011. Additionally construction of the new Wastewater Treatment Plant requires loan re-payment fees to be added as explained in Section 2. Sewer Rates.

1. WATER RATES

- a. Water Hookup (basic $\frac{3}{4}$ inch within 50 ft of main lines):
 - i. Residential \$2,500.00
 - ii. Commercial \$4,100.00
- b. Permit extension fee: (based on minimum yearly water service rates)
 - i. Residential \$389.52 (\$32.46 X 12)
 - ii. Commercial \$595.44 (\$49.62 X 12)
- c. Water Deposit \$100.00 on all accounts.
- d. Monthly Service base rate:
 - i. Residential base rate will increase \$4.13 to bring the minimum base rate from \$28.33 to \$32.46 monthly for the first 2000 gallons of water usage; each additional 1000 gallons of water usage will be charged at a rate of \$2.79.
 - ii. Commercial base rate will increase \$5.92 to bring the minimum base rate from \$43.70 to \$49.62 monthly for the first 2000 gallons of water usage; each additional 1000 gallons of water usage will be charged at a rate \$3.70.
 - iii. Monthly minimum will be charged for all metered accounts regardless of usage.
 - iv. Construction Water: Administrative billing fee: \$37.80 per month, \$3.70 per each 1,000 gallons.
- e. In addition to the monthly water usage rates a surcharge of \$7.00 per month will be applied to all accounts as required by USDA.
- f. Late charge of 4% of unpaid balance accrued monthly.
- g. Reconnection fee \$60.00 for nonpayment of billing must be paid before water service is restored.

- i. If this fee and past due balance is not paid within one (1) month of disconnection, service will be entirely disconnected and a fee of \$1200.00 (residential), \$2000.00 (Commercial) plus entire balance will be required before service is re-established
- h. Residential discount of 10% on water charges for Senior citizens over 65 (proof of age required) upon approval of the Public Works Director. Service account holder and discount applicant must be one in the same.
- i. Voluntary Disconnection of service:
 - i. Temporary Disconnection: Customers may opt to disconnect service for a period of three (3) or more months. A disconnect form must be completed prior to disconnection. Charges will be half of the current minimum monthly water and sewer (when applicable) service rates. To reconnect service a fee of \$60 will be assessed.
 - ii. Total Disconnection: Customer may opt to completely disconnect service. A disconnect form must be completed prior to disconnection. No monthly charges will be assessed. Restoral of service will require a fee of \$1200.00 (Residential), \$2000.00 (Commercial).

2. SEWER RATES

- a. Sewer Hookup (within 50 ft of main lines):
 - i. Residential \$3,300.00
 - ii. Commercial \$4,800.00
- b. Monthly Service rate:
 - i. Residential monthly flat rate will increase \$4.02 to bring the minimum base rate from \$27.73 to \$31.75
 - ii. Residential USDA Loan Repayment fee of \$10.71 per month will be applied to all residential accounts.
 - iii. Commercial base rate will increase \$7.09 for first 2000 gallons of water usage increasing the minimum base rate from \$37.77 to \$44.86 and for each additional 1000 gallons of water usage sewer charges will be billed an additional \$2.14 computed monthly.
 - iv. Commercial USDA Loan Repayment fee of \$13.64 per month will be applied to all commercial accounts.
- c. In addition to the monthly sewer service rate a sewer capitalization surcharge \$4.00 per month will be applied to all accounts.
- d. Late charge of 4% of unpaid balance accrued monthly.

THEREFORE BE IT RESOLVED, that the Storey County Commissioners water rate increase and sewer rate increase is hereby approved, the previous water and sewer rate Resolution 13-379 is hereby revoked by the adoption of this resolution 14-402. Said rates shall be effective commencing on the 1st day of July 2014 until further adjustments are made by resolution of this board.

This resolution shall be effective on the _____ day of _____ 2014

THOSE VOTING AYE: _____

THOSE VOTING NAY: _____

ABSENT: _____

BY: _____

ATTEST: _____

Storey County Clerk

STOREY COUNTY BOARD OF COMMISSIONERS

Effectives of Water Charge Increase from State of Nevada

.55 beginning July 1, 2014 – 19.56% Increase – Difference .09

Based on estimated usage of 95M gals. Budget impacted by approximately \$8,550.00

Water - \$52,250 (95M)

Monthly System Wide fee - $\$1,690.24 \times 12 = 20,282.88$

Total Yearly – \$72,532.88

To make up for increase:

Residential Base Rate would require a 0.49% monthly adjustment or 1.8 cents

Residential Base Rate Increase - \$4.11 to \$4.13

Commodity Rate Residential (over 2000 gals included in base rate) would require a monthly adjustment of 3.33%

Commodity Rate Residential Increase - \$2.70 to \$2.79 per thousand

Commercial Base Rate would require a 0.34% monthly adjustment or 1.8 cents

Commercial Base Rate Increase - \$5.90 to \$5.92

Commodity Rate Commercial (over 2000 gals included in base rate) would require a monthly adjustment of 2.49%

Commodity Rate Commercial Increase - \$3.61 - \$3.70

Comstock Mining Agreement would require a 3.9% per thousand gallon increase

CMI Rate per thousand - \$2.30 - \$2.39

Storey County Board of County Commissioners

Agenda Action Report

Meeting date: June 17, 2014

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☒

1. **Title:** Discussion and possible action to approve an agreement between Storey County Water and Sewer District, the Nevada Division of Environmental Protection (NDEP) and Comstock Mining, Inc. (CMI). CMI will give the Storey County Water and Sewer District \$100,000.00 to assist with off-setting portions of costs for the engineering, designing and installing a liner system for our fire suppression and dust control pond, more commonly referred to as the Divide Reservoir. Work will include cleaning, reshaping and repair of earthen banks and the installation of an adequate liner system to resolve leaking issues.

2. **Recommended motion:** I move to approve the agreement between Storey County Water and Sewer District, the Nevada Division of Environmental Protection (NDEP) and Comstock Mining, Inc. (CMI) which will result in CMI giving Storey County Water and Sewer District \$100,000.00 to assist with off-setting portions of costs for the engineering, designing and installing a liner system for our fire suppression and dust control pond, more commonly referred to as the Divide Reservoir.

3. **Prepared by:** William A. Maddox
Department: District Attorney

Telephone: (775) 847-0964

4. **Staff summary:** See attached Agreement which calls for CMI to give Storey County \$100,000.00 to assist with off-setting portions of costs for the engineering, designing and installing a liner system for our fire suppression and dust control pond, more commonly referred to as the Divide Reservoir..

5. **Supporting materials:** See attached Agreement.

6. **Fiscal impact:** Storey County will receive \$100,000.

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head
County Manager

Department Name: _____

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

AGREEMENT
BETWEEN
STOREY COUNTY WATER AND SEWER DISTRICT
AND
COMSTOCK MINING, INC.

This Agreement (the “Agreement”) is entered into by and between Storey County Water and Sewer District and Comstock Mining, Inc. (“Comstock”). The Nevada Division of Environmental Protection (“NDEP”) is a third party beneficiary to the Agreement as set forth below.

I. AUTHORITY

This Agreement is entered into in accordance with the power granted to the county by NRS 244.270 which provides that “The boards of county commissioners shall have power and jurisdiction in their respective counties to control and manage the property, real and personal, belonging to the county, and to receive, by donation, any property for the use and benefit of the county.”

II. PURPOSE

WHEREAS, Storey County Water and Sewer District will utilize funds provided by Comstock to assist with off-setting portions of costs for the engineering, designing and installing a liner system for our fire suppression and dust control pond, more commonly referred to as the Divide Reservoir. Work will include cleaning, reshaping and repair of earthen banks and the installation of an adequate liner system to resolve leaking issues. This reservoir provides for the storage of nearly two million gallons of water for wildland fire protection and dust control purposes in and around the Comstock Historic District. We have been experiencing loss of water due to leakage over the past couple of years and currently cannot utilize the reservoir as a source for fire protection and dust control until such time that a liner system is installed.

Now, THEREFORE, in consideration of the premises and material promises set forth in this Agreement, Comstock agrees to provide One Hundred Thousand Dollars (\$100,000.00) towards the construction of a dust and fire suppression pond. Storey County Water and Sewer District agrees to use the money provided by Comstock hereunder for the sole purpose of effectuating these Project.

III. GENERAL PROVISIONS

A. Definitions

Whenever the terms set forth below are used in this Agreement, the following definitions shall apply:

1. "Funds" shall mean funds contributed by Comstock in the amount of One Hundred Thousand Dollars (\$100,000.00) to the account designated by Storey County Water and Sewer District for the purpose of contributing to the construction of a pond liner.

2. "Project" shall mean the construction and maintenance of a dust and fire suppression pond within Storey County.

3. Except as provided in Section III.D. of this Agreement, Notices and Communications, "party" or "parties" shall mean Storey County Water and Sewer District and Comstock.

4. "Consent Decree" shall mean the consent decree to be entered into by an between Comstock and NDEP for the purpose of settling claims associated with Notices of Alleged Air Quality Violations Nos. 2477 issued by NDEP.

B. Commitments

1. Comstock agrees to pay the Funds by wire transfer within thirty (30) days of the date the Consent Decree is entered in the First Judicial District Court of the State of Nevada in and for the County of Storey in accordance with the wire payment instructions attached hereto as Exhibit A. Comstock shall be under no obligation to act in accordance with the preceding sentence until such time as the Consent Decree is entered. By depositing the Funds in accordance with the preceding sentence, Comstock will complete its obligation under the terms of this Agreement. Comstock shall in no manner be responsible for executing any aspect of the construction and maintenance of the pond liner. Furthermore, Comstock's contribution to the Project is limited to a one-time payment of the Funds. Comstock makes no representations as to whether its contribution is sufficient to complete the Project and shall not be responsible for any financial shortfall in completing the Project.

2. Storey County Water and Sewer District agrees to use best efforts to complete the Project within a reasonable period of time. Storey County Water and Sewer District agrees that it shall use the Funds solely for funding the Project. Storey County Water and Sewer District agrees to provide an accounting for the use of the Funds towards the Project when requested to do so by Comstock or NDEP until such time as Storey County Water and Sewer District has provided a final accounting demonstrating that the Funds have been fully expended. Such accounting shall be provided by Storey County Water and Sewer District within thirty (30) days of receiving the request and the accounting shall be provided to both Comstock and NDEP regardless of which entity makes the request.

C. Third Party Beneficiary

Except as provided in this paragraph, this Agreement is not intended to and shall not create any rights in any person or entity not a party to this Agreement. Pursuant to the Consent Decree, Comstock has agreed to enter into this Agreement and to fund the Project as specified herein. While not a party to this Agreement, NDEP is a third party beneficiary to the Agreement and, as such, is entitled to enforce its terms.

D. Notices and Communications

When used in this paragraph only, the term “party” or “parties” shall mean Comstock, Storey County Water and Sewer District, and NDEP. All notices, demands and requests which may be or are required to be given by the parties shall be in writing and shall be personally served on the designated party, delivered by express courier, sent by e-mail (if sent by e-mail transmission a duplicate copy shall be sent by first class mail), or sent by United States certified or registered mail, postage prepaid, addressed to the parties as follows unless a party hereto designates otherwise in writing:

If to Comstock Mining LLC: Corrado DeGasperi
President & CEO, Comstock Mining LLC
P.O. Box 1118
1200 American Flat Road
Virginia City, NV 89440

If to Storey County Water and Sewer District: Marshall McBride, Chairman
Storey County Water and Sewer District
26 South B Street
P. O. Box 176
Virginia City, Nevada 89440
e-mail: mmcbride@storeycounty.org
phone: 847-0968

If to NDEP: Mr. Robert Bamford, Chief
Nevada Division of Environmental Protection,
Bureau of Air Pollution Control
901 So. Stewart St., Suite 4001
Carson City, NV 89701
e-mail: rbamford@ndep.nv.gov
phone: 775-687-9330

If personally delivered, notices and other communications under this Agreement shall be deemed to have been given and received and shall be effective when personally delivered; if sent by mail in the form specified in this section, notices and other communications under this Agreement shall be deemed to have been given and received and shall be effective when deposited in the U.S. mail. If sent by e-mail, notices and other communications under this Agreement shall be deemed to have been given and received and shall be effective when the e-mail is sent. Either party may, by notice so delivered to the other, change the address to which delivery shall thereafter be made. Any such communication shall be deemed effective as of the date and time it is actually received.

IV. EFFECTIVE DATE

This Agreement shall be effective as of the latter date of (i) its execution by both parties, and (ii) entry of the Consent Decree in the First Judicial District Court of the State of Nevada in and for the County of Storey.

V. TERMINATION

Either party to this Agreement may terminate this Agreement with written notice to the other party. Comstock shall not terminate this agreement without first obtaining approval, in writing, from NDEP. In the event that Comstock or Storey County Water and Sewer District elects to terminate this Agreement, Storey County Water and Sewer District shall return the Funds, or the portion of the Funds unexpended, to NDEP's general Supplemental Environmental Project (SEP) Fund.

VI. BINDING EFFECT

This Agreement shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

VII. ENTIRE AGREEMENT

This Agreement represents the entire agreement between the parties with respect to the subject matter hereof and shall be construed without reference to any prior or other agreement between the parties. This Agreement may not be amended or supplemented except by an instrument in writing signed by both parties.

VIII. CONSTRUCTION AND ENFORCEMENT

This Agreement shall be construed in accordance with and governed by the laws of the United States of American and the State of Nevada, as applicable. The headings used herein are for convenience only and shall be disregarded in construing and enforcing this Agreement. Each party has carefully reviewed and approved this Agreement and, accordingly, the general rule that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.

IX. SURVIVAL

All representations, covenants, warranties, indemnification, assistance, cooperation, confidentiality and other provisions of this Agreement containing obligations that are intended to continue beyond the termination of this Agreement shall survive such termination and remain in effect until their existence is of no benefit to either party.

X. COUNTERPARTS

This Agreement may be executed in multiple counterparts, which taken together shall constitute one and the same instrument.

XI. SIGNATURES

For purposes of executing this Agreement, a party's signature transmitted via electronic scan (for example, PDF) shall be deemed to be the equivalent of an original signature.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized agents.

Comstock, Inc.

By: _____ Date: _____
Corrado DeGasperi
President & CEO, Comstock Mining LLC
P.O. Box 1118
1200 American Flat Road
Virginia City, NV 89440

Storey County Water and Sewer District

By: _____ Date: _____
Marshall McBride
Chairman, Storey County Water and Sewer District
P. O. Box 176
26 South B Street
Virginia City, Nevada 89440



Storey County Board of County Commissioners Agenda Action Report

Meeting date: June 17, 2014

Estimate of time required: 10 minutes

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☒

1. **Title:** **Special Use Permit No. 2006-049-A1-2014** by Sacramento-Valley LP, Verizon Wireless c/o Jerome Wade, Complete Wireless Consulting, Inc. An amendment to Special Use Permit No. 2006-049 to widen a top portion of an existing commercial wireless communications facility (existing "flag-pole" cell tower) from 27 inches to 36 inches diameter in order to accommodate additional wireless communications antennas. The existing facility applicable to this request for an amendment is located at 911 Highway 341 Gold Hill Divide, Storey County, Nevada (APN 002-023-11).

2. **Recommended motion:** Approve the special use permit amendment request.

3. **Prepared by:** Dessie Redmond, Planner, and Austin Osborne, Senior Planner

Department: Planning Department

Telephone: 847-1144

4. **Staff summary:** See enclosed Staff Report No. 2006-049-A1-2014. This file was continued at the April 17, 2014 Planning Commission meeting and also continued at the May 6, 2014 County Commissioner meeting. The file was then and heard at the June 5, 2014 Planning Commission meeting and, therefore, will be heard at the June 17, 2014 County Commission meeting.

5. **Supporting materials:** Staff Report No. 2006-049-A-1-2014.


6. **Fiscal impact:** None on local government.

Funds Available: n/a Fund: n/a _____ Comptroller

7. **Legal review required:**

_____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name: _____

 County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Denied

☐

Approved with Modifications

☐

Continued

Agenda Item No.

STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440
Phone (775) 847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Board of Storey County Commissioners

From: Storey County Planning Department

Meeting Date: June 17, 2014 at 10:00 AM

Meeting Location: Storey County Courthouse - 26 South B Street, Virginia City, Nevada 89440

Case Number: 2006-049-A1-2014

Applicant: Sacramento-Valley LP, dba Verizon Wireless c/o Jerome Wade, Complete Wireless Consulting, Incorporated

Property Owner: Storey County

Staff Contact: Dessie Redmond, Planner & Austin Osborne, Senior Planner

Figures: Figure 1: Site Plan, Figure 2: Zoning Map, Figure 3: Vicinity Map, Figures 4-8: Site Photos, Figure 9: Existing Elevations, Figure 10: Proposed Elevations - Design Option 1, Figure 11: Proposed Elevations - Design Option 2, Figure 12: Existing photosimulation of view looking east from corporate yard, Figure 13: Proposed - Design Option 1 - photosimulation of view looking east from the corporate yard, Figure 14: Existing photosimulation of the view looking south from Highway 341 at Sheldon Street, Figure 15: Proposed - Design Option 1 - photosimulation of the view looking south from Highway 341 at Sheldon Street, Figure 16: Adjacent Parcels Map

Appendixes: Appendix 1: SUP 2006 Approval Letter, Appendix 2: April 6, 2006 Planning Commission Meeting Minutes, Appendix 3: May 2, 2006 County Commissioners Meeting Minutes, Appendix 4: Letter Submitted by Applicant; Appendix 5: Construction Drawings, Appendix 6: Email from Bert Bedeau on behalf of the CHDC; Appendix 7: Letter from Steve Schieberl, Jeep Posse

Guiding Documents: Storey County Code, Section 17.03.150 Special Use Permit (conditional use); 17.10.030 Definitions, 17.15 Public Zone; Storey County Master Plan

Property Location: 911 Highway 341, Gold Hill, NV 89440 Storey County, Nevada (APN: 002-023-11)

Request: An amendment to the Special Use Permit 2006-049 to widen a top portion of the pole to 36 inches from the original width of 27 inches.



Figure 1 - Site Plan

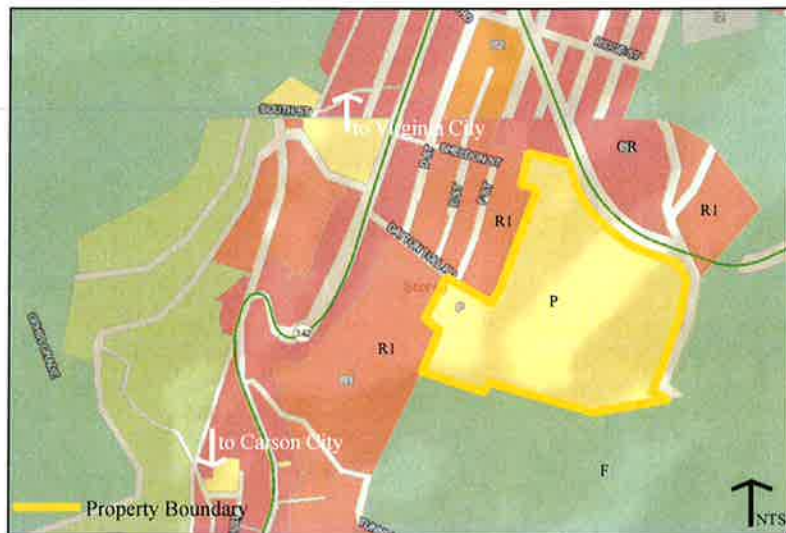


Figure 2 - Zoning Map



Figure 3 - Vicinity Map

1. BACKGROUND & ANALYSIS

1.1 Site location and Characteristics

The property is located in Gold Hill on a parcel zoned Public (P) that is approximately 22.46 acres. This parcel of land is owned by the County and the site is also where the County jail is located (Figure 1 - Site Plan). The adjacent lands to the south and east are zoned Forestry (F). The lands to the west and northeast are zoned Residential 1 (R1) and the lands to the north are zoned Commercial Residential (CR) (Figure 2 - Zoning Map).

The property is located approximately one mile south of Virginia City and 14 miles north of Carson City (Figure 3 - Vicinity Map).

There are many viewsheds to the tower throughout Gold Hill and beyond. (Figures 4-8 Site Photos on pages 3-5).

1.2 2006-049 SUP Approval

On April 6, 2006 the Storey County Planning Commission (referred to as 'Planning Commission' throughout this Staff Report) recommended approval of the existing tower on May 2, 2006 and the Board of Storey County Commissioners (referred to as 'the Board' throughout this Staff Report) approved SUP 2006-049 (Appendix 1 - SUP 2006-049 Approval Letter on page 20, Appendix 2 - April 6, 2006 Planning Commission Meeting Minutes on page 22, Appendix 3 - May 2, 2006 the Board Meeting Minutes on page 24-25).

The original proposal utilizes the design of a flag pole to camouflage the tower.

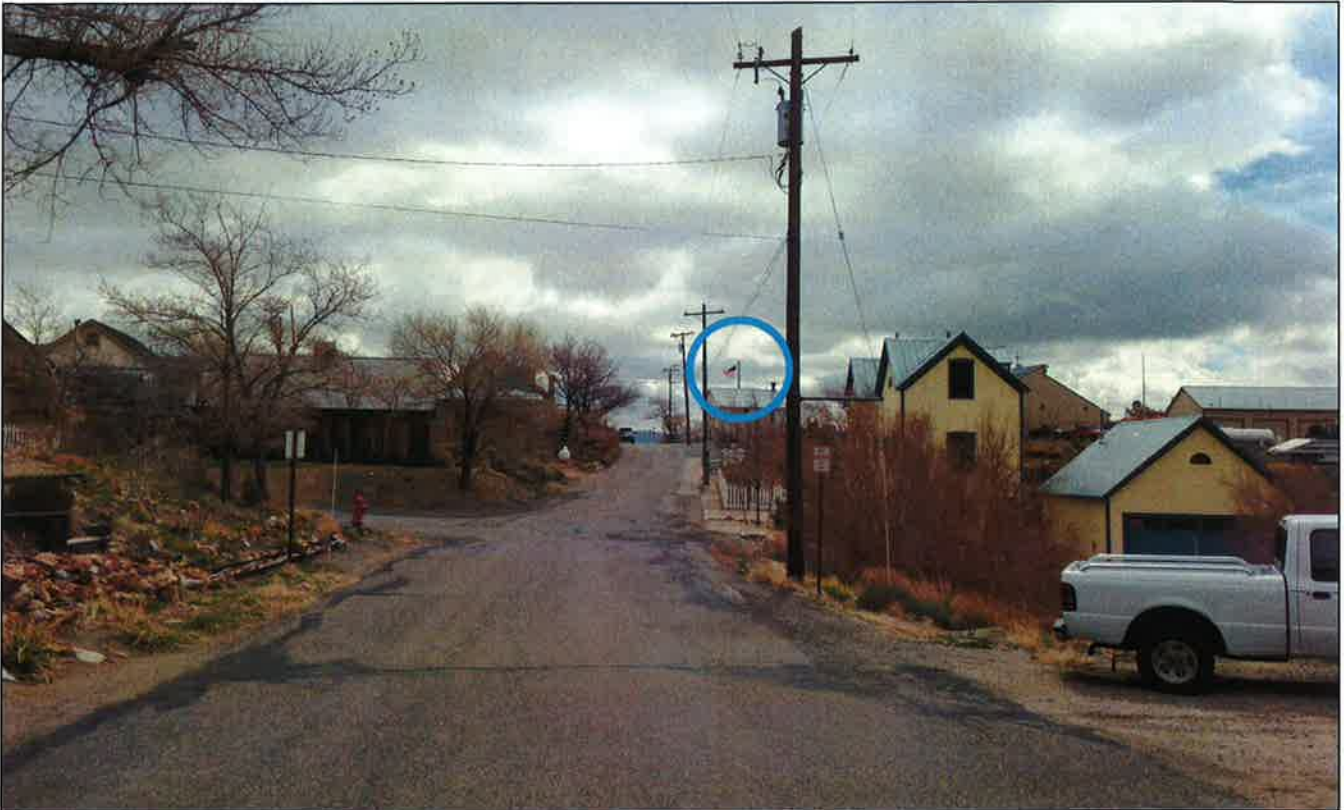


Figure 4 - Site Photo taken at corner of Toll Road and Highway 341.



Figure 5 - Site Photo taken across from Building Department.



Figure 6 - Site photo of existing tower.



Figure 7 - Site Photo taken at corner of F Street and Sheldon Street showing viewshed to existing tower.



Figure 8 - Site Photo taken at corner of D Street and Sheldon Street showing viewshed to existing tower.

The amended SUP will continue to require the Applicant to fly a United States of America Flag (referred to as ‘flag’ throughout this Staff Report) on the pole and as proposed in the Applicants submittal documents.

1.3 Proposed SUP Amendment

The Applicant proposes to widen the top of the tower to 36 inches from the original width of 27 inches (Figures 9 - 15 on pages 7-9). The existing height of the flag pole tower is 95 feet. The height of the tower does not change with the proposed SUP amendment.

The proposal will upgrade the existing telecommunication facility to bring the latest wireless technology to this area of Storey County. This network Advanced Wireless Service (AWS) will provide Storey County residents with faster data speeds. AWS is a band (set of radio frequencies) that allows phone and propagation device uses (tablet, laptop, etc.) to communicate and transport data at a much higher rate (Appendix 4 - Letter Submitted by Applicant on pages 27-29). The Applicant submitted a construction document package outlining the details of the project (Appendix 5 - Construction Drawings on pages 31-36).

1.4 Proposed Design Option 1 and Design Option 2

Staff has worked with the Applicant to provide two design options for the Board to discuss. See Figures 10, 13 and 15 for Design Option 1 and Figure 11 for Design Option 2 (all figures found on pages 8-9). These Design Options are reflected in the proposed motions.

1.4.A Design Option 1 (see Figure 10): This design includes adding only the proposed 36” radome.

1.4.B Design Option 2 (see Figure 11): This design includes adding the proposed 36” radome and adding additional material extending further down the tower. Staff believes this design reasonably mitigates visual impacts.

1.5 Amendment to the Special Use Permit Required

The wireless facility is a tower disguised as a flag pole. Therefore, the tower is subjected to Storey County Code (referred to as ‘SCC’ throughout this Staff Report) Section 17.15.040 Height of buildings and structures which states a building or structure may not exceed a height of three stories or forty-five feet, whichever is higher. The existing tower is 95 feet in height which is why the original proposal was subject to a Special Use Permit (SUP). Today’s proposal suggests a major modification that substantially changes the appearance of the tower and therefore is subject to an amendment to the existing SUP and the public process. Section 17.03.110 Amendments and revisions of approvals outlines the minor and major revisions (also found in Section 3.1 of this Staff Report on pages 11-12).

1.6 Surrounding Uses

The property to the south is vacant. A property to the north and a property to the northeast have residences. Some properties to the north are also vacant. Properties to the west either have residences or are vacant. The property where the Storey County Public Works (referred to as ‘Public Works’

throughout this Staff Report) Facilities and the Storey County Building Department (referred to as 'Building Department' throughout this Staff Report) are also located to the west. The jail is located within the property (see Figure 16 - Adjacent Parcels Map on page 10).

1.7 Area Impacts

It appears that the proposed amendment to the existing SUP will impose few to no adverse impacts on the surrounding lands. The existing width is about 27 inches and the proposed width is 36 inches for a difference of 9 inches. Staff believes with the conditions listed in this Staff Report - Section 6: Recommended Conditions of Approval (starting on page 13) - the proposed modifications will impose few to no adverse impacts to the area.

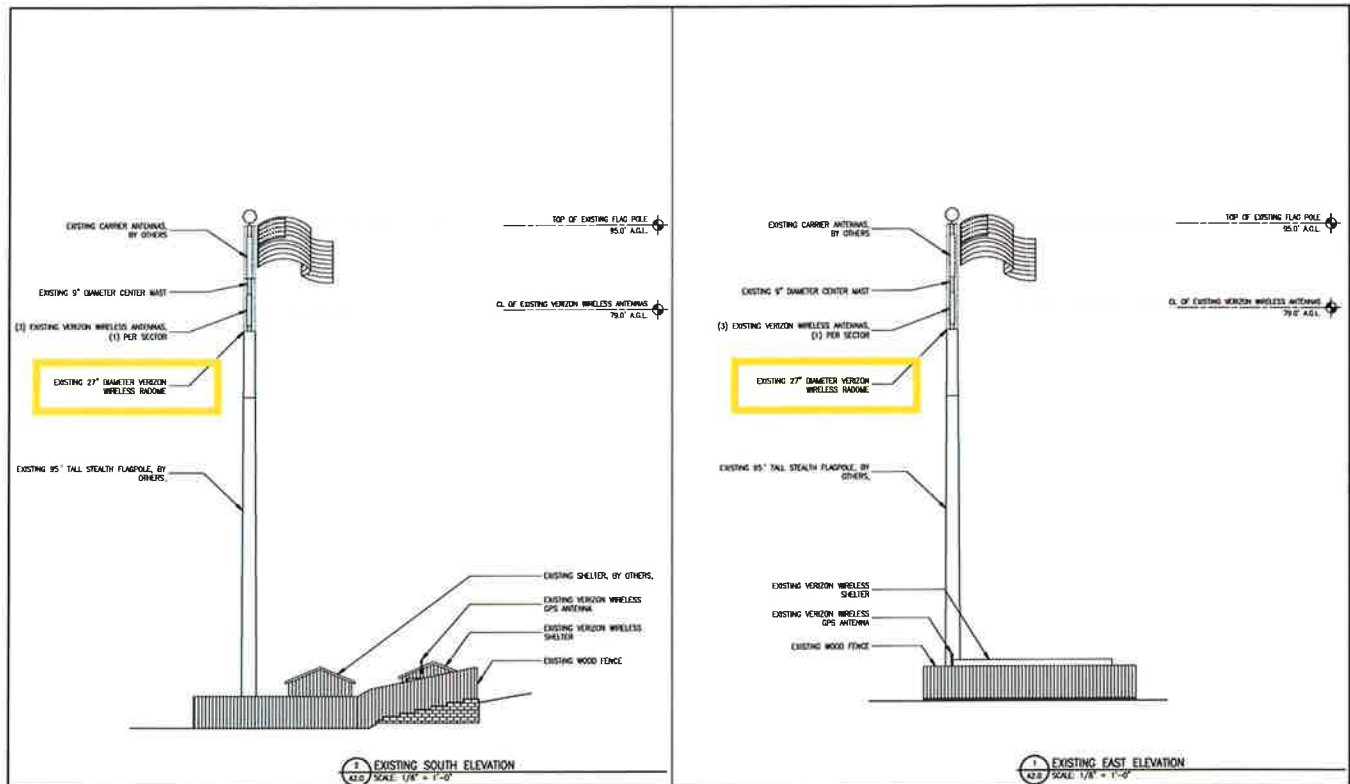


Figure 9 - Existing Elevations

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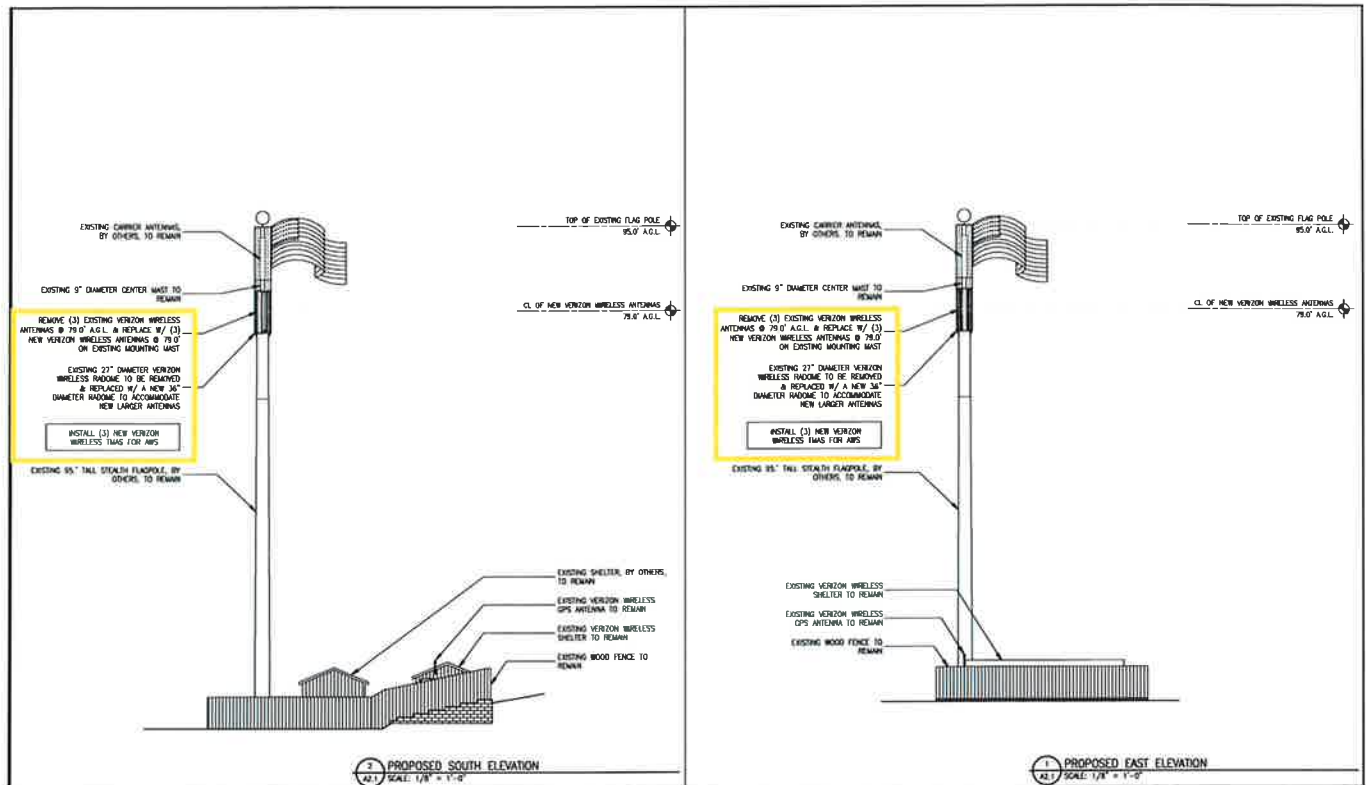


Figure 10 - Proposed Elevations - Design Option 1

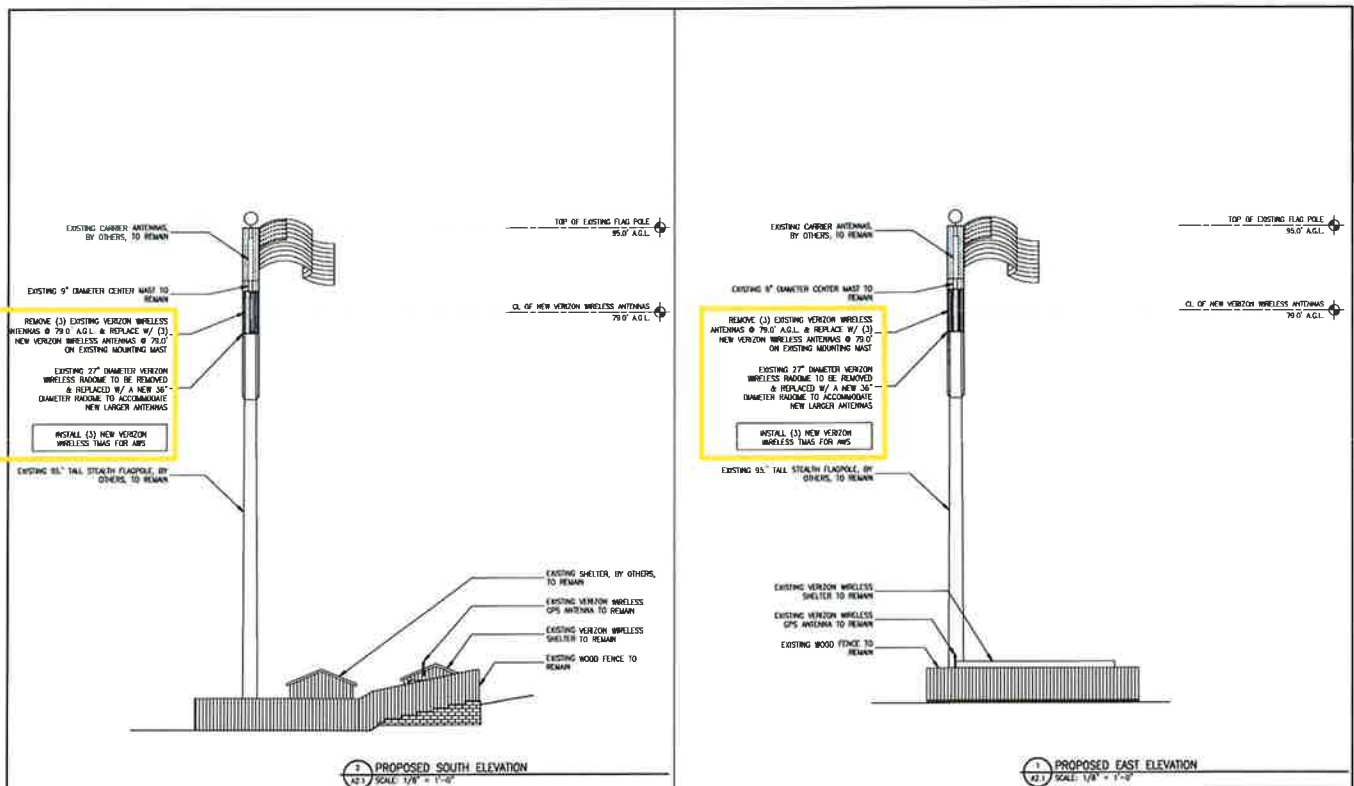


Figure 11 - Proposed Elevations - Design Option 2

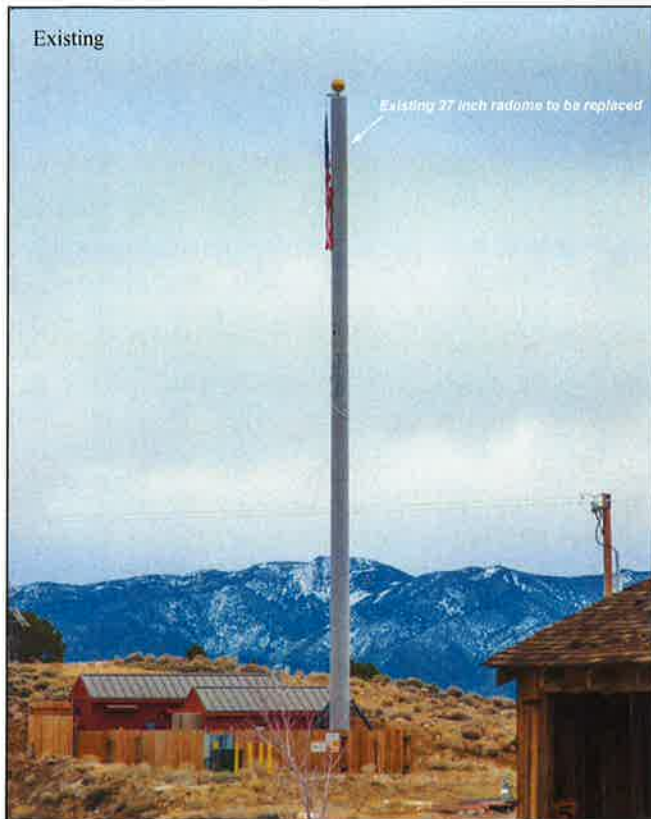


Figure 12 - Existing photosimulation of view looking east from the corporate yard.



Figure 13 - Proposed - Design Option 1 - photosimulation of view looking east from the corporate yard.



Figure 14 - Existing photosimulation of view looking south from Highway 341 at Sheldon Street.



Figure 15 - Proposed - Design Option 1 - photosimulation of view looking south from Highway 341 at Sheldon Street.



Figure 16 - Adjacent Parcels Map

2. GENERAL COMPLIANCE WITH STOREY COUNTY'S GUIDING DOCUMENTS

2.1 Summary Table.

Table 1: Land Use Compatibility shows land uses, master plan designations and zoning for the land surrounding the proposed tower modification. There are no evident conflicts between the proposal and the County Master Plan.

Table 1: Land Use Compatibility			
Land	Land Use	Master Plan	Zoning
Applicant's Land	Public facilities, wireless facility	General Commercial	P
Land to east	Vacant	Mining, milling, commercial, residential and tourism-based land uses	F
Land to northeast	Some vacant, some existing residence	Single-family residential	R1
Land to north	Existing residence	Commercial, residential	CR

Table 1: Land Use Compatibility

Land to north	Existing residence	Commercial, residential	CR
Lands to northwest	Some vacant, some existing residence	Single-family residential	R1
Lands to west	Existing residence	Single-family residential	R1
Land to southwest	Public Works, Building Department	County	P
Land to south	Vacant	Mining, milling, commercial, residential and tourism-based land uses	F

Table 1: Land Use Compatibility continued

3. COMPLIANCE WITH THE STOREY COUNTY CODE

3.1 Special Use Permit Amendment Required

SCC Section 17.03.110 Amendments and revisions of approvals states:

A. The director, upon submittal of the applicable form, materials and fee, may approve minor amendments to the terms of an approval. Minor amendments or revisions must be authorized in writing by the director and are subject to appeal pursuant to Section 17.03.120. Minor revisions that may be authorized are those that appear necessary in light of technical considerations requested by the Applicant or the director and are limited to the following:

1. Requests that involve less than 10 percent of the building area or project site area;
2. Requests for adjustments to a planned unit development pursuant to this subsection must comply with the provisions of Chapter 17.56 PUD zone, and Section 17.03.230;
3. Requests that involve minor changes in color, material, signage, design, landscape material or parking or driveway orientation; or
4. Requests that involve minor design changes which represent improvements to previous engineering, site design or building practices, provided the request does not change the character of the project or result in negative impacts to adjoining properties, drainage facilities, irrigation facilities or rights-of-way.

B. For a Special Use Permit, a minor amendment means a modification to one or more of the conditions of the Special Use Permit which: does not substantially change the use allowed by the Special Use Permit; does not cause substantially greater impacts to surrounding properties than that allowed under the existing Special Use Permit; does not increase area of land, increase the height of any structure, or reduce the required setbacks of any structure under the Special Use Permit; and conforms to the minimum required findings and conditions of approval pursuant to this chapter.

C. All other amendments or revisions are considered major revisions. Where the holder of an approved application for a permit wishes to make a major amendment or revision to the approval which is not covered by subsections A.1. through A.3. above, an application including all required materials and fees must be submitted to the community development department and forwarded for approval of the final decision-maker in accordance with the procedures established for the original approval.

3.2 Determination by Staff

Staff determined the proposed application was more than a 10 percent change and therefore required the Applicant to go through the Special Use Permit public process.

3.3 Height of Buildings and structures

SCC Section 17.15.040 Height of buildings and structures explains:

In the P zone, the a structure may not exceed a height of three stories or forty five feet, whichever is higher, except as may be allowed by variance. The existing tower received a SUP in 2006 for a height of 95 feet. The height of the tower is not changing in this submitted proposal.

3.4 Setback Requirements

SCC Section 17.15.050 Setback requirements explains:

The P zone setback requirements vary depending on abutting zones. The existing tower does conform to the setback requirements of the P zone. The setbacks of the tower are not changing in this submitted proposal.

3.5 Comstock Historic District Commission

The final design must be stamped with the approval of the Comstock Historic District Commission (CHDC) prior to any Building Permit issued (Appendix 6 - Email from Bert Bedeau on behalf of the CHDC on page 38). The proposed modifications will need a Building Permit prior to any modifications being constructed.

4. PUBLIC COMMENT

4.1 Public Comment

Staff received one letter from Steve Schieberl, President of the Storey County Jeep Posse, stating that they have “no objection to the SUP application and the proposals therein” (Appendix 7 - Letter from Steve Schieberl, Jeep Posse on page 40). Staff received no other Public Comment as of posting date.

5. FINDINGS

5.1 Motion for Approval

The following findings of fact are evident with regard to the requested Special Use Permit amendment when the recommended conditions of approval in Section 6 - Recommended Conditions of Approval are applied:

5.1.10 The SUP complies with all Federal, State, and County regulations.

5.1.20 The SUP will not impose substantial adverse impacts or safety hazards on the adjacent properties or the surrounding area.

5.1.30 The conditions of the SUP adequately address potential fire hazards and require compliance with the applicable fire codes, including setback and fire protection ratings.

5.1.40 The conditions under this SUP do not conflict with the minimum requirements in SCC Chapter 17.15 Public Zone and Chapter 17.03.150 Special Use Permits, or any other Federal, State, and County regulations, including building and fire codes except where allowed by permit.

5.1.50 The conditions of approval under this SUP impose sufficient regulations on the wireless telecommunication facility to reasonably mitigate associated impacts on adjacent and surrounding residences and land uses.

5.2 Motion for Denial

Should a motion be made to deny the Special Use Permit request, the following findings with explanation of why should be included in that motion.

5.2.10 Substantial evidence shows that the SUP may conflict with the purpose, intent, and other specific requirement of SCC Chapter 17.15 Public Zone and Chapter 17.03.150 SUP or other Federal, State, and County regulations.

5.2.20 The conditions under the SUP do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding uses.

5.2.30 No reasonable level of conditions imposed on this SUP would be sufficient to reasonably mitigate visual, safety or other potential impacts on adjacent and surrounding residences and land uses.

6. RECOMMENDED CONDITIONS OF APPROVAL

All conditions must be met to the satisfaction of each applicable County Department, unless otherwise stated.

1. Special Uses. SUP 2006-049-A1-2014 shall be for the purpose of upgrading the existing telecommunication facility to the Advanced Wireless Service (AWS) network as defined and regulated pursuant to the advisory motion made by the Planning Commission and approved by the Board on property located at 911 Highway 341, Gold Hill (APN 002-023-11), Storey County, Nevada. The operation shall remain in compliance with all of the provisions set forth by this SUP and Federal, State, and Storey County codes and regulations, including applicable regulations under the Telecommunications Act of 1996 and the applicable rules under Federal Communications Commission (FCC). Issuance of this SUP does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local laws or regulations.

2. Requirements. The Permit Holder shall apply for all required permits and licenses, including building and fire permits, for the project within twenty four (24) months from the date of final approval of SUP 2006-049-A1-2014, and continuously maintain the validity of those permits/licenses, or this approval shall become null and void. This SUP shall remain valid as long as the Permit Holder remains in compliance with the terms of this SUP and Storey County, State, and Federal regulations. No construction or permitting for construction shall commence prior to issuance of the SUP and a valid Building Permit which must be stamped with the approval of the CHDC.

3. Closure/Abandonment. In the event that the tower and facility becomes decommissioned or is absent of any permitted wireless carriers and antennas for a period of three consecutive years, Storey County shall reserve the right to deem the facility abandoned and may require the flag pole tower and facility to be removed within 180 days thereof at the Permit Holder's expense. The Permit Holder shall reserve the right to appeal the decision of abandonment. The process for the appeal shall be as pursuant to Chapter 17.03 of the Storey County Code. Removal and reclamation shall include complete removal of the entire facility including the tower, flag, flag pole tower, antenna, electrical wiring and connections, accessory buildings and structures, foundations and pads, and all other appurtenances. Reclamation of the site to a condition reasonably existing prior to development shall be completed to the satisfaction of Storey County. Under no circumstances shall Storey County, its officers, and representatives bare any cost or responsibility for the removal of said facilities or reclamation of the site.

4. Transfer of Rights. This SUP shall inure to the Permit Holder and shall run with the land. Any and all transfers of SUP 2006-049-A1-2014 shall be advised in writing by Certified Mail to Storey County Community Development Department at least 90 days prior to assignee taking over operation of facility. The operators of the facility must sign and accept all conditions and requirements of SUP 2006-049-A1-2014.

5. Indemnification/Insurance. The Permit Holder warrants that the future use of land will conform to the requirements of Storey County, the State of Nevada, and applicable Federal regulatory and legal requirements; further, the Permit Holder warrants that continued and future use of the land shall so conform. The Permit Holder agrees to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this SUP, except to the extent such damage, liability or other claim is the result of willful misconduct or negligence on the part of Storey County, its officers or representatives. The Permit Holder shall maintain satisfactory liability insurance for all aspects of this operation under SUP 2006-049-A1-2014 for a minimum amount of \$1,000,000.00 (one million dollars) and provide proof thereof to Storey County prior to securing rights to the SUP.

6. Emergency Telephone. Any persons located on the premises in connection with maintenance, repairs, or other work on the premises shall be made aware to dial Storey County Emergency Services **Direct-Connect 775.847.0950 (in lieu of 9-1-1)** when dialing emergency service from cellular telephone. Emergency 9-1-1 still applies to landline telephones.

7. Site Security. The entire facility shall be secured by a six-foot high fence sufficient in design to maintain appropriate security for the premises. Exterior accessory building walls may also be utilized for this purpose as appropriate. The Permit Holder may top the fence with three strands of barbed wire if allowable by the Building Department and the CHDC. The fence shall be color coated or otherwise in accordance with the requirements of the CHDC. Video security surveillance, while not hereby required, may be installed within the facility but shall in no way infringe or intrude upon on the personal privacy on adjacent or area properties and residences. The tower shall be appropriately designed to prevent unauthorized climbing.

8. Cautionary Signage. Signage shall be installed at the main port of entry (i.e., facility gates) stating the company's name, site address, and 24-hour company management emergency contact phone number(s). Signage shall indicate all potential hazards and safety requirements associated with entering the facility.

9. Emergency Management Plan. A comprehensive emergency management plan shall be developed by the Permit Holder and submitted for approval to the Storey County Fire Department for review and approval prior to securing rights to the SUP. The plan shall include, but not be limited to, the following in case of failure of the communications facility or related appurtenances: (1) Permit Holder's emergency contact phone number(s); (2) emergency contact procedure, including for Emergency Dispatch 9-1-1 and Storey County Emergency Direct-Connect 775.847.0950; (3) documenting and reporting procedures; (4) post structure failure management, clean-up, reclamation, and material disposal; (5) electrical system shut-down procedure; (6) disclosure and management of hazardous materials (e.g., asbestos) or other conditions (e.g., radiation), if applicable; (7) post structure failure damage reporting and treatment of affected neighboring properties; and (8) emergency access, staging, and egress.

10. Plans Submittal. The Permit Holder shall provide the Building Department and Storey County Planning Department (referred to as 'Planning Department' throughout this Staff Report) site plans, drawn to scale, which shall include dimensions of existing and proposed structures, as applicable, setback dimensions, and driveway dimensions. All other submittals applicable to a valid Building Permit shall also apply. These shall be submitted prior to securing a Building Permit.

11. Antenna Limitations. The tower flag pole and facility shall be used exclusively for commercial wireless communications. The towers shall not be used to support amateur or other non-commercial radio antennas, banners, pennants, etc. Storey County emergency repeaters and antennas shall be exempt from this requirement. The required flag and light for lighting the flag shall also be exempt from this section.

12. Noise. Power generator(s) [also to include "alternator(s)"] shall be muffled and remain within a sound-insulated structure, encasement, or sound buffer walls (such as concrete masonry unit walls) sufficient to attenuate noise to or below the limitations set forth by Chapter 8.04 of the Storey County Code within 100' of the facility. The generator shall only operate during power outages and periods of maintenance or repair. All other noise emitted from the facility, except during times of periodic maintenance and repair, shall not exceed 40 dBA at a point of 100' from the antenna tower, equipment shelter, or any other noise emitting device or facility within the premises.

13. Area Lighting. There shall be no outdoor lighting, including security and other area lighting, permitted on the premises except under the following circumstances: outdoor lighting is managed by an automated motion detector system that maintains all lights "off" unless motion is detected, at which point lights may remain "on" for no more than four minutes; and all outdoor lights are shielded in accordance with Section 08.02.04 of the Storey County Code ("Dark Skies"). Illumination of the premises during times of maintenance and repair shall be exempt from the limitations of this section. Proper lighting of the flag shall also be exempt from the limitations of this section.

14. Beacon Lighting. The tower, tower modification, antennae, and other appurtenances thereto shall not be constructed or altered to a height that would necessitate Federal Aviation Association (FAA) beacon lighting or special applied coloration. Unless required otherwise by the FAA, beacon lighting shall be prohibited. There shall be no direct or indirect illumination of or on any tower or antenna system. The FAA shall be the responsible agency for requiring, or not requiring, beacon lighting or other signaling devices to be applied to the structures.

15. Facility Coloration and Appearance. The facility shall be developed in accordance with the plans and drawings submitted as part of SUP Application Number 2006-049-A1-2014 and with the modifications as approved by the Storey County Board of Commissioners. The Permit Holder shall be responsible for maintaining the facility's appearance in accordance with the requirements of terms and conditions of this SUP. Additionally, the Permit Holder shall obtain approval from the CHDC before obtaining a Building Permit. In the event that a conflict arises between this Section and the requirements imposed by the CHDC, the more stringent shall apply. The following criteria shall be incorporated into the design of the communications tower, the flag and facility prior to a Building Permit being issued:

A. The flag pole tower shall at a minimum exhibit the appearance of a flag pole as illustrated in SUP Application Number 2006-049-A1-2014 and outlined in the Staff Report (Figures 9-15 of this Staff Report on pages 7-9) of the SUP approval.

B. The design of the tower modification must be to the satisfaction of the Board with verification by the Planning Department, per the submitted application documents, prior to obtaining a Building Permit.

C. The exterior finish of the flag pole tower and tower modification shall be non-reflective, dull in appearance and a unified gray color (with a hue similar to that of the existing oxidized galvanized steel structures) in order to facilitate blending with the backdrop terrestrial and sky environment.

D. The ball on the top of the tower shall be gold in color.

E. The structure, equipment shelters, antennas, accessory structures, and fencing shall be non-reflective and dull in appearance.

F. No antennas or applied device shall protrude off the tower flag pole or tower modification. A flag of the United States of America must be maintained at all times as to facilitate the appearance of a flag pole. As outlined in the United States Flag Code found in Title 4 of the United States Code, proper lighting of the flag shall also be maintained at all times.

G. No advertising shall be permitted anywhere on the facility, with exception of signage in accordance with the applicable requirements under these conditions.

H. The Permit Holder shall be responsible for maintaining and repairing the flag, flag pole tower, tower modifications and facility, as necessary, to remain in compliance with these design requirements. Failure to maintain and repair the flag, flag pole tower, tower modifications and facility in accordance herewith shall be deemed violations of the requirements of this SUP. All vandalism or graffiti to the facility shall be remedied by the Permit Holder within seven calendar days of acknowledgement. The Permit Holder shall be responsible for replacing the flag when the flag is in such condition that it is no longer a fitting emblem for display as outlined in the United States Flag Code found in Title 4 of the United States Code and determined by the Planning Department.

I. A certificate from a Nevada licensed structural engineer shall be submitted stating that the tower meets or exceeds local building code regulations and lateral wind load requirements as determined appropriate by the Building Department.

J. The size of the flag shall be a minimum of 15 feet by 25 feet. The Permit Holder shall be responsible for keeping a minimum of two additional flags stored at the Public Works at all times.

16. Electrical Distribution and Controls. The location, routing, and alignment of exterior electrical and communication controls, associated wiring, and power lines (except those now existing) shall be approved by the Building Department, when applicable.

17. Contract with a Flag Pole Company. The Applicant must have a contract with a legitimate flag pole company and must continuously maintain the validity of the contract. The Applicant must provide the Planning Department a copy of said contract prior to obtaining a Building Permit.

18. Comstock Historic District Commission. The final structure drawings must be stamped with the approval the CHDC (i.e. Certificate of Historical Appropriateness) prior to obtaining a Building Permit.

7. POWER OF THE BOARD & PLANNING COMMISSION

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the Special Use Permit is advisory only to the Board and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

8. JUNE 5, 2014: PLANNING COMMISSION MEETING

On June 5, 2014, in accordance with the recommendation by Staff, the findings of fact under 5.1 of this Staff Report and in compliance with all conditions of approval including the amended recommendations of approval, the Planning Commission voted unanimously to recommend approval based on Design Option 2 for Special Use Permit Application Amendment Number 2006-049-A1-2014 (yes = 6, nay = 0, absent = 1)

9. PROPOSED MOTIONS

This Section contains three motions from which to choose. The motion for approval in **Section 9.1 Recommended Motion** is based on **Design Option 2** (see Figure 11 - Proposed Elevations - Design Option 2 on page 8) and is recommended by the Planning Commission and Staff in accordance with the findings under Section 5.1 of this Staff Report. Those findings should be made part of that motion.

The motion for approval in **Section 9.2 Alternative Motion** is an alternative motion for approval base on **Design Option 1** (see Figure 10 - Proposed Elevations - Design Option 1 on page 8) and in accordance with the findings under Section 5.1 of this Staff Report. Those findings should be made part of that motion. Another motion for denial (**Section 9.3 Alternative Motion**) may be made and that motion should cite one or more of the findings shown in Section 5.2 and this findings of fact determined appropriate by the Board should be made part of either motion.

9.1 Recommended Motion

In accordance with the recommendation by the Planning Commission and Staff, the findings of fact under Section 5.1 of this Staff Report and/or other findings deemed appropriate by the Board, and in compliance with all conditions of approval, the Board hereby approves for Design Option 2 (as shown in Figure 11 - Proposed Elevations - Design Option 2 on page 8) for Special Use Permit Application Amendment Number 2006-049-A1-2014.

Summary: Approve proposed tower modifications based on Design Option 2.

9.2 Alternative Motion

In accordance with the findings of fact under Section 5.1 of this Staff Report and/or other findings deemed appropriate by the Board, and compliance with all conditions of approval, the Board hereby recommends approval for Design Option 1 (as shown in Figure 10 - Proposed Elevations - Design Option 1 on page 8) for Special Use Permit Application Amendment Number 2006-049-A1-2014.

Summary: Approve proposed tower modifications based on Design Option 1.

9.3 Alternative Motion

In accordance with the findings under Section 5.2 of this Staff Report and/or other finding against the recommendation for approval by the Planning Commission and Staff, the Board hereby denies Special Use Permit Application Amendment Number 2006-049-A1-2014.

Summary: Deny proposed tower modifications.

Prepared by: Dessie E. Redmond
Storey County Planner

APPENDIX 1: SUP 2006 APPROVAL LETTER

Storey County
Planning Commission

Douglas Walling, *Chairman*
Virgil Bucchianeri, *Vice-Chairman*
Kate Dotson, *Secretary*

Lydia Hammack ~ Lee Letts ~ Austin Osborne ~ Larry Prater ~ Bret Tyler

Sprint Nextel
James Louie
2180 Harvard St. STE 100
Sacramento, CA 95815

January 17, 2007

RE: Special Use Permit Application #2006-049

Dear Mr. Louie,

Upon reviewing our files, it came to our attention that we failed to inform you formally as to the out come of your application for a Storey County Building & Planning Special Use Permit.

On April 6, 2006 Storey County Planning Commission heard your request for a special use permit to construct a wireless telecommunications facility that will consist of a 95 foot – 100 foot stealth flagpole. Antennas will be housed within the flagpole and a 12 foot x 20 foot equipment building with two small GPS antennas will be located near the base of the proposed flagpole. Storey County Planning Commission recommended the approval of special use permit # 2006-049 to the Storey County Commissioners with the following stipulations.

- a. That it be upsized for three carriers;
- b. That Nextel have a contract with a flag pole company, and that the flag will have a light on it and be well maintained;
- c. This language included in the lease agreement;

On May 2, 2006 the Board of Commissioners gave final approval to the application with all Planning Commission stipulations imposed

Enclosed are copies of Minutes of both meetings for your records. However, please be aware that there is a one-year time limit on the permit. If no significant development occurs with a one-year period, the permit will be null and void. The one-year period begins on date of the County Board of Commissioners' approval.

"Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations."

Should you have questions, please don't hesitate to call our office.

Yours sincerely,

Dean Haymore
Building Official & Planning Administrator

APPENDIX 2: APRIL 6, 2006 PLANNING COMMISSION MEETING MINUTES

Storey County Planning Commission

Douglas Walling, *Chairman*
Virgil Bucchianeri, *Vice-Chairman*
Eileen Herrington, *Secretary*

Noble Brookins ~ Lydia Hammack ~ Austin Osborne ~ Larry Prater ~ Bret Tyler

UNOFFICIAL MINUTES OF APRIL 6, 2006

Members Present: Vice-Chairman Virgil Bucchianeri, Bret Tyler, Austin Osborne, Larry Prater, and Lydia Hammack

Members Absent: Chairman Douglas Walling, and Noble Brookins

Building Official and Planning Administrator Dean Haymore and Storey County Commissioner John Flanagan were also present.

Call to Order: With a quorum present, Vice-Chairman Virgil Bucchianeri called the meeting to order at the Courthouse in Virginia City, Nevada, at 7:00 p.m.

Pledge of Allegiance.

Approval of Agenda for April 6, 2006: Larry Prater made a motion to approve the April 6, 2006, Agenda. Austin Osborne seconded the motion. All voted aye and the motion was carried.

Approval of Unofficial Minutes for March 16, 2006. Lydia Hammack made a motion that the March 16, 2006 Minutes be approved; Bret Tyler seconded the motion. All voted aye and the motion was carried.

QUAM, Mark & Deborah #2006-048 Variance – *Request for reduced setback from 8' to 5'.*
Mark Quam presented a map to the board. Letters from two neighbors were referenced; none in opposition.

Austin Osborne made a motion that Variance Request 2006-048 be approved; Lydia Hammack seconded the motion, and it was carried.

NEXTEL #2006-039 Special Use *Silver Street installation, they now want to install it behind the Building Department, across the from the Ice House.* Jim Louie was present from Nextel. Dean Haymore had requested that they upsize it for a third carrier. The diameter at the top of the pole will be 24 to 26 inches. The stipulations set forth by Dean Haymore were that it be upsized for three carriers; that Nextel have a contract with a flag pole company, and that the flag will have a light on it and be well maintained. He wants this language included in the lease agreement.

Lydia Hammack made a motion that Special Use #2006-039 be approved; Bret Tyler seconded the motion, and it was carried.

APPENDIX 3: MAY 2, 2006 COUNTY COMMISSIONERS MEETING MINUTES

Maggie Lowther asked that the minutes from April 18th, 2006 be amended to show the following information under warrants: Labor for furnace installation at Lockwood Senior Center in the amount of \$3,300.00

-CORRESPONDENCE

DISCUSSION/ACTION: MAP APPROVAL FOR MAPS TO BE RECORDED None

SPECIAL EVENTS:

1. Cora's Coffee application by Larry Ryan for a Bluegrass on the Comstock concert at Miner's Park July 14, to July 16th, 2006 from noon to 8:30 p.m. Saturday and Sunday 15th at 11:00 a.m. to 5:00 p.m. Sheriff Miller asked that he check with Cindy Willey regarding a liquor license. **APPROVED**

2. Rod Hall Events application by Rod Hall for trail rides for Hummer owners in the Virginia City area on May 20 and 21 from 9:30 a.m. to 4:00 p.m. No one was present to represent the event. Sheriff Miller will call Mr. Hall to check on the status of the event and to inform him the route will have to change due to Six Mile Canyon being closed. **CONTINUED**

3. Ferrari Club of America application by Dennis Chiodo for the 2006 Hillclimb at Virginia City, September 16 and 17, 2006. Sheriff Miller has no problems with the event. **APPROVED**

4. OBR Mustang application by Troy Regis, Best Breast in the West event at the Old Bridge Ranch on June 3, 2006 from 1:00 p.m. to 10:00 p.m. Troy Regis was present representing Dave Burgess. Sheriff Miller asked that the name of the event be changed on the application. He felt that it wasn't professional. He asked that the band be done by 10:00 p.m. as well. Mr. Regis objected to the name change stating that it was his constitutional right. Sheriff Miller agreed to sit down with Mr. Regis and discuss the matter further. **APPROVED**

5. Comstock Civil War Reenactors application submitted by Izabella Hunt -Jones, three train battles on Saturday and Sunday, one street battle on Monday September 2,3, and 4, 2006, camp Virginia City as a whole. Rich Bacus agreed to allow the group to camp at the park. He asked that Izabella Hunt-Jones meet with him to work out the details. Marilou Walling asked that they provide the insurance needed. **APPROVED**

PLANNING COMMISSION MINUTES OF APRIL 20, 2006 WILL NOT BE APPROVED UNTIL MAY 4, 2006 AND WILL APPEAR ON THE AGENDA FOR THE MAY 16, 2006 MEETING.

PLANNING COMMISSION MINUTES OF APRIL 6, 2006.

QUAM, Mark & Deborah #2006-048 Variance – *Request for reduced setback from 8' to 5'.* Mark Quam presented a map to the board. Letters from two neighbors were referenced; none in opposition. Austin Osborne made a motion that Variance Request 2006 -048 be approved; Lydia

NEXTEL #2006-039 Special Use Silver Street installation, they now want to install it behind the Building Department, across the from the Ice House. Jim Louie was present from Nextel. Dean Haymore had requested that they upsize it for a third carrier. The diameter at the top of the pole will be 24 to 26 inches. The stipulations set forth by Dean Haymore were that it be upsize for

three carriers; that Nextel have a contract with a flag pole company, and that the flag will have a light on it and be well maintained. He wants this language included in the lease agreement. Lydia Hammack made a motion that Special Use #2006 -039 be approved; Bret Tyler seconded the motion, and it was carried.

ERCHEN, CHARLEEN A. #2006-044 Parcel Map – *PR-2005-1 TO PR 2006-1 & PR 2006-2 in the Painted Rock area.* Mr. Chandler presented a map to the board members and explained the details of his request. Motion was made to approve #2006-044; seconded, and carried.

CHRISTENSEN, CLYDE A. "TONY" #2006-047 Parcel Map – *PR-2005-1 TO PR 2006-1 & PR 2006-2 in the Painted Rock area.* Mr. Christensen presented a map to the board members and explained the details of his request. Motion was made by Larry Prater to approve #2006-047 with the addition of a statement that access be granted by the Truckee-Carson Irrigation District; seconded by Austin Osborne, and carried.

LICENSING BOARD

FIRST READINGS:

1. Fernley Electric – Out of County
2. Horsin' Around – Woodworking - Virginia City
3. Casco Equipment Company – Out of County
4. Wachter Network Services – Out of County
5. Reno Ironworks – Out of County
6. Lumos & Associates – Out of County
7. LG Constructors – Out of County
8. J/B Enterprises, Inc. – Out of County

END OF CONSENT AGENDA

Consent Agenda approved upon motion by Commissioner Hess, seconded by Commissioner Kershaw and carried.

DISCUSSION/ACTION: CONTINUED FROM MEETING OF APRIL 18, 2006
PLANNING COMMISSION APPEAL- EATON, JOHN C.- VARIANCE REQUEST FOR REDUCED SETBACKS AT 450 SOUTH E STREET, VIRGINIA CITY, NV.
Dean Haymore presented the changes made to the map. He addressed Mr. Bares' concerns with the size of the lot compared to the size of the home being built. Mr. Bares' home is within 300 feet of the lot in question. The historical barn is to be saved. Commissioner Hess asked it be sent back to the Planning Commission. Dean Haymore will notify the necessary people.

STAFF REVIEW/COMMITTEE REPORTS

Rich Bacus met with BLM to discuss the land around the sewer plant. Commissioner approval needed for the application. An engineer will also be needed to look at the possibility of expansion. Commissioner Hess talking with people at BLM about phasing in the project. Rich Bacus stated that it should not be any problem with moving the dirt to the ball field.

APPENDIX 4: LETTER SUBMITTED BY THE APPLICANT



Via Overnight Delivery

March 31, 2014

Planning Department, Storey County
Attn: Austin Osborne, Planner
26 South "B" St.
P.O. Box 176
Virginia City, NV 89440

RE: Modification to Existing Site Application for Wireless Telecommunications Facilities (APN:
~~002-023-07, Verizon Wireless site name: "Virginia City"~~

~~002-023-11~~

This package is intended as a formal submittal/application to modify an existing Verizon Wireless communications facility located at the above referenced location. The items listed below are enclosed, per the County's submittal requirements:

4. Development Application

1. Project Support Statement
2. Photosimulations
3. Site Plans / Elevations (1) 11"x17"

Please feel free to contact me at (916) 588-0810 regarding any further information that may be required as part of this application.

Sincerely,

Jerome Wade
Project Manager
jwadecompletewireless.net

www.completewireless.net

2009 V Street
Sacramento, CA 95818

APPLICANT'S PROJECT DESCRIPTION

UPGRADE OF VERIZON WIRELESS SITE: VIRGINIA
CITY

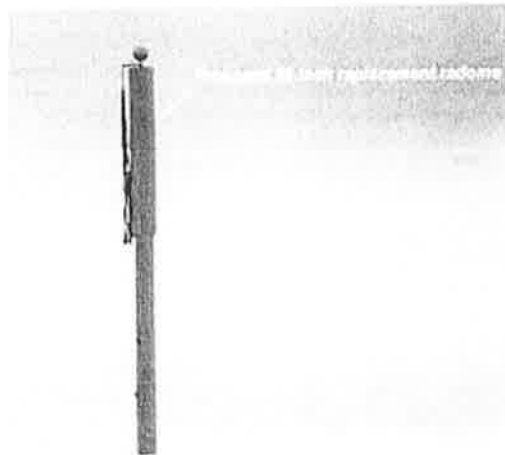
~~150 EAST TOLL RD~~ 911 Highway 341
GOLD HILL, NV 89440

The Project

Verizon proposes upgrading the existing telecommunication facility to bring the latest wireless technology to Storey County. This network AWS(Advanced Wireless Service) upgrade will provide customers unprecedented data speeds for personal and business uses and will also increase public safety by enabling users to access up to the minute news, traffic information and safety data.

What is AWS

AWS is a band (set of radio frequencies) that allows phone and propagation device users (tablet, laptops, ect.) to communicate and transport data at a much higher rate. Essentially, AWS technology will increase the capacity of the existing facility and will allow for faster download and upload speeds and stronger coverage. This new technology will ensure that Storey County stays on the precipice of the wireless technology curve.



This project includes

1. Remove and replace three (3) existing panel antenna with three (3) new panel antennas on existing pipe mounts. The replacement antennas will locate inside of the existing radome and will not be visible from public views.
2. Remove existing 27" diameter radome & replace with a new 36" to accommodate the new AWS capable antennas. The bottom of the new radome will be tapered to increase the aesthetic value of the new upgrades.

PROJECT SUPPORT STATEMENT - VIRGINIA CITY

3. Install three (3) TMA's (Tower mounted amplifiers) inside of the replacement radome.
4. Remove and replace three (3) existing diplexers within the shelter with three (3) new dual diplexers.
5. Remove and replace twelve (12) existing cables with thirteen (13) new cables along existing cable route inside of the mast.

Compliance with County Development Standards

The modifications to the existing site are consistent with the current use of the building to co-locate Verizon's telecommunications facility and does not impact the scenic quality of the area. This submittal contains the following:

- **Completed Development Application**

The complete application along with a notarized applicant signature is included.

- **Photosim and photographs**

Photos depicting the area and the site with both before and after views are provided with this submittal.

- **Plans**

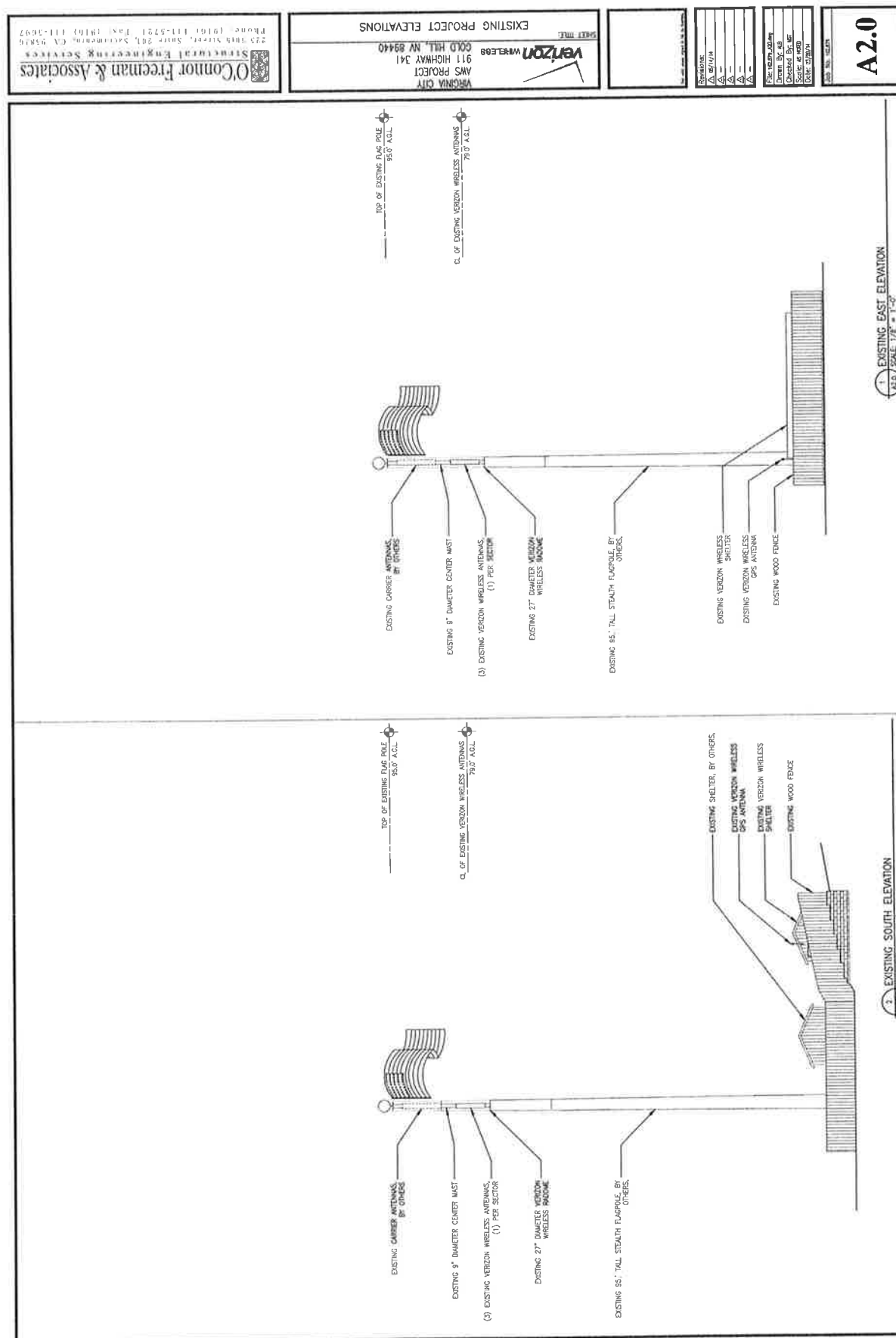
One (1) copy of drawings dated (3/20) are provided with this submittal.

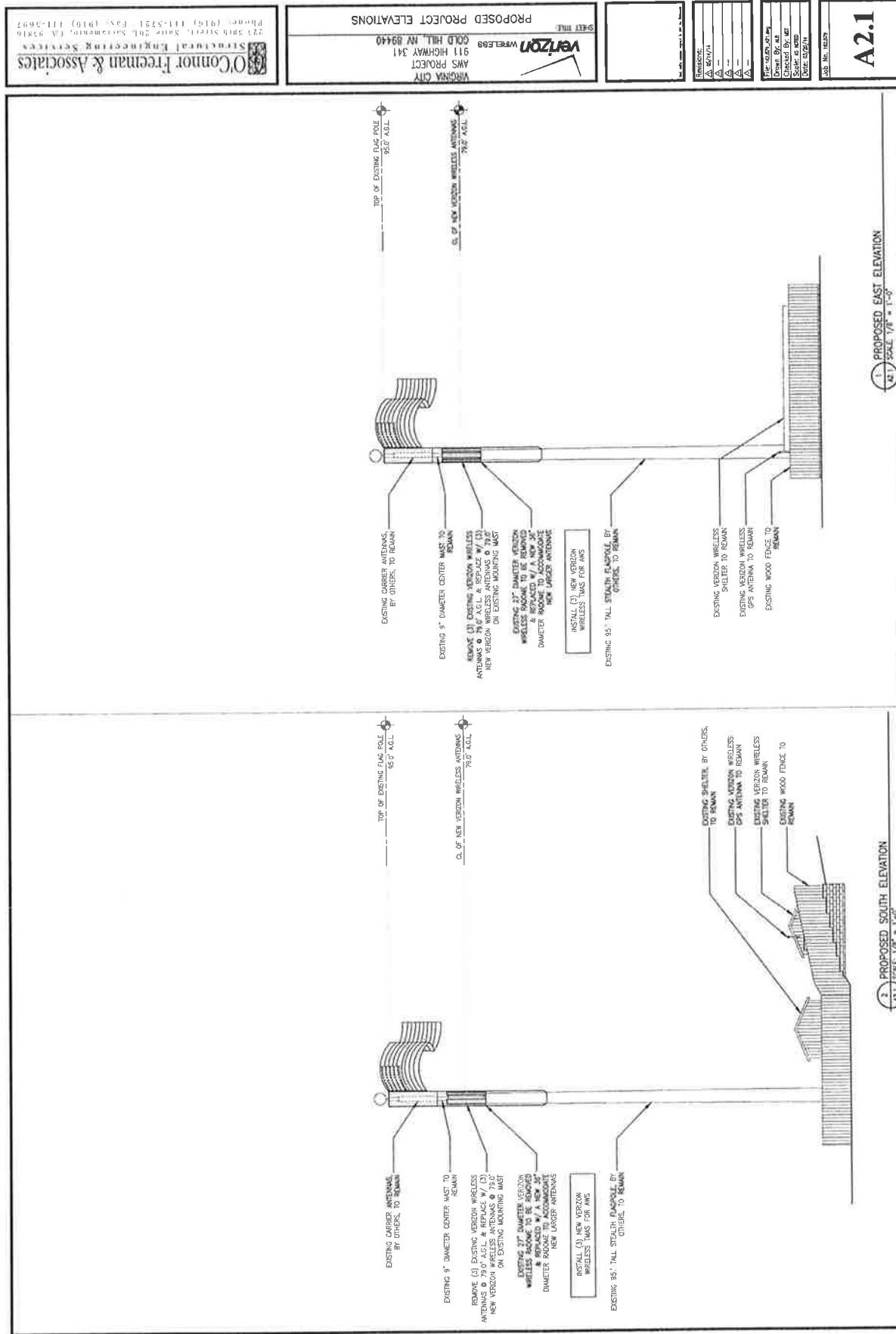
Notices of Actions Affecting this Development Permit

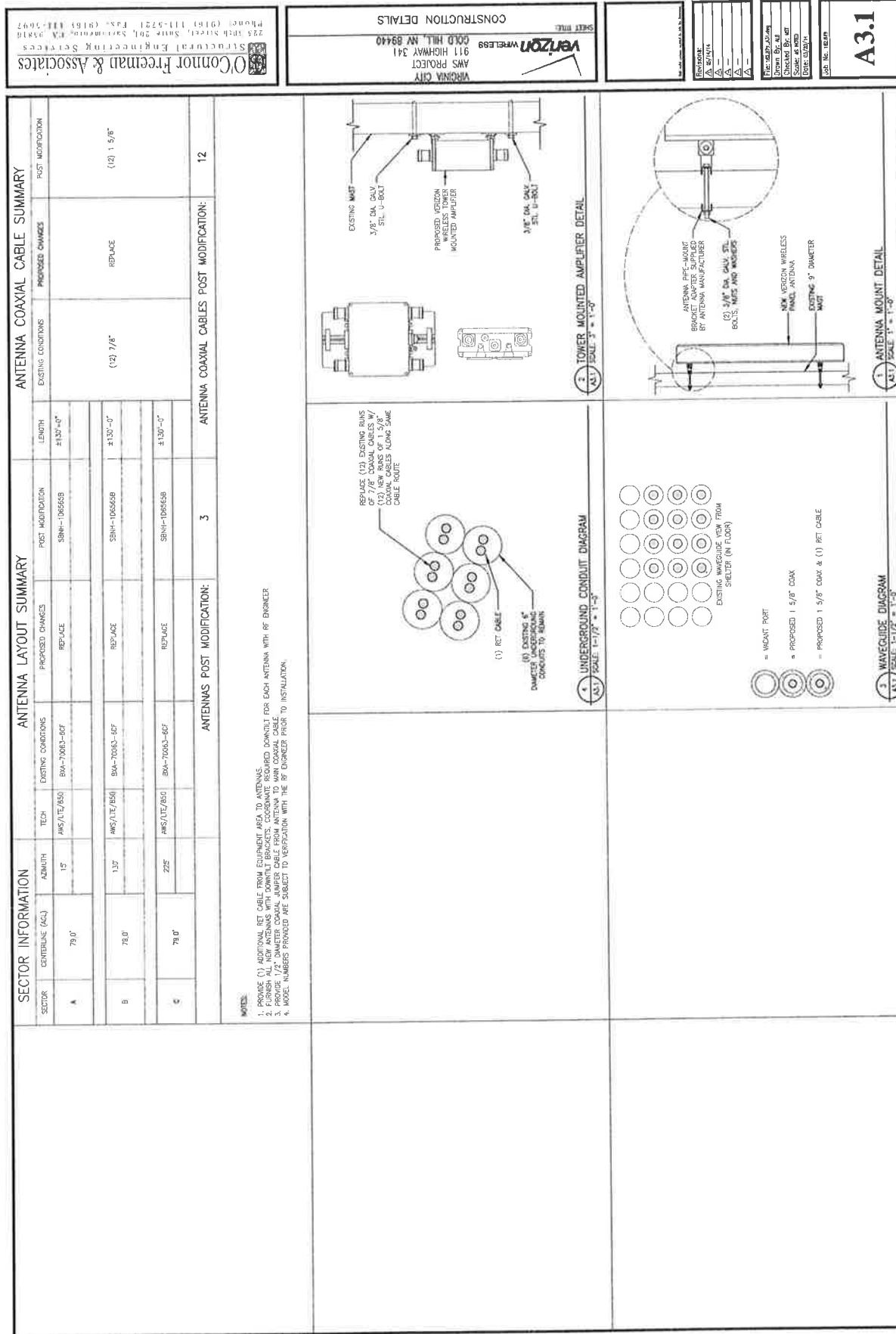
In accordance with California Government Code Section 65945(a), Verizon requests notice of any proposal to adopt or amend the: general plan, specific plan, zoning ordinance, ordinance(s) affecting building or grading permits that would in any manner affect this development permit. Any such notice may be sent to 2009 V Street, Sacramento, CA 95818.

APPENDIX 5: CONSTRUCTION DRAWINGS

[illegible]







APPENDIX 6: EMAIL FROM BERT BEDEAU ON BEHALF OF THE CHDC

Dessie Redmond

From: Michael "Bert" Bedeau <MBedeau@shpo.nv.gov>
Sent: Tuesday, April 01, 2014 8:11 AM
To: Dessie Redmond
Cc: Jerome Wade
Subject: RE: SUP Verizon Tower Modification

Hi Dessie-

I have reviewed the attached drawings. They are acceptable under NRS 384 and CHDC design standards. I will be pleased to issue a Certificate of Appropriateness for the project as soon as the Special Use Permit process has been completed if there are no alterations required by Storey County. In the event that changes are requested by the County, I will obviously need to review the final designs. I have communicated this to Jerome Wade.

Please let me know if there is anything further you need.

Cheers-Bert

From: Dessie Redmond [<mailto:dredmond@storeycounty.org>]
Sent: Monday, March 31, 2014 3:39 PM
To: Michael "Bert" Bedeau
Subject: SUP Verizon Tower Modification

Hi Bert-

Please see attached drawings for the proposed SUP amendment. Could you please provide the Planning Department preliminary review comments on the proposal?

Thank you for your time and have a wonderful day!

Dessie E. Redmond, MURP, MLA
Storey County Planner

PO BOX 176, 26 B Street, Virginia City, NV 89440
Office: 775.847.1144 | Cell: 775.671.4129 | Fax: 775.847.0949

Storey County is an Equal Opportunity Provider

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APPENDIX 7: LETTER FROM STEVE SCHIEBERL, JEEP POSSE

Steve Schieberl
Storey County Jeep Posse
911 State Route 341
P.O. Box 5
Gold Hill, NV 89440

May 8, 2014

Pat Whitten
Storey County Manager
P.O. Box 176 Virginia City
Nevada 89440

Re: SUP Amendment for Wireless/Cellular "Flag-Pole" Tower

Dear Mr. Whitten:

It has come to the attention of the Storey County Jeep Posse that Verizon Wireless has submitted an application to amend its special use permit for the wireless/cellular antenna "flag-pole" tower located at 911 State Route 341, Gold Hill Divide.

Please let this letter express to Storey County and the interested parties that we have no objection to the SUP application and the proposals therein.

Please contact me anytime with anytime if you have questions.

Regards,

Steve Schieberl, President
Storey County Jeep Posse





Storey County Board of County Commissioners Agenda Action Report

Meeting date: 6/17/14

Estimate of time required: 0 - 5

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Business License Second Readings -- Approval

2. **Recommended motion:** Approval

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to Commission Meeting. The business licenses are then printed and mailed to the new business license holder.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** None

____ District Attorney

8. **Reviewed by:**

 x Department Head

Department Name: Community Development

 [Signature] County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Storey County Community Development

Business Licensing



P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

June 9, 2014
Via email

Please add the following item(s) to the **June 17, 2014**, COMMISSIONERS Agenda:

Storey County Building Department has inspected and found that the following businesses meet code requirements necessary to operate in the county:

LICENSING BOARD SECOND READINGS

- A. **SKANSKA USA BUILDING.** – Contractor / 389 Interpace Hwy ~ Parsippany, NJ (contractor)
- B. **FARWEST CORROSION CONTROL** – 1480 West Artesia Blvd ~ Gardena, CA (contractor)
- C. **FISHER SAND & GRAVEL CO.** – Box 1034 ~ Dickinson, ND (contractor)
- D. **BDR CONSTRUCTION** – 1414 Jobs Peak ~ Gardnerville (contractor)
- E. ~~MARK TWAIN COMMUNITY CENTER – Non-Profit / 500 Sam Clemens Street – MT~~

Note: *Mark Twain Community Center Business License has been removed until further notice.*

Inspection Required

cc: Shannon Gardner, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Assessor's Office

Sheriff's Office

Correspondence

Vanessa Stephens

From: Marshall McBride
Sent: Wednesday, June 11, 2014 11:07 AM
To: Pat Whitten
Cc: Vanessa Stephens; Bill Maddox; Marshall McBride; Rob Slaby; pwhitten@storey.k12.nv.us; Hugh Gallagher
Subject: Re: State of Nevada/ Department of Education/ Storey County School District/ NRS 354.603/ Separate Account

This is to confirm Pat Whittens denial of this agenda item.
Marshall McBride

Sent from my iPhone

On Jun 11, 2014, at 10:20 AM, "Pat Whitten" <pwhitten@storeycounty.org> wrote:

Vanessa,
I'm going to deny placement on the agenda as it was time stamped after the deadline established by policy. Before any future placement will be considered by us, we will need a legal opinion from DA Maddox as to the suitability and legality of the Board of County Commissioners performing any action on this matter as opposed to the SCSD Board of Trustees. Since Phillips makes allegations of "misuse or mismanagement" of SCSD "money(s)" and since Peggy Whitten is the Business Manager of the SCSD, I am copying Chairman McBride to ask for his confirmation of my denial as an abundance of caution. Please place a copy of this email in the Commission packet together with the attachments included in the original email. I will also be sending you some correspondence Peggy has provided.
Pat

Pat Whitten
County Manager
Storey County
<image003.jpg>
(775) 847-0968 (Office)
(775) 721-7001 (Cell)
PWhitten@StoreyCounty.org

Storey County is an equal opportunity provider and employer.

From: Vanessa Stephens
Sent: Monday, June 09, 2014 1:00 PM
To: Pat Whitten
Subject: FW: State of Nevada/ Department of Education/ Storey County School District/ NRS 354.603/ Separate Account

FYI

Vanessa Stephens

Peggy Whitten

From: Robin Pawley [rpawley@doe.nv.gov]
Sent: Wednesday, April 02, 2014 7:13 AM
To: Peggy Whitten
Cc: Dale Erquiaga; Julia Teska; Judy Osgood; Laurie Thake; Susanne Etter
Subject: RE: Miscellaneous filing

This has been reviewed by Superintendent Erquiaga and legal counsel and we do not feel a certificate will be required. I believe Dale has been in contact with your Superintendent Rob Slaby. Thanks for your time and patience.

-----Original Message-----

From: Peggy Whitten [mailto:pwhitten@storey.k12.nv.us]
Sent: Tuesday, April 01, 2014 9:21 PM
To: Robin Pawley
Subject: RE: Miscellaneous filing

Robin,

I see this totally different than you. I read this as saying IF I were to set up a separate account from the County we would need to follow these steps. We already have the account separate of the County and all we are doing is transferring it. I will consult our attorney. Will let you know.

From: Robin Pawley [rpawley@doe.nv.gov]
Sent: Tuesday, April 01, 2014 1:03 PM
To: Peggy Whitten
Subject: FW: Miscellaneous filing

NRS 354.603 Separate accounts in bank, credit union or savings and loan association for school district, county hospital, consolidated library district and district library.

1. The board of trustees of any county school district, the board of hospital trustees of any county hospital or the board of trustees of any consolidated library district or district library may establish and administer separate accounts in:

(a) A bank whose deposits are insured by the Federal Deposit Insurance Corporation;

(b) A credit union whose deposits are insured by the National Credit Union Share Insurance Fund or by a private insurer approved pursuant to NRS

678.755<<https://www.leg.state.nv.us/NRS/NRS-678.html#NRS678Sec755>>; or

(c) A savings and loan association whose deposits if made by the State, a local government or an agency of either, are insured by the Federal Deposit Insurance Corporation, or the legal successor of the Federal Deposit Insurance Corporation, for money deposited by the county treasurer which is by law to be administered and expended by those boards.

2. The county treasurer shall transfer the money to a separate account pursuant to subsection 1 when the following conditions are met:

(a) The board of trustees of the county school district, the board of hospital trustees of the county hospital or the board of trustees of the consolidated library district or district library adopts a resolution declaring an intention to establish and administer a separate account in accordance with the provisions of this section.

(b) The board of trustees of the county school district, the board of hospital trustees of the county hospital or the board of trustees of the consolidated library district or district library sends a certificate to the county treasurer, the county auditor, the board of county commissioners and, in the case of the board of trustees of the county school district, to the Department of Education, attested by the secretary of the board, declaring the intention of the board to establish and administer a separate account in accordance with the provisions of this section.

Peggy Whitten

From: Robin Pawley [rpawley@doe.nv.gov]
Sent: Tuesday, April 01, 2014 9:03 AM
To: Peggy Whitten
Subject: New bank accounts

Do you know if you board approved opening a new bank account? We need a certificate attested by the secretary of the Board that it is the intent of the School District to open a new account. I realize you may not be the one that would handle this type of thing. You happen to be my first contact. Please let me know if there is another person I should contact. Thanks Peggy.

Robert (Robin) E. Pawley
Administrative Services Officer III
Director of Business and Support Services
Nevada Department of Education
700 E. Fifth Street
Carson City, NV 89706
775-687-9234

"If we could first know where we are, and where we are going, we could better judge what to do and how to do it" -
Abraham Lincoln -1857

CONFIDENTIALITY - This message and accompanying documents are covered by the electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, may be covered by the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 122g; 34 CFR Part 99 and may contain confidential information or Protected Information intended for the specified individual(s) only. If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. Violations may result in administrative, civil, or criminal penalties. If you have received this communication in error, please notify sender immediately by e-mail, and delete the message. The Nevada Department of Education will not accept any liability in respect of such communication that violates our e-mail policy.

Vanessa Stephens

From: Pat Whitten
Sent: Wednesday, June 11, 2014 10:21 AM
To: Vanessa Stephens
Cc: Bill Maddox; Marshall McBride; Rob Slaby; pwhitten@storey.k12.nv.us; Hugh Gallagher
Subject: RE: State of Nevada/ Department of Education/ Storey County School District/ NRS 354.603/ Separate Account

Vanessa,

I'm going to deny placement on the agenda as it was time stamped after the deadline established by policy. Before any future placement will be considered by us, we will need a legal opinion from DA Maddox as to the suitability and legality of the Board of County Commissioners performing any action on this matter as opposed to the SCSD Board of Trustees. Since Phillips makes allegations of "misuse or mismanagement" of SCSD "money(s)" and since Peggy Whitten is the Business Manager of the SCSD, I am copying Chairman McBride to ask for his confirmation of my denial as an abundance of caution. Please place a copy of this email in the Commission packet together with the attachments included in the original email. I will also be sending you some correspondence Peggy has provided.

Pat



Pat Whitten
County Manager
Storey County

(775) 847-0968 (Office)
(775) 721-7001 (Cell)
PWhitten@StoreyCounty.org

Storey County is an equal opportunity provider and employer.

From: Vanessa Stephens
Sent: Monday, June 09, 2014 1:00 PM
To: Pat Whitten
Subject: FW: State of Nevada/ Department of Education/ Storey County School District/ NRS 354.603/ Separate Account

FYI

Vanessa Stephens
Clerk & Treasurer
Storey County, NV
Storey County is an Equal Opportunity Provider & Employer

From: Mark Phillips [<mailto:phillipsmarkj2@gmail.com>]
Sent: Monday, June 09, 2014 12:05 PM
To: Marshall McBride; Lance Gilman; Bill Sjovangen; Vanessa Stephens; Bill Maddox; Mark Phillips
Cc: Dale Erquiaga; Audra Blackwell Executive Assistant Superintendent of Public Instruction; Julia Kane Administrative Assistant for Business and Support Services; Rob Slaby; Colleen Conley SCSDBOT President; Jeff M. Nevin SCSDBOT Clerk; Christine Miller SCSDBOT Trustee; Pamela J. Smith SCSDBOT Trustee; Ronald G. Field SCSDBOT Candidate Seat 2B;

Vanessa Stephens

From: Mark Phillips <phillipsmarkj2@gmail.com>
Sent: Monday, June 09, 2014 12:05 PM
To: Marshall McBride; Lance Gilman; Bill Sjovangen; Vanessa Stephens; Bill Maddox; Mark Phillips
Cc: Dale Erquiaga; Audra Blackwell Executive Assistant Superintendent of Public Instruction; Julia Kane Administrative Assistant for Business and Support Services; Rob Slaby; Colleen Conley SCSDBOT President; Jeff M. Nevin SCSDBOT Clerk; Christine Miller SCSDBOT Trustee; Pamela J. Smith SCSDBOT Trustee; Ronald G. Field SCSDBOT Candidate Seat 2B; Robert Slaby Superintendent of Schools Storey County
Subject: Fwd: State of Nevada/ Department of Education/ Storey County School District/ NRS 354.603/ Separate Account
Attachments: 2012 Candidate Financial Disclosure - Secretary of State of Nevada_Christine Miller.htm; 511 1 Public Records Request Form_NRS 354.603_ablackwell_27 March 2014_12-31-2013.doc; 2013 Annual Financial Disclosure - Secretary of State of Nevada_Christine Miller.htm; 2014 Annual Financial Disclosure - Secretary of State of Nevada_Christine Miller.htm; NV Secretary of State Campaign Reporting.htm; NV Secretary of State Campaign Reporting.htm; NV Secretary of State Campaign Reporting_2014 FDS.htm; NV Secretary of State Campaign Reporting_C&E Report #1.htm; NV Secretary of State Campaign Reporting_C&E Report #2.htm; 2014 Candidate Financial Disclosure - Secretary of State of Nevada_Gabrielle Fonzo_C&E Report #1(amend).htm; 2014 Candidate Financial Disclosure - Secretary of State of Nevada_Gabrielle Fonzo_C&E Report #1.htm; 2014 Candidate Financial Disclosure - Secretary of State of Nevada_Gabrielle Fonzo_FDS(ammended).htm; 2014 Candidate Financial Disclosure - Secretary of State of Nevada_Gabrielle Fonzo_FDS.htm; 2014 Candidate Financial Disclosure - Secretary of State of Nevada_Ronald G. Field_.htm; NV Secretary of State Campaign Reporting.htm; NV Secretary of State Campaign Reporting_Jeff Nevin.htm; 2013 Appointment Financial Disclosure - Secretary of State of Nevada_Jeff Nevin.htm; 2014 Annual Financial Disclosure - Secretary of State of Nevada_Jeff Nevin.htm; 2014 Candidate Financial Disclosure - Secretary of State of Nevada_Jeff Nevin.htm; 2014 Contributions & Expenses Report #1 - Secretary of State of Nevada_Jeff Nevin.htm; 2014 Contributions & Expenses Report #2 - Secretary of State of Nevada_Jeff Nevin.htm; NV Secretary of State Campaign Reporting.htm; NV Secretary of State Campaign Reporting_Christine Miller.htm; 2012 Annual Financial Disclosure - Secretary of State of Nevada_Robert Slaby.htm; 2013 Annual Financial Disclosure - Secretary of State of Nevada_Robert Slaby.htm; 2014 Annual Financial Disclosure - Secretary of State of Nevada_Robert Slaby.htm; 2014 Candidate Financial Disclosure - Secretary of State of Nevada_Robert Slaby.htm; 2014 Contributions & Expenses Report #1 - Secretary of State of Nevada_Robert Slaby.htm; 2014 Contributions & Expenses Report #2 - Secretary of State of Nevada_Robert Slaby.htm; NV Secretary of State Campaign Reporting_Robert Slaby.htm; 0002011_Annual_Financial_Disclosure.pdf; 2013 Annual Financial Disclosure - Secretary of State of Nevada.htm; 2014 Annual Financial Disclosure - Secretary of State of Nevada_Pamela Smith.htm; NV Secretary of State Campaign Reporting_Pamela J. Smith.htm; NRS CHAPTER 354 - LOCAL FINANCIAL ADMINISTRATION.htm; NRS CHAPTER 387 - FINANCIAL SUPPORT OF SCHOOL SYSTEM.htm

Mark Joseph Phillips
P.O. Box 1092

Virginia City, NV 89440

09 June 2014

Subject: BOCC Meeting Date, 17 June 2014

Board of County Commissioners
Marshall McBride; Chairman of the Board
Vanessa Stephens; County Clerk/ Treasurer
Bill Maddox; District Attorney
Storey County Court House; Office of the County Clerk
26 South "B" Street
Virginia City, NV 89440

Dear Vanessa,

Please include the following item on the agenda of the next BOCC meeting, meeting date 17 June 2014.

Discussion/ Possible Action: PER NRS 354.603(8.), A HEARING BEFORE THE BOARD OF COUNTY COMMISSIONERS, INCLUDING THE BOARD OF TRUSTEES OF THE STOREY COUNTY SCHOOL DISTRICT, TO DETERMINE IF THERE IS CLEAR EVIDENCE OF MISUSE OR MISMANAGEMENT OF MONEY(S) IN ANY ACCOUNTS, HELD SEPARATELY BY THE SCHOOL DISTRICT.

The Board of Trustees of the Storey County School District have failed to meet the requirements of NRS 354.603(2.)(a)(b), a resolution and a certificate sent to the County Treasurer, the Board of County Commissioners, and to the Department of Education, declaring the boards intention to establish and administer accounts separate from the office of the County Treasurer.

Attached are NRS 354(NRS 354.603 Separate accounts in bank,...school district) and NRS 387(NRS 387.170 County School District Fund).

With respect,

Mark Joseph Phillips

----- Forwarded message -----

From: **Mark Phillips** <phillipsmarkj2@gmail.com>

Date: Sat, Jun 7, 2014 at 2:30 PM

Subject: State of Nevada/ Department of Education/ Storey County School District/ NRS 354.603/ Separate Account

To: Mark Phillips <phillipsmarkj2@gmail.com>

Forwarded conversation

Subject: **Public Records Request_ NRS 239.0107**

From: **Mark Phillips** <phillipsmarkj2@gmail.com>

Date: Sun, Mar 23, 2014 at 3:25 PM

To: Vanessa Stephens <vstephens@storeycounty.org>, Bill Maddox <bmaddox@storeycounty.org>, Mark Phillips <phillipsmarkj2@gmail.com>, "Robert Slaby, Superintendent of Schools Storey County" <rslaby@storey.k12.nv.us>

Mark Joseph Phillips
P.O. Box 1092
Virginia City, NV 89440

Topic: Public Records Request; NRS 239.0107

23 March 2014

Office of the County Clerk/Treasurer
Vanessa Stephens; Clerk/Treasurer
Bill Maddox; District Attorney
Storey County Courthouse
26 South "C" Street
Virginia City, NV 89440

Document Requested:

**CERTIFICATE DECLARING the INTENTION of the BOARD of TRUSTEES
of the STOREY COUNTY SCHOOL DISTRICT to
ESTABLISH and ADMINISTER a SEPARATE ACCOUNT
in ACCORDANCE with the PROVISIONS of NRS 354.603**

Dear Vanessa,

After a resolution is adopted, the board of trustees of the Storey County School District, would be required to send to the county treasurer, the board of county commissioners, and to the Department of Education, a **"CERTIFICATE DECLARING THE INTENTION OF THE BOARD TO ESTABLISH AND ADMINISTER A SEPARATE ACCOUNT, IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION"**[NRS 354.603(2.)(a)(b)].

I request within five working days, a date and a time that I may observe this document. If this certificate is unavailable in the county commissioners or the treasures office, I request written notice of the fact.

With respect,

Mark Joseph Phillips

From: **Mark Phillips** <phillipsmarkj2@gmail.com>

Date: Sun, Mar 23, 2014 at 3:28 PM

To: GUNTHER PROSSER <nvbreadman1@sbcglobal.net>, Janet Houts <houts238@gmail.com>, "S.C.R.I.T." <scrit@countynews.info>, Angela Mann <storeystories@gmail.com>, Nicole Barde <nbarde1@yahoo.com>

From: **Vanessa Stephens** <vstephens@storeycounty.org>

Date: Mon, Mar 24, 2014 at 11:47 AM

To: Mark Phillips <phillipsmarkj2@gmail.com>, Bill Maddox <bmaddox@storeycounty.org>, Rob Slaby <rslaby@storey.k12.nv.us>

Mr. Phillips,

To my knowledge the Clerk's office has received no such certificate/resolution.

Thank you,

Vanessa

Vanessa Stephens

Clerk & Treasurer

Storey County, NV

Storey County is an Equal Opportunity Provider & Employer

From: Mark Phillips [<mailto:phillipsmarkj2@gmail.com>]

Sent: Sunday, March 23, 2014 3:25 PM

To: Vanessa Stephens; Bill Maddox; Mark Phillips; Rob Slaby

Subject: Public Records Request_ NRS 239.0107

Mark Joseph Phillips

From: **Robert Slaby** <rslaby@storey.k12.nv.us>
Date: Mon, Mar 24, 2014 at 12:55 PM
To: Mark Phillips <phillipsmarkj2@gmail.com>

Mark,

I have checked with Bill Mado0x and there is no requirement for resolution or vertificate.

Thank you for your consideration.

Rob Slaby

From: Mark Phillips [<mailto:phillipsmarkj2@gmail.com>]

Sent: Sunday, March 23, 2014 3:25 PM

To: Vanessa Stephens; Bill Maddox; Mark Phillips; Robert Slaby

Subject: Public Records Request_ NRS 239.0107

Mark Joseph Phillips

From: **Mark Phillips** <phillipsmarkj2@gmail.com>
Date: Thu, Mar 27, 2014 at 4:42 PM
To: Mark Phillips <phillipsmarkj2@gmail.com>

From: **Mark Phillips** <phillipsmarkj2@gmail.com>

Date: Fri, Mar 28, 2014 at 2:16 PM

To: Audra Blackwell Executive Assistant Superintendent of Public Instruction <ablackwell@doe.nv.gov>, Vanessa Stephens <vstephens@storeycounty.org>, Mark Phillips <phillipsmarkj2@gmail.com>
Cc: "Robert Slaby, Superintendent of Schools Storey County" <rslaby@storey.k12.nv.us>, Bill Maddox <bmaddox@storeycounty.org>, Julia Kane Administrative Assistant for Business and Support Services <jkane@doe.nv.gov>

Mark Joseph Phillips
P.O. Box 1092
Virginia City, NV 89440

28 March 2014

Dale A.R. Erquiaga; Superintendent of Public Instruction
Audra Blackwell; Executive Assistant to the Superintendent
ablackwell@doe.nv.gov
(775) 687-9217)
Julia Kane; Administrative Assistant for Business and Support Services
jkane@doe.nv.gov
700 East Fifth Street
Carson City, NV 89701-5096

Dear Ms. Blackwell,

I refer to NRS 354.603(2.) (b). A "Certificate sent to...the Department of Education, by the Board of Trustees of the (Storey) county School District, attested by the secretary of the board, declaring the intention of the board to establish and administer a separate account in accordance with the provisions of this section[NRS 354.603]...

This certificate is a requirement. If the document is unavailable at the department, I request written notice of the fact, in five working days.

Attachment is a completed **FORM 511-1: PUBLIC RECORDS REQUEST FORM.**

With respect,

Mark Joseph Phillips

----- Forwarded message -----

From: Mark Phillips <phillipsmarkj2@gmail.com>

From: **Mark Phillips** <phillipsmarkj2@gmail.com>

Date: Fri, Mar 28, 2014 at 2:32 PM

To: GUNTHER PROSSER <nvbreadman1@sbcglobal.net>, Janet Houts <houts238@gmail.com>, Angela Mann <storeystories@gmail.com>, Dale Beach <dbeach49zx@charter.net>, "S.C.R.I.T." <scrit@countynews.info>

----- Forwarded message -----

From: **Mark Phillips** <phillipsmarkj2@gmail.com>

Date: Fri, Mar 28, 2014 at 2:16 PM

Subject: Fwd: Public Records Request_ NRS 239.0107

From: **Julia Kane** <jkane@doe.nv.gov>

Date: Fri, Mar 28, 2014 at 2:36 PM

To: Mark Phillips <phillipsmarkj2@gmail.com>

Cc: Audra Blackwell <ablackwell@doe.nv.gov>, Dale Erquiaga <derquiaga@doe.nv.gov>

Hi Mr. Phillips,

The Nevada Department of Education is in receipt of your request as of Friday, March, 28th, 2014. I will forward this to the Superintendent's office, who will review the content and will have 5 business days to respond.

Thank you,

Julia L. Kane, Admin & Buildings Facilitator

Business and Support Services

Nevada Department of Education

700 E. Fifth Street, Ste 104

Carson City, NV 89701

Email: jkane@doe.nv.gov

Phone : [\(775\) 687-9102](tel:(775)687-9102)

Fax: (775) 687-9101



From: Mark Phillips [mailto:phillipsmarkj2@gmail.com]
Sent: Friday, March 28, 2014 2:16 PM
To: Audra Blackwell; Vanessa Stephens; Mark Phillips
Cc: Robert Slaby, Superintendent of Schools Storey County; Bill Maddox; Julia Kane

From: **Mark Phillips** <phillipsmarkj2@gmail.com>
Date: Fri, Mar 28, 2014 at 2:37 PM
To: Audra Blackwell Executive Assistant Superintendent of Public Instruction <ablackwell@doe.nv.gov>, Julia Kane Administrative Assistant for Business and Support Services <jkane@doe.nv.gov>, Vanessa Stephens <vstephens@storeycounty.org>
Cc: Bill Maddox <scda@storeycounty.org>, "Robert Slaby, Superintendent of Schools Storey County" <rslaby@storey.k12.nv.us>

From: **Mark Phillips** <phillipsmarkj2@gmail.com>
Date: Fri, Mar 28, 2014 at 2:47 PM
To: Julia Kane <jkane@doe.nv.gov>, Vanessa Stephens <vstephens@storeycounty.org>, Bill Maddox <bmaddox@storeycounty.org>, Mark Phillips <phillipsmarkj2@gmail.com>
Cc: Audra Blackwell Executive Assistant Superintendent of Public Instruction <ablackwell@doe.nv.gov>, "Robert Slaby, Superintendent of Schools Storey County" <rslaby@storey.k12.nv.us>

Mark Joseph Phillips
P.O. Box 1092
Virginia City, NV 89440

28 March 2014

Dear Ms. Kane,

Thank you for your speedy service in regards to my public records request,

MJP

From: **Mark Phillips** <phillipsmarkj2@gmail.com>

Date: Fri, Mar 28, 2014 at 2:50 PM

To: GUNTHER PROSSER <nvbreadman1@sbcglobal.net>, Janet Houts <houts238@gmail.com>, Angela Mann <storeystories@gmail.com>, "S.C.R.I.T." <scrit@countynews.info>, Dale Beach <dbeach49zx@charter.net>

From: **Audra Blackwell** <ablackwell@doe.nv.gov>

Date: Mon, Mar 31, 2014 at 10:32 AM

To: Mark Phillips <phillipsmarkj2@gmail.com>

Cc: Julia Kane <jkane@doe.nv.gov>

Hello Mr. Phillips,

To my knowledge, the Department of Education, Superintendent's Office, has received no such certificate/resolution from the Board of Trustees of the Storey County School District.

Thank you,

Audra Blackwell

Executive Assistant to

Dale A.R. Erquiaga, Superintendent of Public Instruction

Nevada Department of Education

The logo for the Nevada Department of Education, featuring a stylized mountain and sun icon above the text "Nevada Department of Education".

From: Mark Phillips [mailto:phillipsmarkj2@gmail.com]

Sent: Friday, March 28, 2014 2:47 PM

To: Julia Kane; Vanessa Stephens; Bill Maddox; Mark Phillips

Cc: Audra Blackwell; Robert Slaby, Superintendent of Schools Storey County

Subject: Re: Public Records Request_ NRS 239.0107

Print Help? [PRINT](#)**NEVADA FINANCIAL DISCLOSURE STATEMENT**

- Please read instructions carefully before completing. -

FILED
May 2 2012
ROSS MILLER
SECRETARY OF
STATE
Date Filed

NAME: (First, Middle, Last)	Christine Miller	ADDRESS: (Number, Street)	P O Box 663
CITY, STATE, ZIP:	Virginia City, NV, 89440	TELEPHONE:	775-847-0983
EMAIL: cmiller7@rmi.net	LENGTH OF RESIDENCE IN NEVADA (Years): 59	LENGTH OF RESIDENCE IN DISTRICT WHERE REGISTERED TO VOTE (Years):	8

SECTION A (Information about your public office): List all public offices for which this financial disclosure statement is required NRS 281A.620.1(g) Please indicate **why** you are filing this form by choosing the appropriate box below.

- **ANNUAL FILING:** elected and appointed officers (if required) no later than January 15th each year.
- **CANDIDATE FILING:** filed by candidates for public office no later than the 10th day after the last day to qualify as a candidate.
- **NEWLY APPOINTED:** filed when appointed to fill an unexpired term of an elected or appointed public officer. (Filed within 30 days of appointment.)

TYPE OF FILING (check one): ☐ Annual ☒ Candidate ☐ New Appointment

TITLE OF PUBLIC OFFICE AND NAME OF GOVERNMENT (Include the title of the office you hold or are seeking, and the name of the entity that employs this position e.g. 'City Manager', 'City of XYZ')	Elected (E), appointed (A) or appointed to an elected (AE) office.	Is this position entitled to annual compensation of \$6,000 or more?	Amount of compensation received annually	Date elected or appointed
School Trustee, Storey County, District 1C	AE	No	\$3,000.00	2/1/2007

SECTION B (Sources of Income): List each source of your income (in addition to any source listed in Section A), or that of any member of your household who is 18 years of age or older. [NRS 281A.620.1(b)]:

SOURCES OF INCOME**Self** **Household Member**

Retirement: PERS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Retirement: Newmont Mining Co.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JP Pro Tempore Storey Co.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Union/Morgan Stanley: Dividends, Interest, etc.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

SECTION C (Real Property): List specific location and particular use of all real estate (other than personal residence): (1) in which you or a member of your household has a legal or beneficial interest; (2) the fair market value of which is \$2,500 or more; and (3) which is located in this state or an adjacent state [NRS 281A.620.1(c)]:

SPECIFIC LOCATION(Address, City, State)**PARTICULAR USE**(Rental, Vacation, Land etc.)

None

SECTION D (Creditors): List each creditor to whom you or a member of your household owes \$5,000 or more [**EXCEPT: (1)** debt secured by mortgage or deed of trust on real property which is not required to be listed in Section C above; and **(2)** debt for which a security interest in a motor vehicle for personal use was retained by seller] [NRS 281A.620.1(d)]:

CREDITOR NAME**Self****Household Member**

None

SECTION E (Gifts): List the identity of donor and value of each gift of all gifts received in excess of an aggregate value of \$200 from a donor during the preceding taxable year [**EXCEPT: (1)** a gift received from a person who is related to you within the third degree of consanguinity or affinity; and **(2)** ceremonial gifts received for a birthday, wedding, anniversary, holiday or other ceremonial occasion if the donor does not have a substantial interest in your legislative, administrative, or political action] [NRS 281A.620.1(e)]:

DONOR NAME**DESCRIPTION OF GIFT****VALUE OF
GIFT**

None

SECTION F (Business Entities): List each business entity (**i.e., organization or enterprise operated for economic gain, including a proprietorship, partnership, firm, business, trust joint venture, syndicate, corporation or association**) with which you or a member of your household is involved as a trustee, beneficiary of a trust, director, officer, owner in whole or in part, limited or general partner, or holder of a class of stock or security representing 1% or more of the total outstanding stock or securities issued by the business entity [NRS281A.620.1(f)]:

BUSINESS ENTITY**Self****Household Member**

None

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT:

Christine Miller**05/02/2012**

Signature

Date

DALE A.R. ERQUIAGA
Superintendent of Public Instruction

STATE OF NEVADA

SOUTHERN NEVADA OFFICE
9890 S. Maryland Pkwy, Suite 221
Las Vegas, Nevada 89183
(702) 486-6458
Fax: (702) 486-6450

STEVE CANAVERO
Deputy Superintendent
Teaching and Learning

JULIA TESKA
Deputy Superintendent
Business and Support Services



DEPARTMENT OF EDUCATION

700 E. Fifth Street

Carson City, Nevada 89701-5096

(775) 687 - 9200 • Fax: (775) 687 - 9101

Public Records Request Form

Requestor's Name: Mark Joseph Phillips _____ Date of request: 27
March 2014 _____

Address: P.O. Box
1092 _____

City, State, Zip Code: Virginia City, Nevada 89440

Telephone #: No home phone
number _____

E-Mail Address:
<phillipsmarkj2@gmail.com> _____

I hereby request the following Department of Education public records be:

A.) Made available for review and inspection Yes _____

B.) Copied _____

C.) Copied and certified Yes _____

Record Requested:

Dear Ms. Blackwell, I refer to NRS 354.603(2)(b). A "Certificate" sent to...the Department of Education, by the Board of Trustees of the (Storey) County School District, attested by the secretary of the board, declaring the intention of the board to establish and administer a separate account in accordance with the provisions of this section (NRS 354.603)... I understand the...board of county commissioners, if it determines that there is clear evidence of misuse or mismanagement of money in any separate account (county school district), may order the closing of the account(s), and return of the money to the county treasury [NRS 354.603(8.)]... I have received written notice from the office of the County Clerk/Treasurer, of the fact that there is no record in the office of the "Resolution" and the "Certificate", required to be sent by the school board of trustees, to the board of county commissioners and to the county treasurer, prior to the county treasurer transferring money to a separate account(s) (Storey County School District) [NRS 354.603(2)(a)(b)].

I understand there is a charge for copies of public records. Further, I understand that if the estimated cost of the copies I have requested is \$25.00 or more, I will be required to pay in full prior to reproduction. Materials will be held for 14 days. If not retrieved, I will be charged in full for a second reproduction in addition to any unpaid original charges. Advance payment will be forfeited if material is not retrieved.

Form 511-1: Public Records Request Form

07/09

Signature _____

(Submission via e-mail constitutes acceptance of the terms above)

This form is a public record and will be retained for a period of one year from creation.

This form should be mailed, delivered, faxed or e-mailed to:

State of Nevada Department of Education
Office of Administrative & Fiscal Services
700 E. Fifth Street, Suite 104
Carson City, NV 89701
Telephone: (775) 687-9102
Facsimile: (775) 687-9101
E-mail: recordrequest@doe.nv.gov

Public Records Request For Department Use Only

Type of Request:

Routine _____
Multi-Departmental _____
Extraordinary _____

Calculation of charges for Routine Requests:

Black & White 8 1/2" x 11" copies: _____ (#of copies) X _____ (#of pages) X \$0.03 per page = \$ _____

Black & White 8 1/2" x 14" copies: _____ (#of copies) X _____ (#of pages) X \$0.06 per page = \$ _____

Color up to 8 1/2" x 14" copies: _____ (#of copies) X _____ (#of pages) X \$0.10 per page = \$ _____

CD _____ (#of copies) X _____ (#of CD) X \$5.00 each = \$ _____

Other media _____ (#of copies) X _____ (#of _____) X \$ _____ each = \$ _____

Number of staff hours (First Hour Free) _____ X (rate) _____ = \$ _____

Certifications _____ (#of certifications) X \$5.00each = \$ _____

Postage = \$ _____

Total = \$ _____

Calculation of charges for Extraordinary Requests:

Number of staff hours _____ X (rate) _____ = \$ _____

Type of material _____ (cost) _____ = \$ _____

Total = \$ _____

The Department of Education will supply new product medium and will not accept medium from the public to use for the request to prevent the risk of damage to State equipment.

Staff Notes & Status:

Completion Date: _____ By: _____ (Initials)

Delivered to: _____ Date: _____ By: _____

Print Help? [PRINT](#)**NEVADA FINANCIAL DISCLOSURE STATEMENT**

- Please read instructions carefully before completing. -

FILED

Jan 14 2013

ROSS MILLER
SECRETARY OF
STATE

Date Filed

NAME: (First, Middle, Last)	Christine Miller	ADDRESS: (Number, Street)	P O Box 663
CITY, STATE, ZIP:	Virginia City, NV, 89440	TELEPHONE:	775-847-0983
EMAIL: cmiller7@rmi.net	LENGTH OF RESIDENCE IN NEVADA (Years): 60	LENGTH OF RESIDENCE IN DISTRICT WHERE REGISTERED TO VOTE (Years): 9	

SECTION A (Information about your public office): List all public offices for which this financial disclosure statement is required NRS 281.571(1)(g) Please indicate **why** you are filing this form by choosing the appropriate box below.

- **ANNUAL FILING:** elected and appointed officers (if required) no later than January 15th each year.
- **CANDIDATE FILING:** filed by candidates for public office no later than the 10th day after the last day to qualify as a candidate.
- **NEWLY APPOINTED:** filed when appointed to fill an unexpired term of an elected or appointed public officer. (Filed within 30 days of appointment.)

TYPE OF FILING (check one): ☒ Annual ☐ Candidate ☐ New Appointment

TITLE OF PUBLIC OFFICE AND NAME OF GOVERNMENT (Include the title of the office you hold or are seeking, and the name of the entity that employs this position e.g. 'City Manager', 'City of XYZ')	Elected (E), appointed (A) or appointed to an elected (AE) office.	Is this position entitled to annual compensation of \$6,000 or more?	Amount of compensation received annually	Date elected or appointed
School Trustee, Storey County, District 1C	AE	No	\$3,000.00	2/1/2007

SECTION B (Sources of Income): List each source of your income (in addition to any source listed in Section A), or that of any member of your household who is 18 years of age or older. [NRS 281.571(1)(b)]:

SOURCES OF INCOME**Self** **Household Member**

Retirement: PERS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Retirement: Newmont Mining Co.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JP Pro Tempore Storey Co.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Union/Morgan Stanley: Dividends, Interest, etc.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

SECTION C (Real Property): List specific location and particular use of all real estate (other than personal residence): (1) in which you or a member of your household has a legal or beneficial interest; (2) the fair market value of which is \$2,500 or more; and (3) which is located in this state or an adjacent state [NRS 281.571(1)(c)]:

SPECIFIC LOCATION(Address, City, State)**PARTICULAR USE**(Rental, Vacation, Land etc.)

None

SECTION D (Creditors): List each creditor to whom you or a member of your household owes \$5,000 or more [**EXCEPT: (1)** debt secured by mortgage or deed of trust on real property which is not required to be listed in Section C above; and **(2)** debt for which a security interest in a motor vehicle for personal use was retained by seller] [NRS 281.571(1)(d)]:

CREDITOR NAME**Self****Household Member**

None

SECTION E (Gifts): List the identity of donor and value of each gift of all gifts received in excess of an aggregate value of \$200 from a donor during the preceding taxable year [**EXCEPT: (1)** a gift received from a person who is related to you within the third degree of consanguinity or affinity; and **(2)** ceremonial gifts received for a birthday, wedding, anniversary, holiday or other ceremonial occasion if the donor does not have a substantial interest in your legislative, administrative, or political action] [NRS 281.571(1)(e)]:

DONOR NAME**DESCRIPTION OF GIFT****VALUE OF
GIFT**

None

SECTION F (Business Entities): List each business entity (**i.e., organization or enterprise operated for economic gain, including a proprietorship, partnership, firm, business, trust joint venture, syndicate, corporation or association**) with which you or a member of your household is involved as a trustee, beneficiary of a trust, director, officer, owner in whole or in part, limited or general partner, or holder of a class of stock or security representing 1% or more of the total outstanding stock or securities issued by the business entity [NRS 281.571(1)(f)]:

BUSINESS ENTITY**Self****Household Member**

None

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT:

Christine Miller**01/14/2013**

Signature

Date

Print Help? [PRINT](#)**NEVADA FINANCIAL DISCLOSURE STATEMENT
(FDS)**

- Please read instructions carefully before completing. -

FILED
Dec 28 2013
ROSS MILLER
SECRETARY OF
STATE

Date Filed

NAME: (First, Middle, Last)	Christine Miller	ADDRESS: (Number, Street)	P O Box 663
CITY, STATE, ZIP:	Virginia City, NV, 89440	TELEPHONE:	775-847-0983
EMAIL: cmiller7@rmi.net	LENGTH OF RESIDENCE IN NEVADA (Years): 61	LENGTH OF RESIDENCE IN DISTRICT WHERE REGISTERED TO VOTE (Years): 10	

SECTION A (Information about your public office): List all public offices for which this financial disclosure statement is required NRS 281.571(1)(g) Please indicate **why** you are filing this form by choosing the appropriate box below.

- **ANNUAL FILING:** Filed by elected and appointed officers (if required) no later than January 15th each year.
- **CANDIDATE FILING:** Filed by candidates for public office no later than the 10th day after the last day to qualify as a candidate.
- **NEWLY APPOINTED:** Filed when appointed to fill an unexpired term of an elected or appointed public officer no later than the 30th day following appointment.

TYPE OF FILING (check one): ☒ Annual ☐ Candidate ☐ New Appointment

TITLE OF PUBLIC OFFICE AND NAME OF GOVERNMENT (Include the title of the office you hold or are seeking, and the name of the entity that employs this position e.g. 'City Manager', 'City of XYZ')	Elected (E), appointed (A) or appointed to an elected (AE) office.	Is this position entitled to annual compensation of \$6,000 or more?	Amount of compensation received annually	Date elected or appointed
School Trustee, Storey County, District 1C	AE	No	\$3,000.00	2/1/2007

SECTION B (Sources of Income): List each source of your income (in addition to any source listed in Section A), or that of any member of your household who is 18 years of age or older. [NRS 281.571(1)(b)]:

SOURCES OF INCOME**Self** **Household Member**

Retirement: PERS



Retirement: Newmont Mining Co.



JP Pro Tempore Storey Co.



Social Security



Credit Union/Investment Company: Dividends, Interest, etc.



SECTION C (Real Property): List specific location and particular use of all real estate (other than personal residence): (1) in which you or a member of your household has a legal or beneficial interest; (2) the fair market value of which is \$2,500 or more; and (3) which is located in this state or an adjacent state [NRS 281.571(1)(c)]:

SPECIFIC LOCATION (Address, City, State)	PARTICULAR USE (Rental, Vacation, Land etc.)
---	---

None

SECTION D (Creditors): List each creditor to whom you or a member of your household owes \$5,000 or more [**EXCEPT: (1)** debt secured by mortgage or deed of trust on real property which is not required to be listed in Section C above; and **(2)** debt for which a security interest in a motor vehicle for personal use was retained by seller] [NRS 281.571(1)(d)]:

CREDITOR NAME	Self	Household Member
----------------------	-------------	-------------------------

None

SECTION E (Gifts): List the identity of donor and value of each gift of all gifts received in excess of an aggregate value of \$200 from a donor during the preceding taxable year [**EXCEPT: (1)** a gift received from a person who is related to you within the third degree of consanguinity or affinity; and **(2)** ceremonial gifts received for a birthday, wedding, anniversary, holiday or other ceremonial occasion if the donor does not have a substantial interest in your legislative, administrative, or political action] [NRS 281.571(1)(e)]:

DONOR NAME	DESCRIPTION OF GIFT	VALUE OF GIFT
-------------------	----------------------------	----------------------

None

SECTION F (Business Entities): List each business entity (**i.e., organization or enterprise operated for economic gain, including a proprietorship, partnership, firm, business, trust joint venture, syndicate, corporation or association**) with which you or a member of your household is involved as a trustee, beneficiary of a trust, director, officer, owner in whole or in part, limited or general partner, or holder of a class of stock or security representing 1% or more of the total outstanding stock or securities issued by the business entity [NRS 281.571(1)(f)]:

BUSINESS ENTITY	Self	Household Member
------------------------	-------------	-------------------------

None

THE INFORMATION I HAVE PROVIDED HEREIN IS ACCURATE AND COMPLETE.

Christine Miller

12/28/2013

Signature

Date

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Christine Miller [Follow this Candidate](#) [Back to Search](#)

- Entity Type
Political Candidate
- Party
Unspecified
- Office
Storey County School District, Seat 1B
- Address
P O Box 663 Virginia City, NV 89440
- Phone
775-847-0983
- Fax
- Email

<u>Report Name</u>	<u>Year</u>	<u>Date</u>	<u>File</u>  Sorted desc	<u>Office</u>	<u>Report Link</u>
2014 Annual Financial Disclosure	2014	12/28/2013		School Trustee, Storey County, District 1C	2014 Annual Financial Disclosure.htm
2013 Annual Financial Disclosure	2013	1/14/2013		School Trustee, Storey County, District 1C	2013 Annual Financial Disclosure.htm
2013 Annual CE Filing	2012	1/14/2013		Storey County School District, Seat 1C	2013 Annual CE Filing.htm
CE Report 5	2012	9/25/2012		Storey County School District, Seat 1C	CE Report 5.htm
CE Report 4	2012	9/25/2012		Storey County School District, Seat 1C	CE Report 4.htm
CE Report 3	2012	9/25/2012			CE Report 3.htm

<u>Report Name</u>	<u>Year</u>	<u>Date</u>	<u>File</u> <input checked="" type="checkbox"/> Sorted desc	<u>Office</u>	<u>Report Link</u>
CE Report 2	2012	7/23/2012		Storey County School District, Seat 1C	CE Report 2.htm
2012 Candidate Financial Disclosure	2012	5/2/2012		Storey County School Trustee, District 1C	2012 Candidate Financial Disclosure.htm
CE Report 1	2012	5/2/2012		Storey County School District, Seat 1C	CE Report 1.htm
2011 Annual Financial Disclosure	2010	1/6/2011	(Refer to Report)		2011AnnualFinancialDisclosure.pdf
2010 Financial Disclosure Statement	2010	1/11/2010	(Refer to Report)		2010FinancialDisclosureStatement.pdf
2009 Annual Financial Disclosure	2008	12/31/2008	(Refer to Report)		2009AnnualFinancialDisclosure.pdf
2008 Candidate Financial Disclosure	2008	5/16/2008	(Refer to Report)		2008CandidateFinancialDisclosure.pdf
2008 Financial Disclosure	2008	1/4/2008	(Refer to Report)		2008FinancialDisclosure.pdf

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Password

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Password

Re-Type Password

Name

Email

Association ?

About this website

The purpose of this website tool is to file and make available Contributions & Expenses (C&E) Reports and Financial Disclosure Statements (FDS). By using the Search feature, you are able to view reports filed from 2004 or later, filed with the Nevada Secretary of State's office. This tool allows you to search for a candidate or appointed and elected public officers via the "Report Search" tab returning all records matching the search criteria you provide. You do not need to enter an entire name to return matching results. This search will expose reports whether they were filed electronically online, mailed in or hand delivered.

To view filed reports for an individual or group, simply click the name within the line item returned in your search results. Most report records stored in our database will have a corresponding scanned document which will be available as a link to a PDF file under the Report Link column. These are reports that were received as paper documents that were digitally scanned so that they may be viewed electronically. A single report may have multiple scanned documents on file. Reports filed online are also linked under the Report Link column for you to view as plain HTML within your web browser.

Individual contributions and expenses may now be searched via the "Contribution Search" and "Expenditure Search" tabs. Within the contributions search results you may click on a contributor name to view all contributions associated with that contributor record. You may click on the Recipient name to view all contributions received by that individual or political group. Or, you can simply click on the Report link to bring up the actual report containing that contribution. The expenditure results work similarly. Click on a Payee name to view all expenditures received by that entity, click the Payer name to view all expenditures declared by that individual or group and click the Report to actually view the report where that expenditure was declared.

It should be noted that the contribution and expenditure data recorded in AURORA may not accurately reflect an individual or a group's total because of previously filed paper reports which are only viewable as a PDF and not data entered. Always refer to the actual filed document for the most accurate information. If you believe you are not finding an older document you are looking for, you may browse all scanned documents filed in paper form by clicking the "Click here to view archived C&E Reports/FDS paper filings" link on this search page. However, this browsing directory does NOT include reports filed electronically. To view the scanned PDF files you must have Adobe Reader installed on your computer, which you may download [here](#).

To file a report, an account first needs to be set up, by entering the required fields and "Register." Use the Help & Tips tab if you need assistance with this process, or call 775-684-5705.

Search Tips

The purpose of this search tool is to make available the Contributions & Expenses (C&E) Reports and Financial Disclosure Statements (FDS) filed **from 2004 or later** with the Nevada Secretary of State's office.

This tool allows you to search for a candidate or appointed official via the "Individual Search" option or by political group via the "Group Search" option, returning all records matching the search criteria you provide. You do not need to enter an entire name to return matching results.

To view filed reports for a candidate or group, simply click the name within the line item returned in your search results. Some report records stored in our database will have a corresponding scanned document which will be available as a link to a PDF file under the Report Link column. These are reports that were received as paper documents. Individual contributions and expenses may be searched via the "Contribution Search" and "Expenditure Search" options. Within the contributions search results you may click on a contributor name to view all contributions associated with that contributor record. You may click on the Recipient name to view all contributions received by that individual or political group record. Or you can simply click on the Report link to bring up the actual report containing that contribution. The expenditure results work similarly. Click on a Payee name to view all expenditures received by that entity, click the Payer name to view all expenditures declared by that individual or group and click the Report to actually view the report where that expenditure was reported.

It should be noted that the contribution and expenditure data recorded in AURORA may not accurately reflect an individual or a group's total because of previously filed paper reports which are only viewable as a PDF and not data entered. Always refer to the actual filed document for the most accurate information. If you believe you are not finding an older document you are looking for, you may browse all scanned documents filed in paper form by clicking the "Click here to view archived C&E Reports/FDS paper filings" link on this search page. However, this browsing directory does NOT include reports filed electronically. To view the scanned PDF files you must have Adobe Reader installed on your computer, which you may download [here](#).

Please Note: Individual and Group search requests will only produce results from 2004 through the present. Contribution & Expenditure search requests will only produce results from 2006 through the present, when that data was filed online. While electronic filing of Contributions & Expenses Reports has been available since 2006, it did not become mandatory until January 1, 2012.

Receive email notifications on this Candidate's report activity.

• First Name

• Last Name

• Email

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Vanessa Stephens

From: Pat Whitten
Sent: Tuesday, June 10, 2014 4:26 PM
To: Vanessa Stephens
Cc: Marshall McBride; Bill Maddox; Hugh Gallagher; Dean Haymore
Subject: RE: Agenda Item

Vanessa,

I'm going to decline this. Please advise the State Engineer that they will need to contact my office to schedule an appointment with Chairman McBride, District Attorney Maddox, Comptroller Gallagher, Dean Haymore you and myself here in Virginia City. They should come prepared to explain why we are compelled to pay this and what we actually get in benefit for our money in both districts. Also, we will need them to provide specific parcel identifiers on parcels we may ultimately have to force this assessment on. As you know from our past practices, Storey County does not automatically pay for billings from State Agencies that arrive with no explanation or justification. I have asked District Attorney Maddox to review the legal merits and mandates of this demand. Please provide Ms. Kordonowy and if possible, Mr. King a copy of this email evidencing our position and my denial. Thank you...

Pat



Pat Whitten
County Manager
Storey County

(775) 847-0968 (Office)
(775) 721-7001 (Cell)
PWhitten@StoreyCounty.org

Storey County is an equal opportunity provider and employer.

From: Vanessa Stephens
Sent: Monday, June 09, 2014 8:55 AM
To: Pat Whitten
Subject: Agenda Item

Received this for the agenda.....let me know what you think.

Vanessa Stephens
Clerk & Treasurer
Storey County, NV
Storey County is an Equal Opportunity Provider & Employer

Storey County, Nevada

Commissioners' Meeting Agenda Item Request

The Storey County Board of Commissioners has established a policy for placement of items on its meeting agendas. This policy states that all requests must be made in writing, and must include all supporting documentation at the time the request is submitted.

The deadline for submitting a request for an item to be placed on the agenda is noon on the Monday of the week preceding the Commissioners' Meeting. *(Items received after the deadline will be placed on the agenda of a subsequent meeting.)*

Date of Meeting: July 1, 2014	Date Request Submitted: June 2, 2014
Agenda Item Requested: Dayton Valley Groundwater Basin and Tracy Segment Groundwater Basin assessments	
This item is intended for: <input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Discussion and Action <i>(at the Board's discretion)</i>	
<input checked="" type="checkbox"/> Supporting documentation is attached <input type="checkbox"/> No supporting documentation is necessary	
Requested by: Nevada Division of Water Resources <i>(please print name clearly)</i>	
Address: 901 S. Stewart St., Suite 2002, Carson City, NV 89701	
Phone: 775-684-2863	Email <i>(optional)</i> : bkordonowy@water.nv.gov

Please submit this completed form to:

or FAX to:

Storey County Clerk's Office
PO Drawer D
Virginia City NV 89440

Storey County Clerk's Office
(775) 847-0921

Fold at Arrows Here and Above to Place in a Window Envelope

For Office Use Only		
Date Request Received:	Received: <input type="checkbox"/> In Person <input type="checkbox"/> Via FAX	By:
<input type="checkbox"/> Supporting documentation attached - # of pages _____		Meeting date of this item:

For additional information, please contact the
Storey County Clerk's Office
(775) 847-0969 or email vdixon@storeycounty.org

BRIAN SANDOVAL
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

April 2, 2014

Storey County Board of Commissioners
P.O. Box 176
Virginia City, Nevada 89440-0716
Certified Mail No. 71067808063000556927

Re: Dayton Valley Ground Water Assessments

Ladies and Gentlemen:

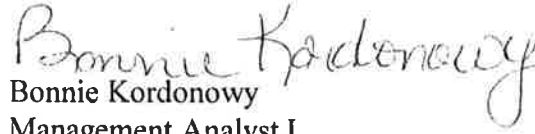
Please find enclosed a copy of the Dayton Valley Ground Water assessment sheet. As you can see the sheet shows a balance due through Fiscal Year 2011-13 of \$2,000.00 in arrears still owing to the State of Nevada, with an additional amount due for Fiscal Year 2013-14 in the amount of \$1,000.00. I sent you letters in January, April, August, and October, 2013, regarding this past due assessment and as of this date no payment has been received. I have had phone communication with your office and sent via e-mail the property owners/parcel numbers and a map of the basin, but have not received a satisfactory response as to when the balance due will be submitted.

Pursuant to Nevada Revised Statute 534.040(2) the board of county commissioners shall levy a special assessment annually, or at such time as the assessment is needed, upon all taxable property situated within the confines of the area designated by the State Engineer to come under the provisions of this chapter in an amount as is necessary to pay those salaries, together with necessary expenses.

This office would appreciate it if you could review and verify that the collection sheet is accurate, or if the assessments have been paid. If you find posting discrepancies, please note them on the form and return it with any backup material that you may have to support the changes. If you agree that the Assessment Sheet is accurate, could you please check into the arrearages owed to see if collection is possible.

Your assistance in this matter is appreciated. If you have any questions, please feel free to contact me at (775) 684-2863.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Kordonowy". The signature is written in dark ink and is positioned above the printed name and title.

Bonnie Kordonowy
Management Analyst I

/bk

Enclosure

cc: Storey County Assessor's Office

DAYTON VALLEY GROUNDWATER - St. Louis County
 Water Assessments - 4100
 Revised: 10/15/13

(#) = Undercollected

Tax Year	Budget	July-Sept.	Oct.-Dec.	Jan.-Mar.	Apr.-June	Total Collected	YTD Balance	Cumulative Balance
2006 - 2007	500.00					0.00	(500.00)	(500.00)
2007 - 2008	500.00			1,500.00		1,500.00	1,000.00	500.00
			CR 6297362-(Past + Prepay for FY09)					
2008 - 2009	500.00					0.00	(500.00)	0.00
2009 - 2010	500.00					0.00	(500.00)	(500.00)
2010 - 2011	500.00				500.00	500.00	0.00	(500.00)
2011 - 2012	500.00				060-00007001132-FY11	0.00	(500.00)	(1,000.00)
2012 - 2013	1,000.00					0.00	(1,000.00)	(2,000.00)
2013 - 2014	1,000.00					0.00	(1,000.00)	(3,000.00)
TOTALS	5,000.00					2,000.00		(3,000.00)

FY 2013 Collections:

Lyon Co: 7,591.82
 Storey Co: 0.00
 Carson City: 1,000.00

TOTAL: 8,591.82

Reconciled to 3.0 Dated: _____

By: _____

_____ Date



**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

December 16, 2013

Board of Commissioners
Storey County
P.O. Box 176
Virginia City, NV 89440-0176
CERTIFIED MAIL: 71067808063000546973

Ladies and Gentlemen:

Pursuant to the provisions of NRS § 534.040(2), it is respectfully requested that you levy a special assessment on all taxable property within the confines of the Tracy Segment Groundwater Basin for the Fiscal Year July 1, 2014, to June 30, 2015. The levy must be charged against each taxable property in the subject hydrographic basin, as officially designated on March 1, 1978.

The amount of \$2,000.00 will be required for the payment of necessary expenses for supervision over the groundwater basin to include, but not limited to special studies, water level measurements, crop/pumpage inventories, field investigations, aquifer tests, well driller inspections, intent to drill card and well log review, associated data collection and management.

We are enclosing a certificate to be signed and returned indicating that the assessment rate necessary to support the proposed budget has been acted on by the County Commission and the amount certified to the Assessor.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason King".

Jason King, P.E.
State Engineer

P.E.

JK/sg
Enclosure

Jason King, P.E., State Engineer
Division of Water Resources
901 S. Stewart Street, Suite 2002
Carson City, Nevada

Dear Mr. King:

I hereby certify that the State Engineer's budget for payment of necessary expenses for the supervision over the waters of the Tracy Segment Groundwater Basin for the Fiscal Year July 1, 2014, to June 30, 2015, in the amount of Two Thousand Dollars (\$2,000.00), has been received by STOREY COUNTY in accordance with the provisions of NRS § 534.040.

The assessment rate necessary to support the proposed budget was acted upon by the COUNTY COMMISSION OF STOREY COUNTY on the _____ day of _____, 20____, and the amount contained therein was certified to the ASSESSOR OF STOREY COUNTY.

Respectfully submitted,

COUNTY CLERK

Storey County Jeep Posse

Post Office Box 5
Virginia City, Nevada 89440

May 27, 2014

Dear Commissioner Gilman,

The Storey County Jeep Posse thanks you for your very eloquent response to the packed house at the April 15th Commissioner's meeting. The Storey County Jeep Posse was being doubted by a group of people that thought we don't have a place in Virginia City matters anymore. Yes we did separate from the Sheriff's Department and that was our choice. True, we did not want to train with the Sheriff's Department because the current sheriff, Sheriff Antinoro, wanted us to change our whole set of by-laws to be associated with the Sheriff's Office. We would never change our by-laws to satisfy a sitting sheriff's attempt to take control of the Storey County Jeep Posse. Of course, we have amended our by-laws over the years, but not to the extent of the request of the current sheriff.

Thanks to your explanation of how things have worked in Nevada for many, many years, I think, they have a new feeling for what we stand for. An agreement is an agreement and the Storey County Jeep Posse respects you for the explanation of the fact to the very vocal and negative new folks attending the recent Commissioner's meetings.

We will be training on our own and will survive just like we have for over 50 years.

Please feel free to contact me if you have any questions about the Storey County Jeep Posse.

Sincerely, 

Steve Schieberl
Current President Storey County Jeep Posse
775-291-1847

Storey County Jeep Posse

Post Office Box 5
Virginia City, Nevada 89440

May 27, 2014

Dear Commissioner Sjovangen,

The Storey County Jeep Posse was honored to attend the April 15th Commissioner's meeting. We were there because there were concerns that the county was handing us \$10,000.00 a year for nothing. We did part ways with the Sheriff's Department, but we feel we should not have to change the way we have served our community for 50-plus years because our current Sheriff wanted control of the Storey County Jeep Posse. We will train the way we want to and we will continue to be current on all of our commitments for legal operation of the Storey County Jeep Posse.

Thank you for your explanation of the county's side of the argument. I truly hope that the overall negativity being expressed by some of our new residents will subside.

Please know that the Storey County Jeep Posse respects your time and effort put forth on this matter.

Please contact me if you have any questions regarding the Storey County Jeep Posse.

Sincerely,



Steve Schieberl
Current President Storey County Jeep Posse
775-291-1847

Storey County Jeep Posse

Post Office Box 5
Virginia City, Nevada 89440

May 27, 2014

Dear Commissioner McBride,

Recently the Storey County Jeep Posse attended a commissioner's meeting that was basically an attack on the Jeep Posse. The attack came from Sheriff Antinoro and a group of his supporters. They tried to twist the facts that the Storey County Jeep Posse is not a viable organization.

Storey County Jeep Posse member, Jim Miller, explained the facts about our original agreement with Storey County concerning the money that is paid to the Jeep Posse from the cell tower on the property leased to the Storey County Jeep Posse. I think, afterwards they had a better understanding about the situation, even though they won't admit it. Your common sense approach to this problem was greatly appreciated by the Jeep Posse.

Thank you for your comments concerning the Storey County Jeep Posse and even if you were opposed to this particular matter please know that the Jeep Posse respects your decisions and your opinions.



Steve Schieberl

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