

expense to replace all or a portion of the water line that runs through the subject property that are believed by the Storey County Public Works Director to be susceptible to damage caused by activities associated with the SUP in the area adjacent to the water line.

The Permit Holder will be fully responsible for financial costs associated with required repairs or replacement of the water line. All repairs and replacement shall be to the satisfaction of the Public Works Director.

#### **7.4 Survey monument protection**

No survey monument may be moved or disturbed (as prohibited by federal or state law). To the extent practicable, all monument witness corners, reference monuments, bearing trees and line trees shall be protected against undue destruction, obliteration, or damage. If in the course of operations any survey monument is destroyed, obliterated, or damaged, the Permit Holder shall immediately report the matter to the Planning Department and the Bureau of Land Management. The notice shall describe the monument and its geo-coordinates before disturbance, how it was disturbed and to what extent, and the plan for immediate corrective action. The Permit Holder shall be financially responsible for the immediate and appropriate corrective action.

### **VIII. CULTURAL RESOURCES**

#### **8.1 Protection of Devil's Gate**

Uses under this SUP shall not cause impacts to the Devil's Gate rock outcropping/historic landmark. Storey County through this SUP and in conformance with the findings of fact in SCC 17.92 expresses to Lyon County its strong opposition to any allowance of surface disturbances to the landmark, except for realignment or improvements to State Route 342, to portions of the landmark that are located within Lyon County.

The Permit Holder shall cause no surface disturbance within 500' of the outer edge of the Devil's Gate outcropping in Storey County. Surface disturbances within 1,000' of the outer edge of the rock outcropping which are caused by mining and mine definition shall be fully reclaimed within 1 year of disturbance. Those disturbances caused by exploration shall be reclaimed as required otherwise for exploration outside of the active mine. Realignment and improvements to State Route 342 are exempt from these limitations, except that such may not cause adverse impacts to the surface of the outcropping.

#### **8.2 Historical structures protection**

Uses under this SUP shall not cause any historical structure to be disturbed, altered, moved, or demolished without a plan submitted to the Planning Department to return the structure fully in-tact to its approximate original location following activities that cause the structure to be moved. The plan and association action will be subject to Comstock Historic District approval. Historical structures shall include occupied and unoccupied buildings, outbuildings, mine head-frames, and foundations which are 50 years of age or older.

#### **8.3 Cemetery protection**

The uses under this SUP shall not cause any cemetery or structures therein, including but not limited to headstones, monuments, fences, enclosures, etc., to be disturbed, altered, moved,

or destroyed. At a minimum, state laws protecting cemeteries shall not be violated. The terms of this condition shall be fulfilled by compliance with the following limitations.

- Limitations and mitigation. Activities and disturbances shall not take place within 300' of a cemetery boundary as defined by NRS 452.0075 and as determined by the Comstock Cemetery Foundation (CCF). These limitations shall not apply to general vehicular and heavy equipment traffic taking place on the established county roads and right-of-ways, including American Flat Road, or the improvement or widening of American Flat Road as allowed by the Bureau of Land Management (BLM) pursuant to its Environmental Assessment (EA) under NEPA. These limitations also shall not apply to mineral exploration activities approved by the CCF within the established cemetery buffer area, but not within any cemetery boundary or public right-of-way. Written approval by the CCF shall be submitted to Planning Department prior to commencement of activities within the scope of these regulations.
- Cooperation. Activities and disturbances may be permitted between 300' and 500' surrounding each cemetery boundary as described above when the Permit Holder initiates and maintains continuous communication and collaboration with the CCF in protecting said cemetery resources. A surface vibration monitoring program shall be developed and implemented as determined by the CCF. The program will monitor surface vibrations at selected sites to assess potential vibrations from drilling and excavating operations, heavy machinery, and vehicles. The monitoring program, upon approval of the CCF, will be at oversight of the CCF and at the expense of the Permit Holder, unless agreed otherwise between the parties.

#### **8.4 Cultural resources discovery**

Should any prehistoric or historic remains/artifacts be discovered during development or excavation, work shall temporarily be halted at the specific site and the Building and Planning Departments shall be notified in order to evaluate the site and, if deemed necessary, to record and photograph the site in question. The period of temporary delay shall be limited to a minimum of two working days from the date of notification, unless it is a significant find and it is deemed necessary to provide more time to evaluate and protect historical remains or artifacts.

#### **8.5 Historic area preservation**

The Permit Holder agrees to contribute at least one percent of annual Net-Smelter-Return (the gross payment on the sale of Dore less the cost of refining and related shipping) toward historic preservation and/or restoration projects within Virginia City, Gold Hill, American Flat, and/or Silver City. This condition shall apply only when the mine associated with this SUP is in active status. A Memorandum of Understanding (MOU) shall be developed between the Permit Holder and Storey County, as approved by the District Attorney's Office, for this purpose. (Note: The Permit Holder has in the past contributed financial and other resources to, and has otherwise been actively engaged in, historical preservation and restoration projects and efforts throughout the Comstock over the past several years, including in Virginia City, Gold Hill, Silver City (Lyon County), and American Flat. Accordingly, the Permit Holder collaborated with Storey County in developing and accepting

this SUP condition. This SUP condition requiring partial Net-Smelter Revenues contribution is intended to be inclusive of, and not add to, the “1 percent royalties” pledged in the past by the Permit Holder for this purpose).

#### **8.6 Visitor/tourism element**

In conformance with the Storey County Master Plan, the Permit Holder is required to develop a pedestrian-oriented area near State Route 342 at a safe and appropriate location between the Devil’s Gate outcropping and American Flat Road, Gold Hill, at which motorists may park and exit their vehicles and view information about the history and purpose of past and current mining activity in the area and associated with the this SUP. As required in proceeding SUP No. 2011-016 (closed in 2014), the Permit Holder developed a visitors’ center that fully conforms to the requirements in the SUP as well as the supporting county master plan. The Permit Holder is hereby required to maintain that visitors’ center, or, develop another such informational center that conforms to this SUP and is constructed to the satisfaction of the Planning and Public Works Departments, Comstock Historic District, and, if applicable, NDOT.

## **10. POWER OF THE BOARD & PLANNING COMMISSION**

The Board of County Commissioners has the power to make planning and zoning decisions for Storey County and has created the planning commission to advise the Board as provided in Title 2 of the Storey County Code (“SCC”) and NRS 278 and 278A. The Planning Commission must perform all duties and functions delegated to a county planning commission by the terms of NRS 278.010 to 278.630, inclusive, and SCC Chapter 2.12 (Planning Commission). The planning commission is advisory to the Board. The Planning Commission must hear applications on special use permits, variances, and appeals of administrative decisions, changes to the county master plan, zoning districts, amendments to SCC Title 18, and all other appropriate subjects and make recommendations to the Board. After considering the Planning Commission’s recommendation, the Board by majority vote may approve, approve with conditions, or deny the application, or return the recommendation to the Planning Commission for further consideration.

## **11. PLANNING COMMISSION ACTION**

At its August 21, 2014, hearing, the planning commission heard testimony from the applicant, county staff, and the public. The applicant provided diagrams, photos, and maps of the subject property and the proposed use. Discussion at the meeting included environmental and safety concerns; access; appropriation of ground and surface water; state and federal permitting; location and separation of uses; zoning and use entitlements; potential impacts to adjacent residences and the Historic District; noise, dust, lighting, stormwater, and reclamation; and overall benefits and impacts to the site and surrounding area. Public comment, both for and against the project, was received over three separate hearings. Between the first and third hearing, county staff collaborated with area residents, the applicant, and environmental and emergency agencies to address key impacts identified during the public meetings. Afterward, staff read into the record its recommended findings to be included with a motion for approval. The planning commission voted unanimously (7 votes with all planning commissioners present) to approve the project in accordance with stated findings and as recommended by staff.

## 12. PROPOSED MOTIONS

This section contains three motions from which to choose. **Motion 1** for approval is recommended by staff in accordance with findings under Subsection 8.1 and the recommendation of the Planning Commission. Those findings should be made part of the motion. **Motion 2** for approval, as an alternative, may be made in accordance with findings under Subsection 8.1, but against the recommendation by the Planning Commission. Those findings should be made part of that motion. **Motion 3** for denial may be made and that motion should cite one or more of the findings shown in Subsection 8.2. Other findings of fact determined appropriate by the body should be made part of their motion.

### ***Motion 1 – Recommended motion***

Based on Findings of Fact shown in Subsection 8.1 and conditions of approval shown in Section 9 of this report, compliance with federal, state, and county regulations, and the recommendation for approval by the Planning Commission and staff, I motion to approve SUP Application No. 2000-222-A-4, amending SUP No. 2000-222-A-3 to expand the subject land area and amend uses as provided in the Planning Commission and staff recommendation for mining, processing, mine definition and exploration, and ancillary uses.

*Summary: Approve SUP amendment*

### ***Motion 2 – Alternative motion***

Based on Findings of Fact shown in Subsection 8.1 and conditions of approval shown in Section 9 of this report, compliance with federal, state, and county regulations, but not in conformance with the recommendation of the Planning Commission and staff, I motion to approve SUP Application No. 2000-222-A-4, amending SUP No. 2000-222-A-3 to expand the subject land area and amend uses provided in the staff recommendation for mining, processing, mine definition and exploration, and ancillary uses. As part of this motion, I move that the proposed subject property boundary line is modified from the proposal in the SUP application and the staff report so that it: (describe your motion).

*Summary: Approve SUP amendment with (x) modifications to the proposed SUP boundary*

### ***Motion 3 – Alternative motion***

Based on Findings of Fact shown in Subsection 8.2 and conditions of approval shown in Section 9 of this report, and against the recommendation for approval by the Planning Commission and staff, I motion to deny SUP Application No. 2000-222-A-4, amending SUP No. 2000-222-A-3 to expand the subject land area and amend uses as provided in the staff recommendation for mining, processing, mine definition and exploration, and ancillary uses. The motion to deny SUP No. 2000-222-A-4 will apply only to proposed amendments in SUP Application No. 2000-222-A-4 and will have no impact and will cause no change to entitlements, regulations, and uses which may occur pursuant to SUP No. 2000-222-A-3.

*Summary: Deny SUP amendment*

Prepared by Austin Osborne, Senior Planner



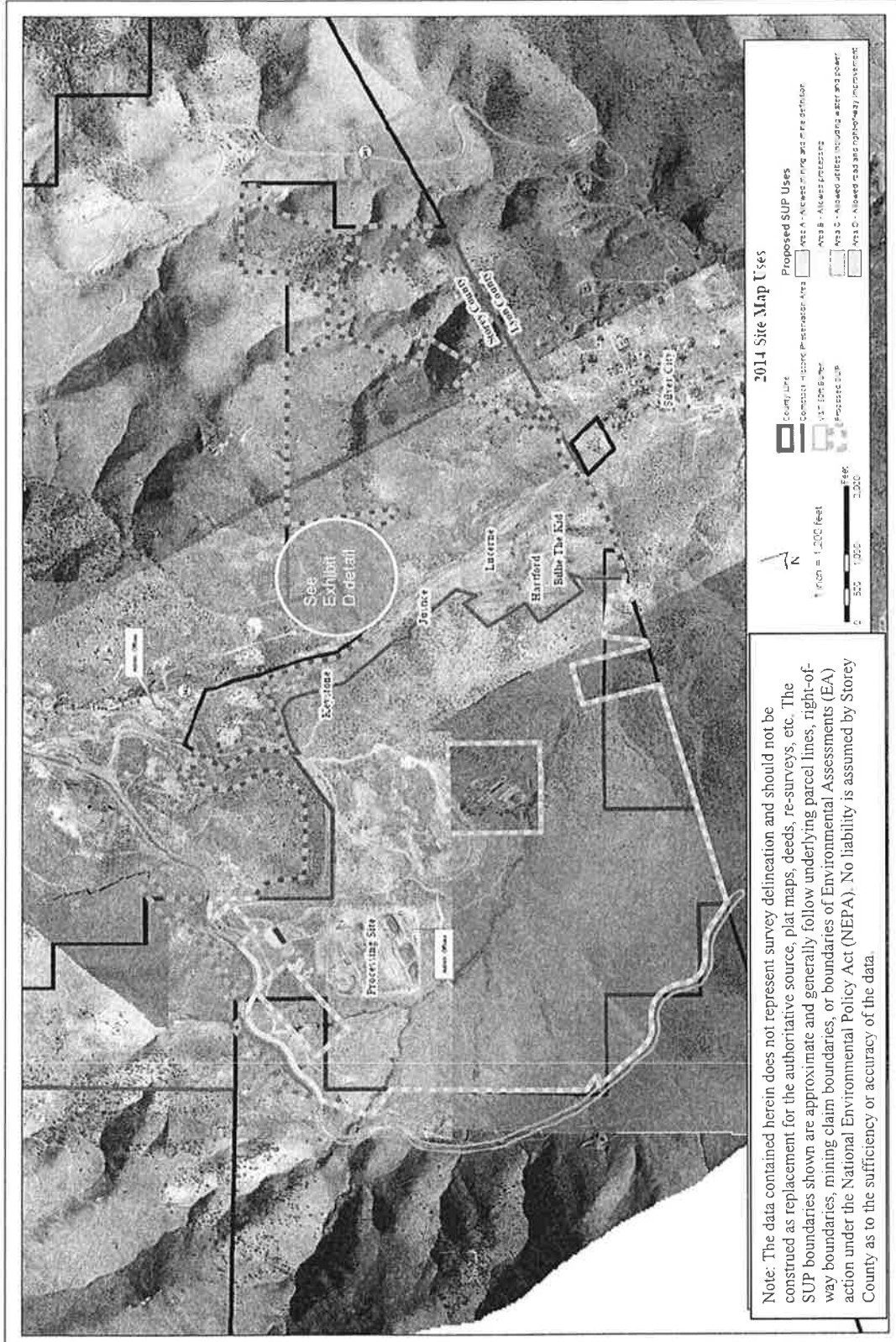
**Enclosures:**

- Exhibit A: Boundaries and Uses of SUP No. 2000-222-A-4\*
- Exhibit B: Magnified “Area C” and “Area D” for utilities and road improvement\*
- Exhibit C: Post-Operation Reclamation at Billy the Kid, Lucerne, Hartford, and Justice\*
- Exhibit D: Distance separation from residence located at APN 002-141-13\*
- Exhibit E: Known natural drainages within subject property\*
- Exhibit F: Comstock Historic Preservation Area (CHPA) map (SCC 17.92)
- Exhibit G: Boundaries of existing SUP No. 2000-222-A-3 (“existing SUP”)
- Exhibit H: NDEP Reclamation Cost Estimate Summary (2014)
- Exhibit I: NDEP surety bond letter (2014)
- Exhibit J: Existing SUP conditions (SUP No. 2000-222-A-3) to be amended
- Exhibit K: Existing SUP conditions (SUP No. 2011-016) (“exploration SUP”)
- Exhibit L: SUP Application No. 2000-222-A-4\*\* (for “amended SUP”)

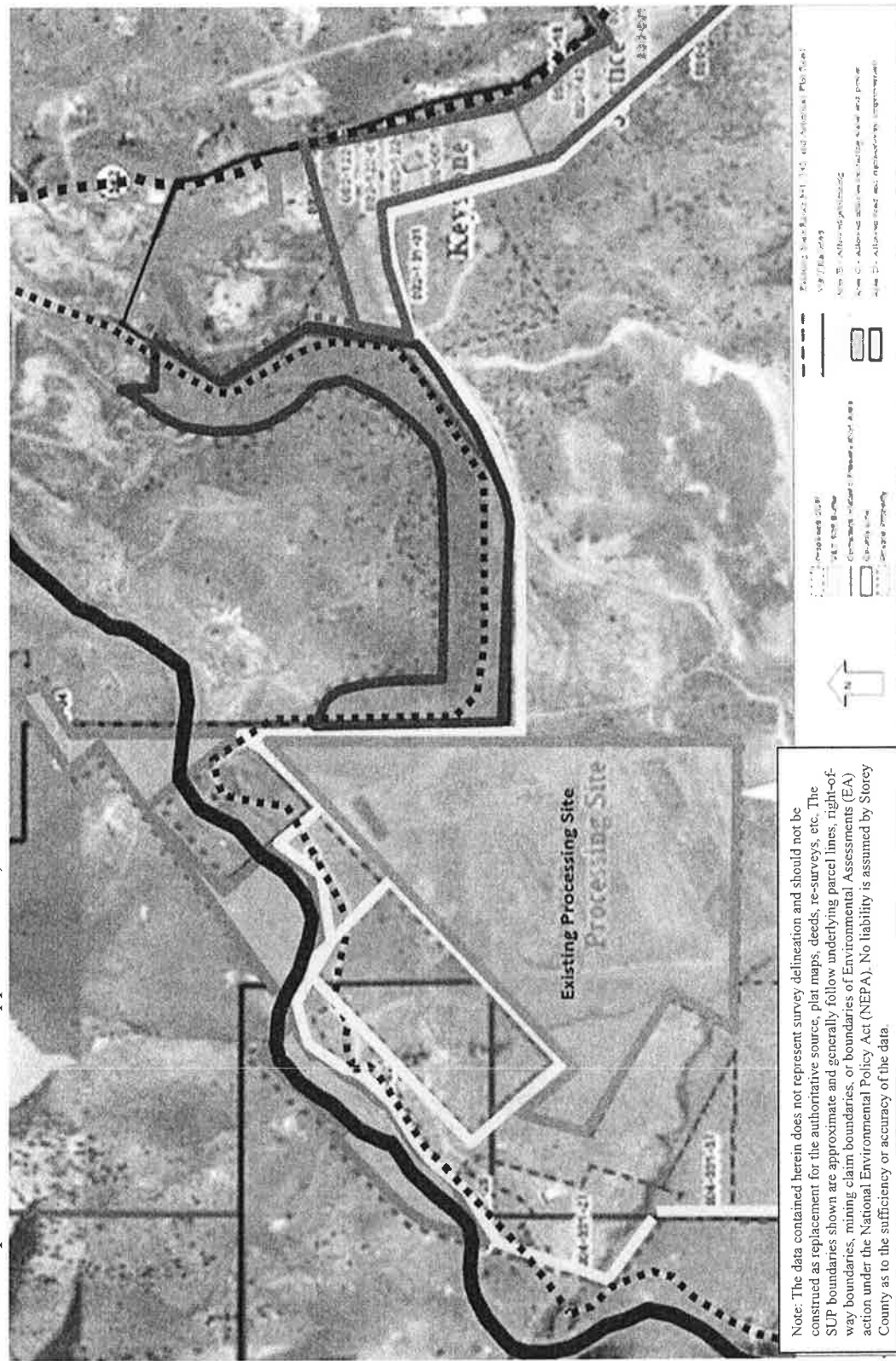
\*Exhibits A-E will be incorporated into the letter of approval for SUP No. 2000-222-A-4.

\*\*Post-operation reclamation visual renditions are embedded in Exhibit C and thus were omitted from the SUP application shown in Exhibit L.

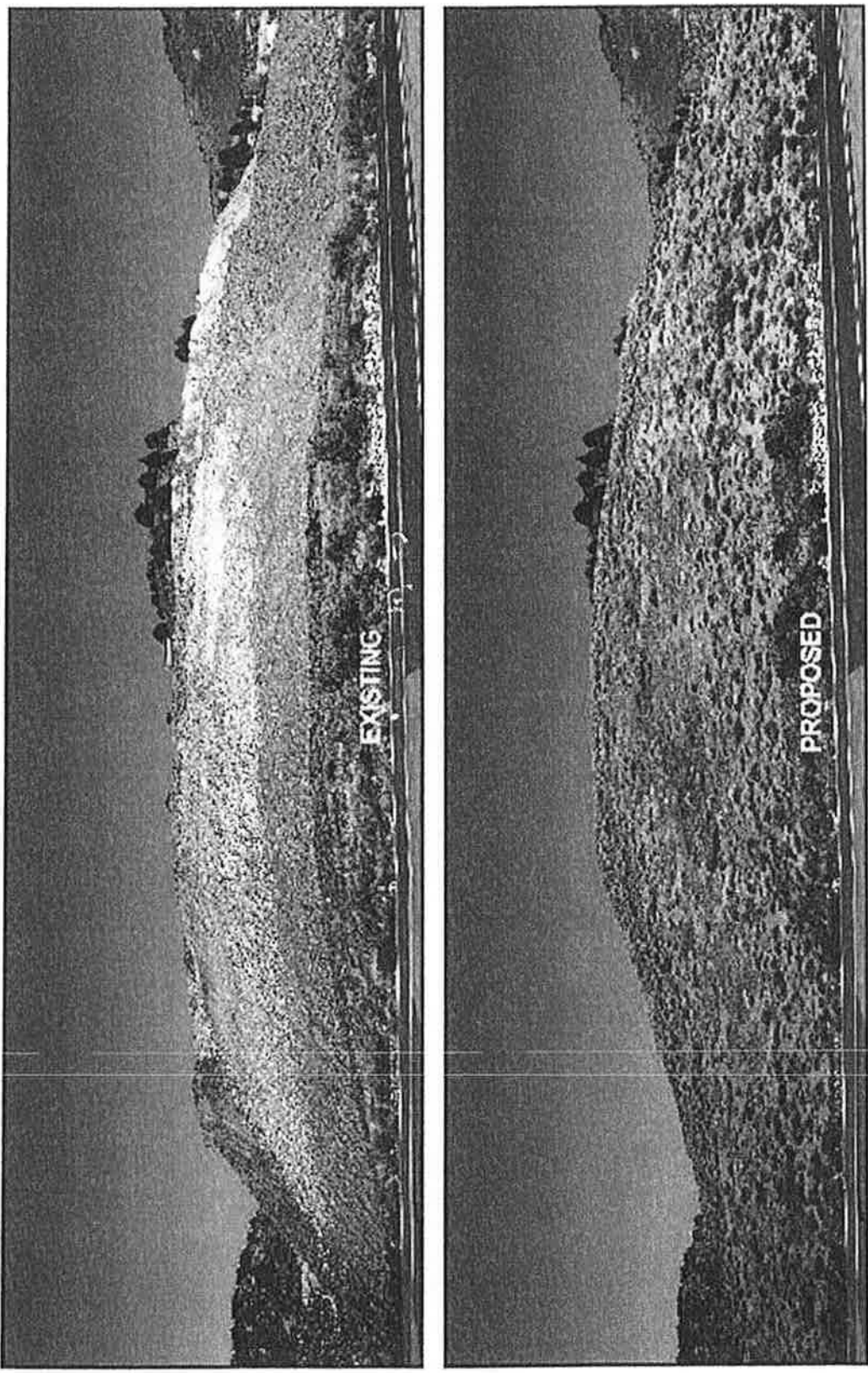
**Exhibit A: Boundaries and Uses of SUP No. 2000-222-A-4**  
*(To be incorporated into the SUP approval letter)*



**Exhibit B: Magnified “Area C” and “Area D” for utilities and road improvement**  
*(To be incorporated into the SUP approval letter)*

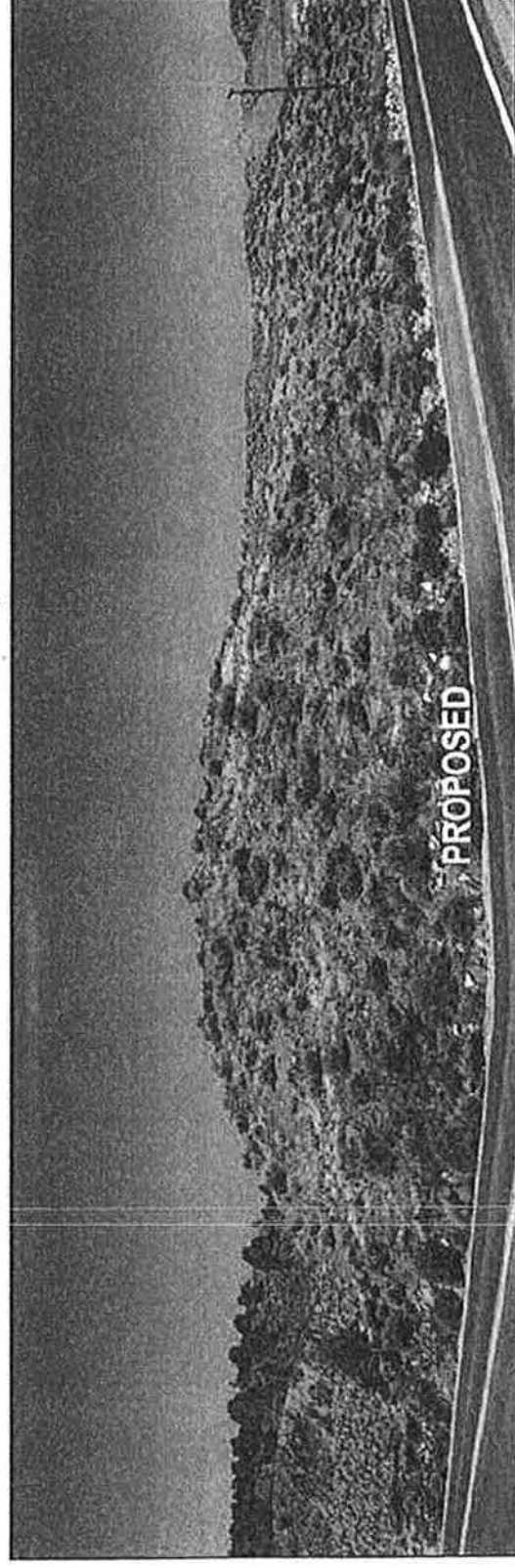
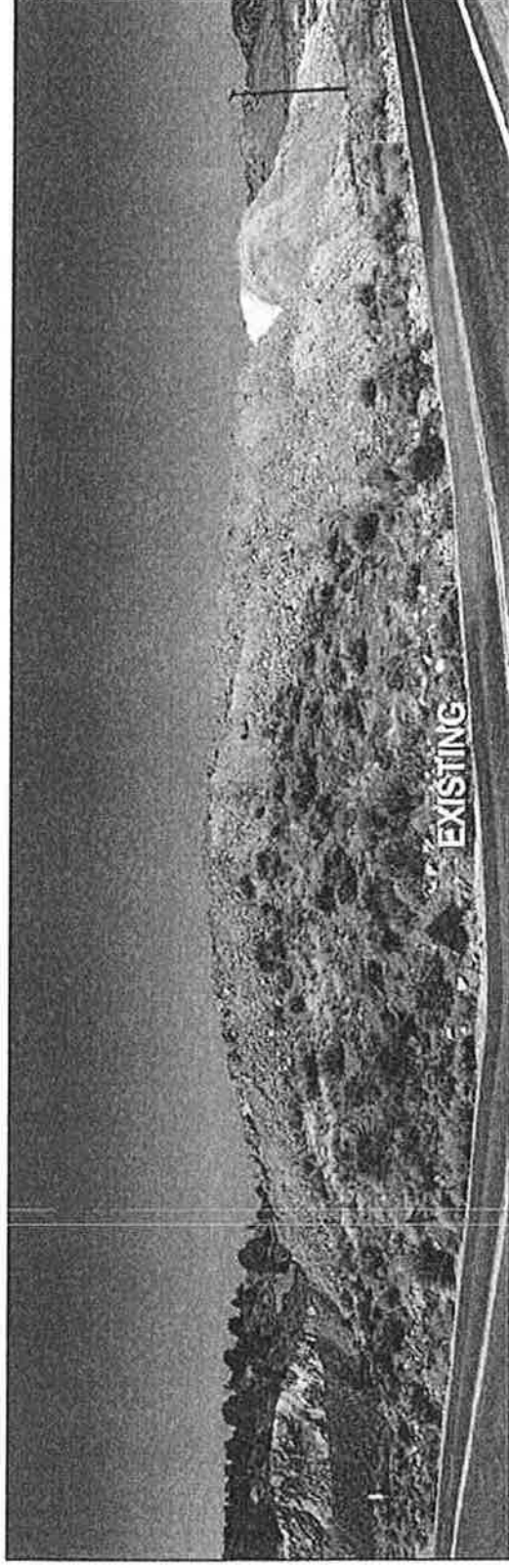


**Exhibit C: Post-Operation Reclamation at Billy the Kid, Lucerne, Hartford, and Justice**  
*(To be incorporated into the SUP approval letter)*

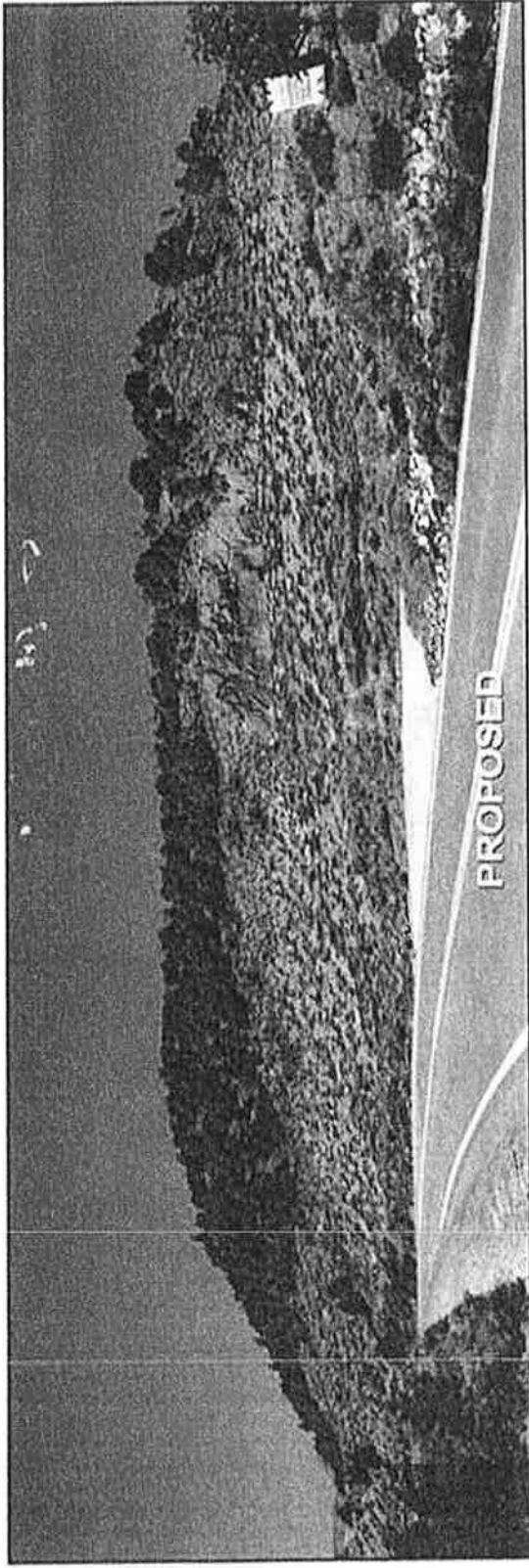
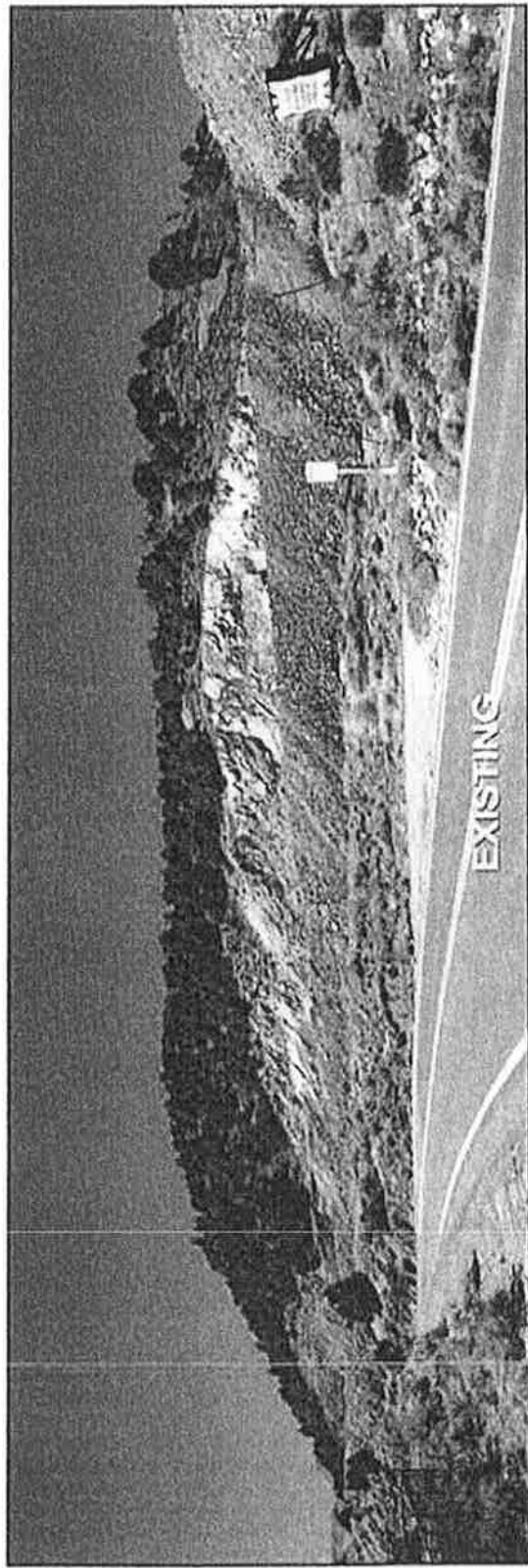


**Keystone mine area**

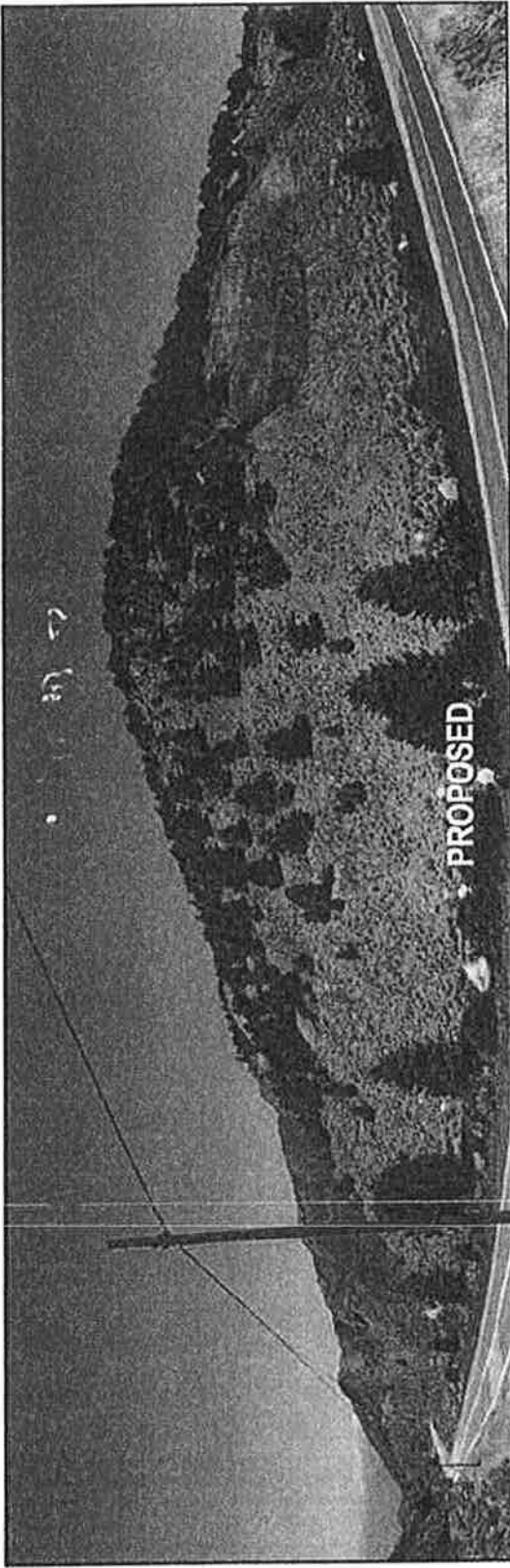
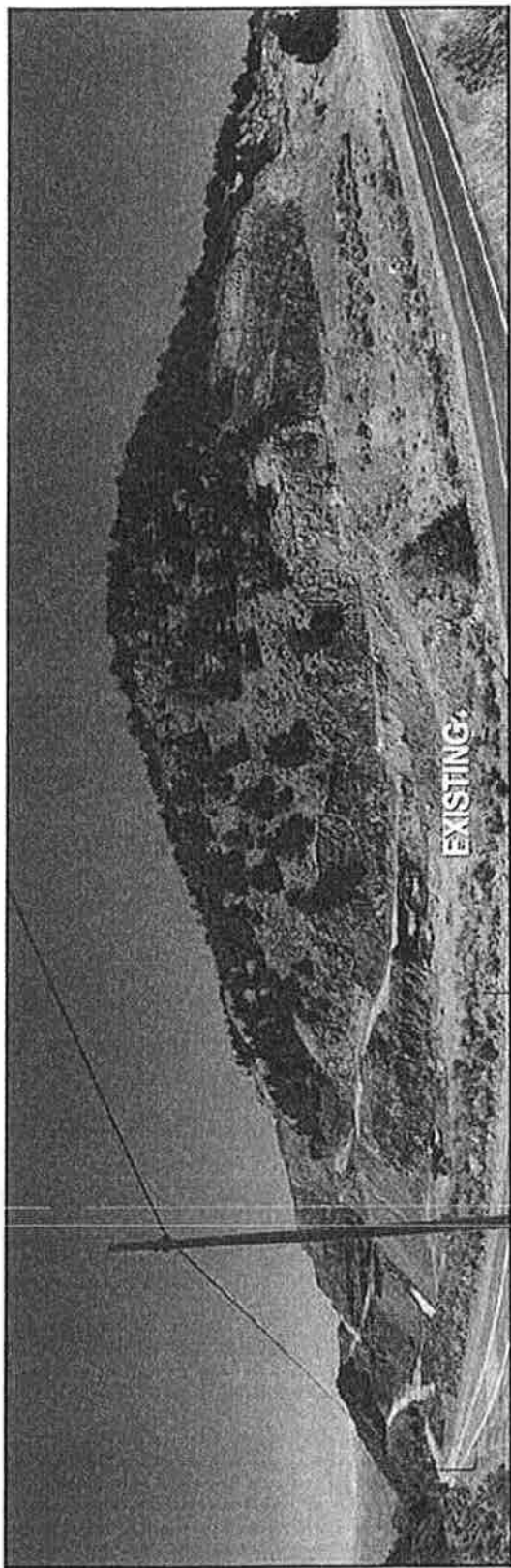




*Southern Keystone mine area*

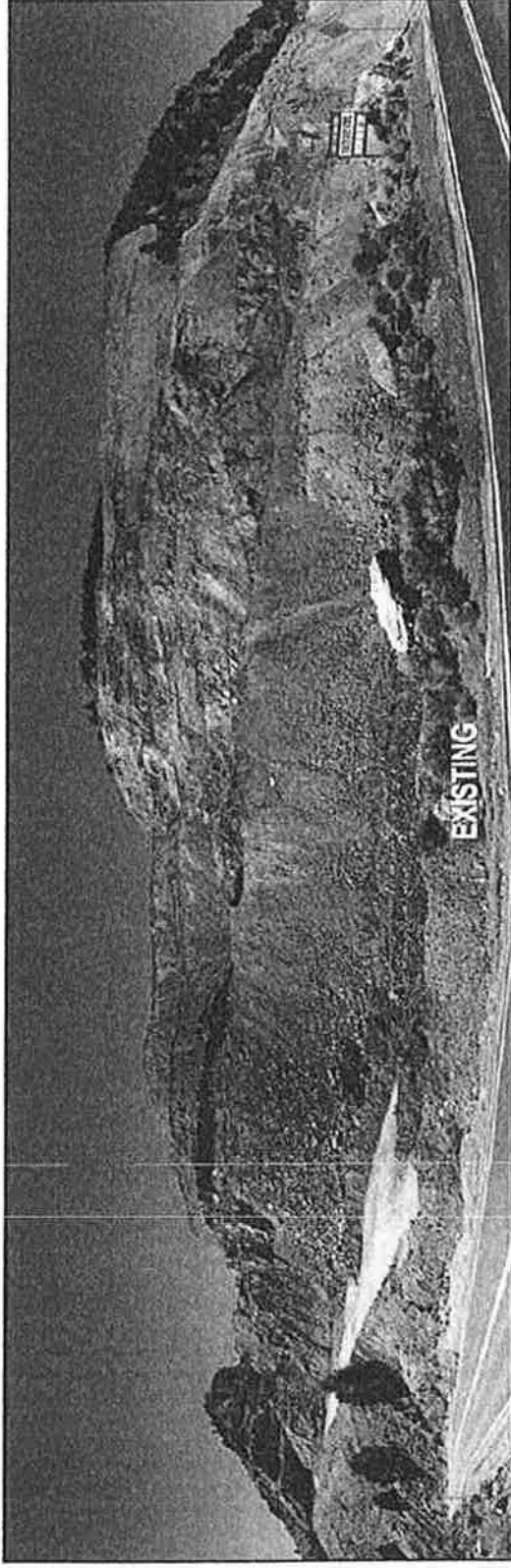


*Justice mine area*



*Lucerne, Hardford mine areas*

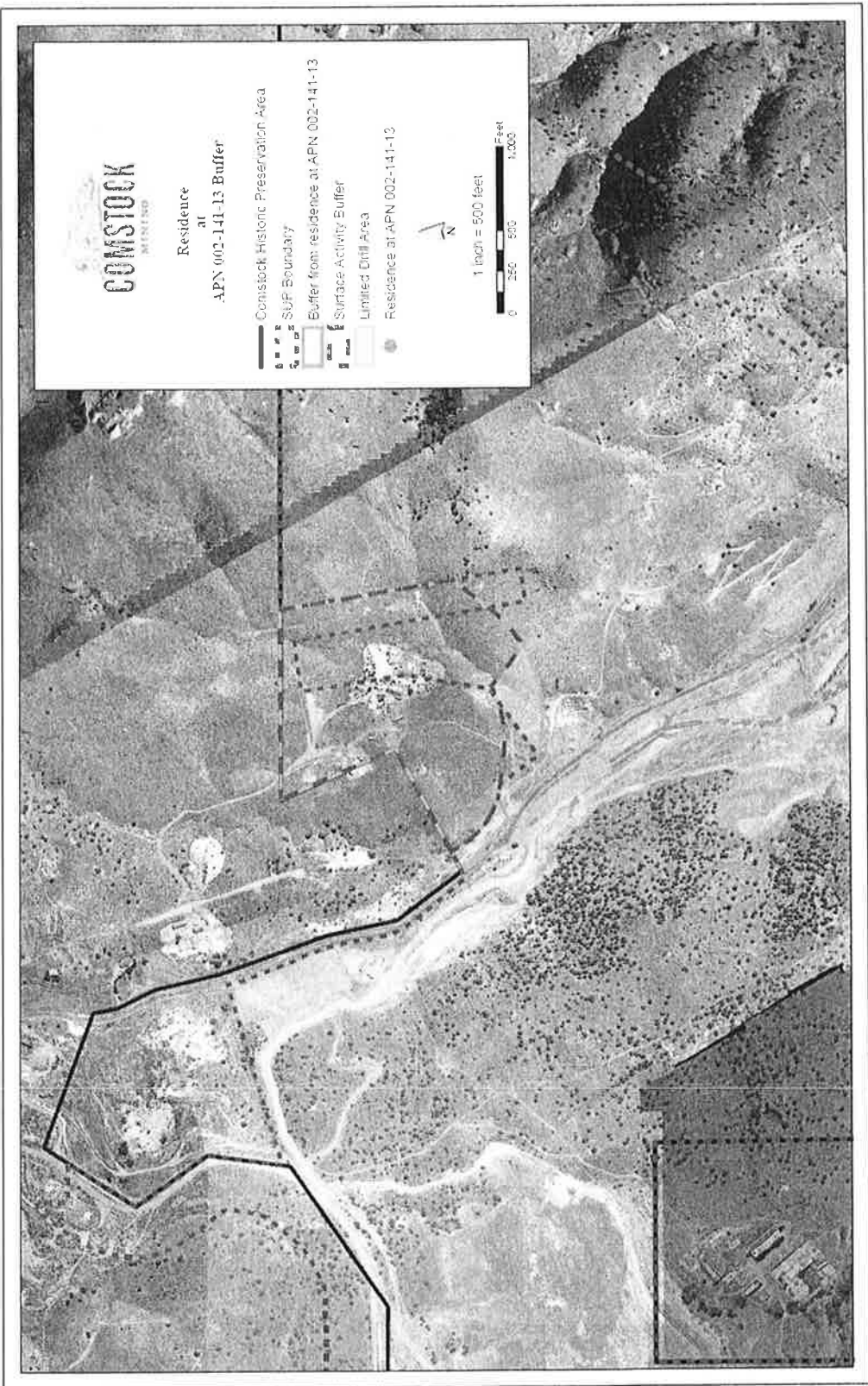




*Hartford, Billy the Kid mine area*



**Exhibit D: Distance separation from residence located at APN 002-141-13**  
*(To be incorporated into the SUP approval letter)*



**Exhibit E: Known natural drainages within the subject property** (See jurisdictional determination for the Plum Mining [Comstock Mining] project, Department of the Army, U.S. Army Engineer District, Sacramento, Corps of Engineers. April 14, 2014).  
(To be incorporated into the SUP approval letter)

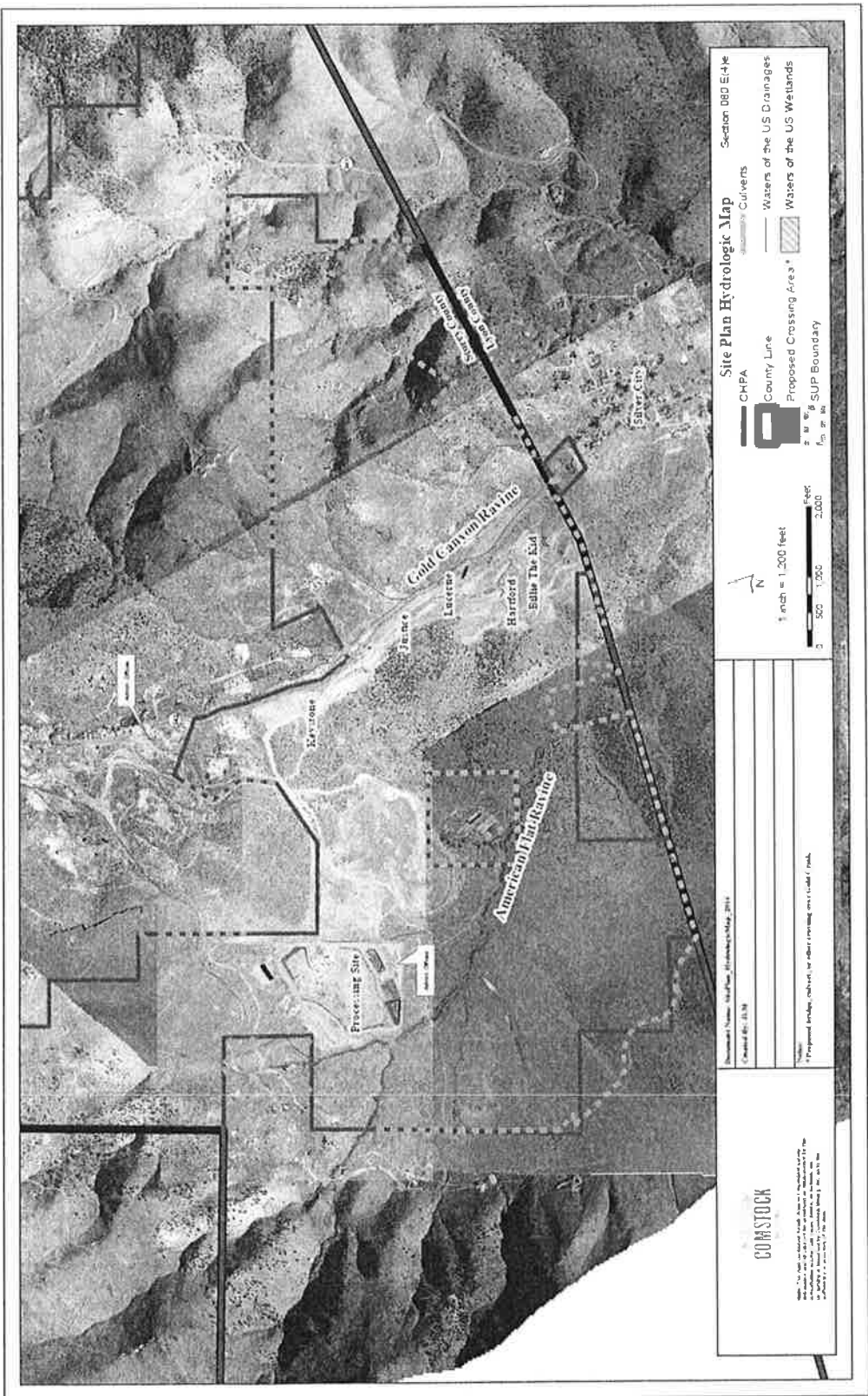


Exhibit F: Comstock Historic Preservation Area (CHPA) map (SCC 17.92)

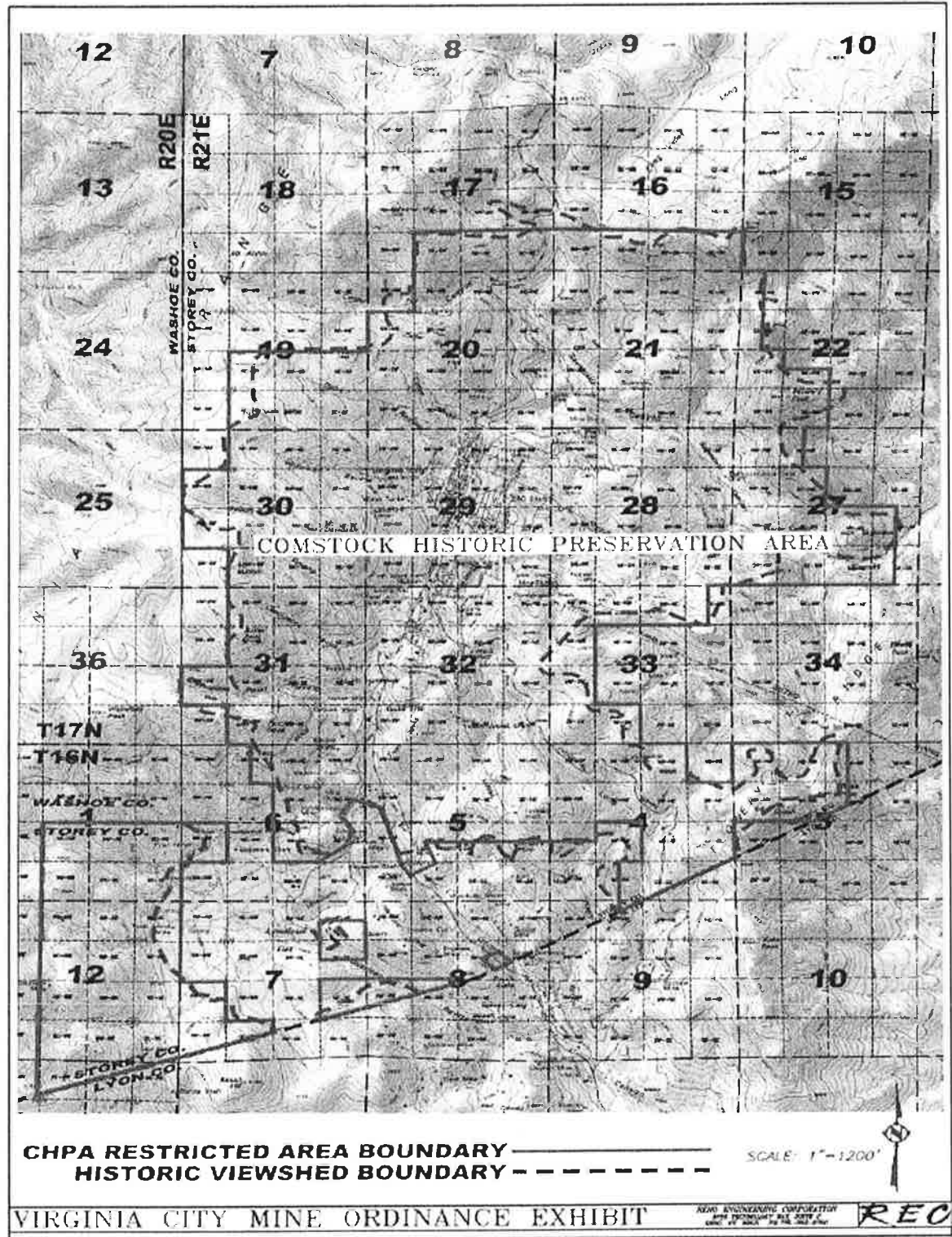
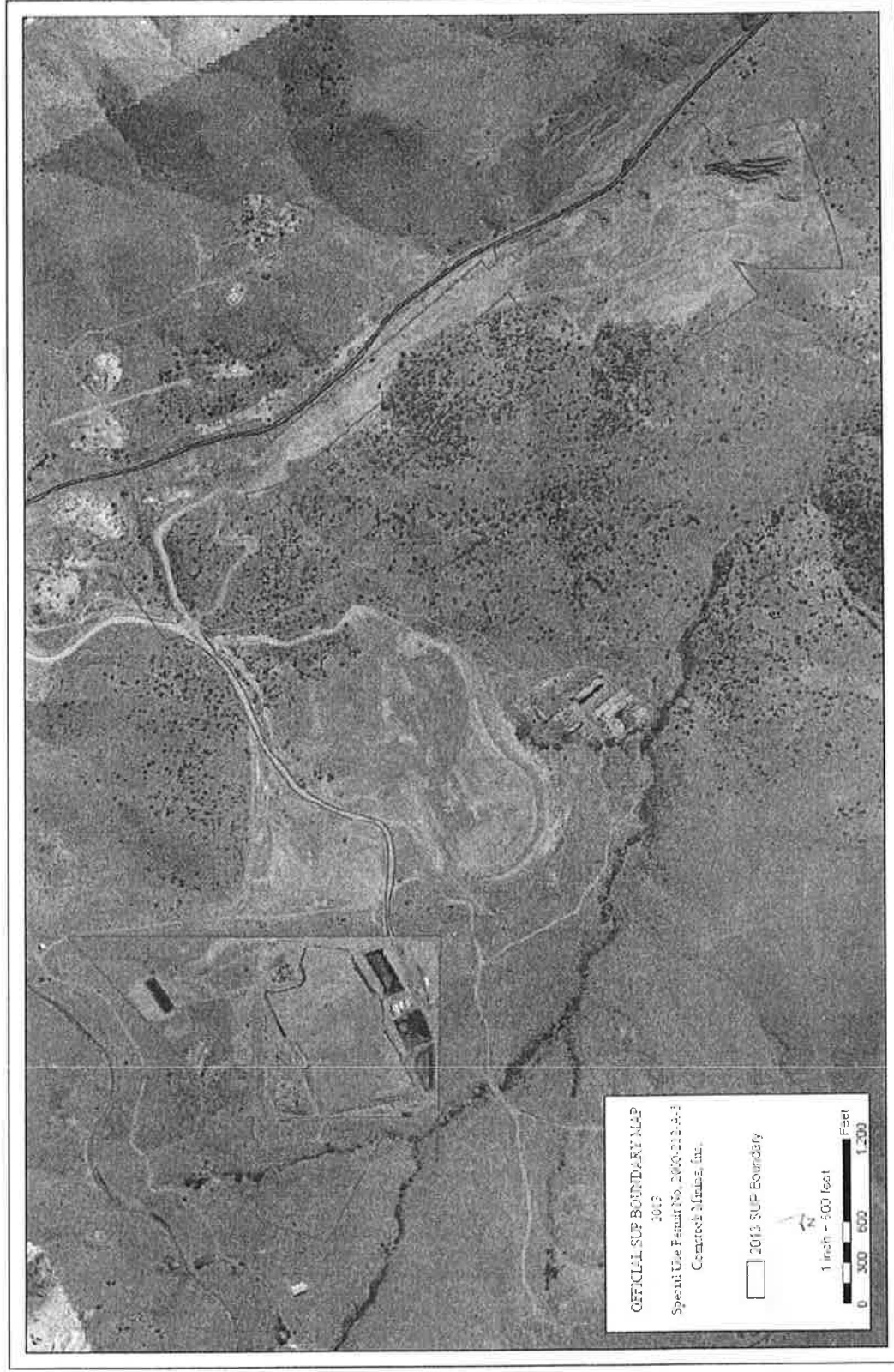
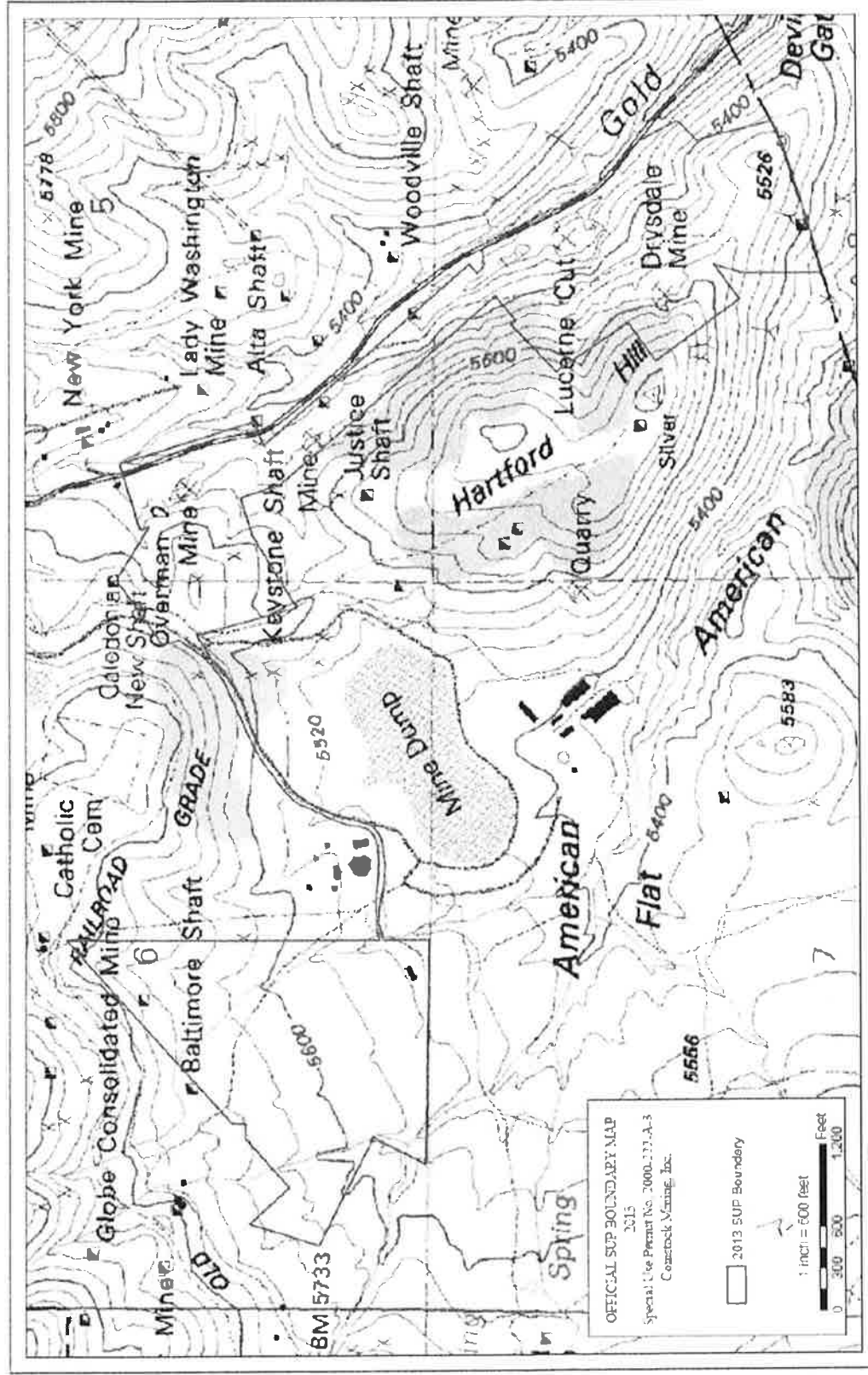


Exhibit G: Boundaries of existing SUP No. 2000-222-A-3





*Exhibit G (continued): Boundaries of existing SUP No. 2000-222-A-3*



# Exhibit H: NDEP Reclamation Cost Estimate Summary (2014)

## Closure Cost Estimate Cost Summary

Project Name: Lucerne Resource Project Area - Reclamation Plan Update  
Project Date: February 2014  
Model Version: Version 1.4.1  
File Name: SRCE\_v\_1\_4\_1\_017\_NV\_CML\_360000.130\_SY\_FNL\_20140204.xlsm

<b>A. Earthwork/Recontouring</b>				
	<b>Labor <sup>(1)</sup></b>	<b>Equipment <sup>(2)</sup></b>	<b>Materials</b>	<b>Total</b>
Exploration	\$2,557	\$2,706	\$28	\$5,291
Exploration Roads & Drill Pads	\$15,846	\$20,395	\$0	\$36,241
Roads	\$44,004	\$115,161	\$0	\$159,165
Well Abandonment	\$6,099	\$15,564	\$1,485	\$23,148
Pits	\$1,458	\$4,832	N/A	\$6,290
Quarries & Borrow Areas	\$0	\$0	\$0	\$0
Underground Openings	\$0	\$0	\$0	\$0
Process Ponds	\$12,964	\$38,610	\$0	\$51,574
Heaps	\$18,661	\$52,318	\$11,456	\$82,434
Waste Rock Dumps	\$48,781	\$161,581	\$0	\$210,362
Landfills	\$0	\$0	\$0	\$0
Tailings	\$0	\$0	\$0	\$0
Foundation & Buildings Areas	\$2,484	\$10,050	\$0	\$12,534
Yards, Etc.	\$17,195	\$59,564	\$0	\$76,759
Drainage & Sediment Control	\$151,997	\$96,010	\$51,314	\$309,320
Generic Material Hauling	\$0	\$0	\$0	\$0
Other User Costs (from Other User sheet)	\$0	\$2,050	\$0	\$2,050
Other**				\$0
<b>Subtotal</b>	<b>\$332,048</b>	<b>\$678,741</b>	<b>\$84,283</b>	<b>\$995,072</b>
Mob/Demob if included in Other User sheet	\$6,419	\$0	\$6,419	\$12,837
Mob/Demob				\$0
<b>Subtotal "A"</b>	<b>\$338,468</b>	<b>\$578,741</b>	<b>\$70,701</b>	<b>\$987,909</b>
<b>B. Revegetation/Stabilization</b>				
	<b>Labor <sup>(1)</sup></b>	<b>Equipment <sup>(2)</sup></b>	<b>Materials</b>	<b>Total</b>
Exploration	\$70	\$30	\$67	\$167
Exploration Roads & Drill Pads	\$1,434	\$614	\$5,217	\$7,265
Roads	\$1,087	\$465	\$5,157	\$6,709
Well Abandonment				N/A
Pits	\$2,817	\$1,208	\$13,350	\$17,375
Quarries & Borrow Areas	\$0	\$0	\$0	\$0
Underground Openings				N/A
Process Ponds	\$854	\$366	\$2,395	\$3,615
Heaps	\$2,157	\$930	\$10,300	\$13,387
Waste Rock Dumps	\$1,702	\$730	\$8,093	\$10,525
Landfills	\$0	\$0	\$0	\$0
Tailings	\$0	\$0	\$0	\$0
Foundation & Buildings Areas	\$420	\$180	\$266	\$866
Yards, Etc.	\$1,892	\$811	\$3,674	\$6,377
Drainage & Sediment Control	\$154	\$66	\$665	\$885
Generic Material Hauling	\$0	\$0	\$0	\$0
Other User Costs (from Other User sheet)	\$46,470	\$5,462	\$38,083	\$90,015
Other**				\$0
<b>Subtotal "B"</b>	<b>\$59,067</b>	<b>\$11,863</b>	<b>\$93,317</b>	<b>\$164,247</b>
<b>C. Detoxification/Water Treatment/Disposal of Wastes**</b>				
	<b>Labor <sup>(1)</sup></b>	<b>Equipment <sup>(2)</sup></b>	<b>Materials</b>	<b>Total</b>
Process Ponds/Sediment	\$10,000			\$10,000
Heaps				\$0
Dumps (Waste & Landfill)				\$0
Tailings				\$0
Surplus Water Disposal	\$24,000			\$24,000
Monitoring				\$0
Miscellaneous				\$0
Solid Waste - On Site	\$0	\$0	N/A	\$0
Solid Waste - Off Site				\$4,126
Hazardous Materials				\$13,758
Hydrocarbon Contaminated Soils	\$0	\$0	\$10,349	\$10,349
Other User Costs (from Other User sheet)	\$1,792,622	\$803,796	\$295,646	\$2,892,064
Other**	\$16,000	\$8,000		\$24,000
<b>Subtotal "C"</b>	<b>\$1,841,622</b>	<b>\$809,796</b>	<b>\$215,997</b>	<b>\$2,867,415</b>
<b>D. Structure, Equipment and Facility Removal, and Misc.</b>				
	<b>Labor <sup>(1)</sup></b>	<b>Equipment <sup>(2)</sup></b>	<b>Materials</b>	<b>Total</b>
Foundation & Buildings Areas	\$52,074	\$36,198	\$0	\$88,272
Other Demolition	\$0	\$0	\$0	\$0
Equipment Removal	\$28,282	\$27,840	\$7,000	\$63,122
Fence Removal	\$20,306	\$9,080		\$29,386
Fence Installation	\$0	\$0	\$0	\$0
Culvert Removal	\$1,715	\$731	N/A	\$2,446
Pipe Removal	\$8,490	\$2,200	N/A	\$10,690
Powerline Removal	\$38,739			\$38,739
Transformer Removal	\$27,763			\$27,763
Re-nap, rock lining, gabions	\$0	\$0	\$0	\$0
Other Misc. Costs	\$0	\$0	\$0	\$0
Other User Costs (from Other User sheet)	\$8,976	\$4,767	\$0	\$13,742
Other**	\$2,000	\$4,000	\$600	\$6,600

**Closure Cost Estimate  
Cost Summary**

Project Name: Lucerne Resource Project Area - Reclamation Plan Update

Project Date: February 2014

Model Version: Version 1.4.1

File Name: SRCE v 1 4 1 017 NV CML 360000.130 SY FNL 20140204.xlsm

<b>Subtotal "D"</b>	<b>\$188,305</b>	<b>\$84,816</b>	<b>\$7,500</b>	<b>\$280,620</b>
<b>E. Monitoring</b>	<b>Labor <sup>(1)</sup></b>	<b>Equipment <sup>(2)</sup></b>	<b>Materials</b>	<b>Total</b>
Reclamation Monitoring and Maintenance	\$13,714	\$6,659	\$5,603	\$25,975
Ground and Surface Water Monitoring	\$32,320	\$4,071	\$6,600	\$42,991
Other User Costs (from Other User sheet)	\$0	\$0	\$0	\$0
<b>Subtotal "E"</b>	<b>\$46,034</b>	<b>\$10,730</b>	<b>\$12,203</b>	<b>\$68,967</b>
<b>F. Construction Management &amp; Support</b>	<b>Labor</b>	<b>Equipment <sup>(2)</sup></b>	<b>Materials</b>	<b>Total</b>
Construction Management	\$112,020	\$33,669	N/A	\$145,689
Construction Support	\$0	\$18,470	\$0	\$18,470
Road Maintenance	\$37,776	\$71,206	\$0	\$108,982
Other User Costs (from Other User sheet)	\$1,148	\$601	\$7,658	\$9,406
Other**				\$0
<b>Subtotal "F"</b>	<b>\$150,944</b>	<b>\$124,266</b>	<b>\$7,656</b>	<b>\$282,867</b>
<b>Subtotal Operational &amp; Maintenance Costs</b>	<b>Labor <sup>(1)</sup></b>	<b>Equipment <sup>(2)</sup></b>	<b>Materials <sup>(3)</sup></b>	<b>Total</b>
Subtotal A through F	<b>\$2,624,440</b>	<b>\$1,620,212</b>	<b>\$407,375</b>	<b>\$4,669,909</b>

\*\* Other Operator supplied costs - additional documentation required

<b>Indirect Costs</b>	<b>Include?</b>	<b>Total</b>
1. Engineering, Design and Construction (ED&C) Plan (7)		\$280,195
2. Contingency (8)		\$373,593
3. Insurance (9)		\$39,367
4. Performance Bond (10)		\$148,097
5. Contractor Profit (11)		\$266,991
6. Contract Administration (12)		\$373,593
7. Government Indirect Cost (13)		\$76,465
<b>Subtotal Add-On Costs</b>		<b>\$1,752,291</b>
Total Indirect Costs as % of Direct Cost:		38%
<b>GRAND TOTAL</b>		<b>\$6,422,200</b>

<b>Administrative Cost Rates (%)</b>					
	<b>Cost Ranges for Indirect Cost Percentages</b>				
1. Engineering, Design and Construction (ED&C) Plan (7)	<= \$100,000	<= \$25,000,000	<= \$50,000,000	> \$25,000,000	Small Plan
Variable Rate	8%	6%		4%	0%
2. Contingency (8)	<= \$500,000	<= \$5,000,000	<= \$50,000,000	> \$50,000,000	Small Plan
Variable Rate	10%	8%	6%	4%	0%
3. Insurance (9)	1.5% of labor costs				
4. Bond (10)	3.0% of the O&M costs if O&M costs are >\$100,000				
5. Contractor Profit (11)	10% of the O&M costs				
6. Contract Administration (12)	<= \$1,000,000	<= \$25,000,000	<= \$50,000,000	> \$25,000,000	
Variable Rate	10%	8%	6%		
7. BLM Indirect Costs	21% of contract administration				

**RECLAMATION COST ESTIMATION SUMMARY SHEET FOOTNOTES**

1. Federal construction contracts require Davis-Bacon wage rates for contracts over \$2,000. Wage rate estimates may include base pay, payroll loading,
2. The reclamation cost estimate must include the estimated plugging cost of at least one drill hole for each active drill rig in the project area. Where the
3. Miscellaneous items should be itemized on accompanying worksheets.
4. Fluid management should be calculated only when mineral processing activities are involved. Fluid management represents the costs of maintaining proper
5. Handling of hazardous materials includes the cost of decontaminating, neutralizing, disposing, treating and/or isolating all hazardous materials used, produced,
6. Any mitigation measures required in the Plan of Operations must be included in the reclamation cost estimate. Mitigation may include measures to avoid,
7. Engineering, design and construction (ED&C) plans are often necessary to provide details on the reclamation needed to contract for the required work. To
8. A contingency cost is included in the reclamation cost estimation to cover unforeseen cost elements. Calculate the contingency cost as a percentage of the
9. Insurance premiums are calculated at 1.5% of the total labor costs. Enter the premium amount if liability insurance is not included in the itemized unit costs.
10. Federal construction contracts exceeding \$100,000 require both a performance and a payment bond (Miller Act, 40 USC 270et seq.). Each bond premium is
11. For Federal construction contracts, use 10% of estimated O&M cost for the contractor's profit.
12. To estimate the contract administration cost, use 6 to 10% of the operational and maintenance (O&M) cost. Calculate the contract administration cost as a
13. BLM's indirect cost rate is 21% of BLM's contract administration costs.

**Exhibit I: NDEP surety bond letter (2014)**



**STATE OF NEVADA**  
Department of Conservation & Natural Resources  
DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor  
Lee M. Drazdoff, P.E., Director  
Catherine Cripps, Ph.D., Administrator

**DECISION**

April 17, 2014



Certified Mail Receipt: 9171 9690 0935 0037 8244 47

Principal: Comstock Mining LLC  
Attn: Rachel Yelderman  
P.O. Box 1118  
1200 American Flat Road  
Virginia City, NV 89440

Reclamation Permit: 0196

Surety: Lexion Insurance Company  
Attn: Jackie Koestel  
10002 Shelbyville Road, Suite 100  
Louisville, KY 40223

Surety Bond: 1079871  
Bond Amount: \$6,347,963.00

Reinsuring  
Company: Bond Safeguard Insurance Company  
Attn: Sandra Fusinetti  
10002 Shelbyville Road, Suite 100  
Louisville, KY 40223

**Surety Bond Rider and Reinsurance Agreement Acceptance**

The Nevada Division of Environmental Protection (Division) holds Surety Bond 1079871 issued by Lexion Insurance Company on behalf of Comstock Mining LLC as the reclamation bond for the Lucerne Project, Reclamation Permit 0196. On April 8, 2014, the Division received a General Purpose Rider to Surety Bond 1079871 increasing the bond amount from \$5,200,000.00 to \$6,347,963.00. According to the certification by U.S. Department of the Treasury, the current underwriting limitation of Lexion Insurance Company is \$4,397,000.00. Because the amount of the surety bond exceeds the current underwriting limitation, Lexion Insurance Company has provided reinsurance for the bond.

Lexion Insurance Company has executed a Reinsurance Agreement with Bond Safeguard Insurance Company in the amount of \$1,950,963.00 to reinsure and counter-secure the excess bond amount written by Lexion Insurance Company. The Reinsurance Agreement was received on April 11, 2014. The purpose of this agreement is to indemnify the Division against loss under the bond for any sum up to \$1,950,963.00 which may be owing and unpaid by Lexion Insurance Company under Surety Bond 1079871, as stated in the Reinsurance Agreement.

The Surety Bond General Purpose Rider and Reinsurance Agreement have been examined, found satisfactory, and are accepted effective April 11, 2014. The bond will be retained by the Division until all terms and conditions of the reclamation permit have been fulfilled and the Division is satisfied that there is no outstanding liability on the bond or satisfactory replacement bond coverage is furnished and accepted by this office.



P:\BMRR\Reclaim\Projects\Lucerne\Bonding\201404\JBLucerneSuretyRiderAccept

901 S. Stewart Street, Suite 4001 • Carson City, Nevada 89701 • p: 775.687.4670 • f: 775.687.5856 • ndep.nv.gov


Stamp: DIVISION OF ENVIRONMENTAL PROTECTION



Page 2  
Lacene Surety Rider Acceptance  
April 17, 2014

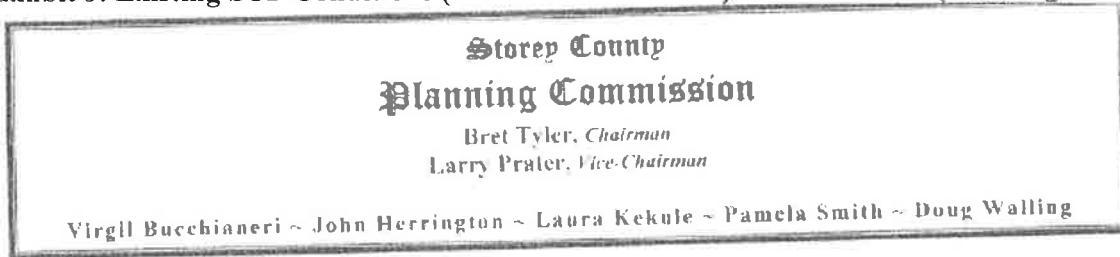
In accordance with the terms of the surety bond contract, should the Surety elect to cancel this bond, the Surety agrees to give the Principal and the Division ninety (90) days written notice by certified mail, return receipt requested, at their respective addresses stated herein. The Surety further agrees that the bond remains in full force and effect as to all areas within the reclamation permit disturbed prior to the effective date of the cancellation, unless and until the Principal files a replacement reclamation bond and such is accepted by the Division.

Authorized Officer

  
Bruce Holmgren, P.E., Chief  
Bureau of Mining Regulation and Reclamation

cc: Surety  
Reinsuring Company  
Todd Process, Reclamation Branch Permit Writer  
Reclamation file  
Bond file

**Exhibit J: Existing SUP Conditions (SUP No. 200-222-A-3) to be amended (“existing SUP”)**



June 9, 2013

Comstock Mining, LLC  
P.O. Box 1118  
Virginia City, NV 89440

Re: Special Use Permit Amendment 2000-222-A-3

Dear Applicants:

On June 20, 2013, the Storey County Planning Commission heard your application request for a Special Use Permit Amendment on APN 2000-222-A-3 located at 1200 American Flat Road, American Flat, NV to expand land area and modify uses allowed at existing ore processing facility in American Flat. The amendment is limited to processing and its ancillary uses; it will not cause material changes to mineral exploration or mining allowed under the existing SUP. The Planning Commission recommended approval with the following condition:

- A. **General Conditions:** The conditions of approval in this Section apply to all uses under this special use permit.
1. **Special uses.** Special Use Permit (“SUP”) No. 2000-222-A-3 is for the purpose of mineral exploration, mining, and processing. This SUP shall be used pursuant to the approval of the Board of Storey County Commissioners with recommendation by the planning commission on property located within the boundaries of this SUP shown in **incorporated Attachment A and Attachment B**. Processing is limited to land within the boundaries shown in Attachment B, being all that certain parcel situated within all of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and portions of Government Lot 7, Government Lot 8 and Government Lot 12 of Section 6, Township 16 North, Range 21 East, M.D.B. & M., Storey County, Nevada, being Parcel 3 as shown and so designated on Merger and Re-subdivision Parcel Map, File No. 116315 in the Official Records of Storey County, Nevada. All operations under this SUP must comply with the requirements herein and federal, state, and county regulations. 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 property rights, or any infringement of state or local laws or regulations.
  2. **Transfer of rights.** This SUP will inure to the record owner(s) of the Subject Property and to the Permit Holder (Comstock Mining, Inc.) and will run with the land. Any and all transfers of this SUP to other persons, agencies, corporations, or entities must be advised in writing by Certified Mail to the Community Development Department at least 90 days prior to assignee taking over the project. The new owners/managers must sign and accept all conditions and requirements of this SUP.
  3. **Indemnification and insurance.** The Permit Holder warrants that the future use of land will conform to federal, state, and county requirements; further, the Permit Holder warrants that continued and future use of the land shall so conform. The Permit Holder and property owner(s) agree 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. The Permit Holder must maintain liability insurance in the minimum amount of \$5,000,000 (five million dollars) for all aspects of the operations under this SUP. The insurance policy must include umbrella liability coverage for environmental events/disasters in the minimum amount of \$7,000,000 (seven million dollars). Written proof of continued coverage must be provided to Storey County Community Development prior securing rights to this SUP.
  4. **Site supervision.** Site and staff supervision must comply with Mine Safety and Health Administration (MSHA) requirements. Supervisors must have knowledge of and immediate access to fire suppression devices, First-Aid kits, and locked gates. While on the premises, the on-site supervisor(s) must possess a cellular telephone with adequate signal to send and receive signals to and from Storey County Emergency Services direct-connect 775-847-0950. All staff using cellular

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age disability (Not all prohibited bases apply to all programs.) To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider, employer, and lender.”

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phones must be directed by the Permit Holder or his/her designed to dial Storey County Emergency Services Direct-Connect (775) 847-0950 (in lieu of 9-1-1) in case of emergency. Emergency 9-1-1 still is appropriate from land-line telephones.

5. **Environmental controls.** The Permit Holder must obtain applicable Nevada Division of Environmental Protection ("NDEP") Air, Dust Control, and Stormwater Permits and furnish the Community Development Department copies of the permits within 30 days of receipt for documentation purposes. All non-vegetated surfaces must be appropriately and consistently treated to mitigate fugitive dust and sand. Best Management Practices (BMPs) must be implemented as appropriate throughout the entire premises and egress points. No work may commence until there is compliance with NDEP and other federal, state, and county regulations. Trees, shrubs, and other vegetation and ground surfaces must be preserved to the extent feasible. Trees with trunks of 6" or more must be replaced with new trees of similar species (replacement during reclamation phases is appropriate). The site must comply with NRS 555.150 for preventing non-native plant species designated as noxious as provided therein. Noxious weed species include but are not limited to Tall Whitetop (perennial pepperweed), Hoary Cress, Russian Thistle, Dalmatian Toadflax, Scotch Thistle, etc.
6. **Carson River Mercury Superfund Site ("CRMSS").** By accepting SUP No. 2000-222-A-3 the Permit Holder acknowledges that portions of the Subject Property may be within or applicable to the CRMSS. Properly managing disturbances of existing and former mine and mill sites, mill tailings, mine waste, mine material, and other areas that are found to contain Contaminant of Concern (CoC's) as applicable to the CRMSS will be the sole responsibility of the Permit Holder as communicated thereto by the NDEP Bureau of Corrective Actions. Handling, redistributing or reprocessing CoC impacted materials by the Permit Holder shall be completed in accordance with the NDEP Bureau of Corrective Actions.
7. **Sales tax reporting.** All material and equipment purchased for the project must as possible be received in Storey County and the value reported as "County-of-Delivery" on the Nevada Department of Taxation Form TPI-02.01 "Combined Sales and Use Tax Return". The Permit Holder must also report the value for all materials and equipment (personal and rented) "used" on this project as "Use Tax" on TPI-02.01 or TPI-02.02.
8. **Operations plan.** The Permit Holder must submit a Plan of Operations to the Storey County Fire Protection District ("Fire District") and the Community Development and Emergency Management Departments for review and approval. At a minimum, the elements of the plan must include disaster management, Emergency Medical Services (EMS) and First-Aid response, transportation, surety bonding and reclamation, and environmental protection. Specific items to be included in the plan are as follows. The following list is not exhaustive; the Fire District and County may impose additional requirements that are necessary to meet the purpose and intent of these regulations and other federal, state, and county regulations. Requirements of State and federal agencies which fulfill the following may suffice when documentation thereof is submitted to Fire District and Community Development Department for final review and approval.
  - Basic company, owner, site, and emergency contact information
  - Plot plan (detailed sketch drawings) of the premises, including phasing
  - Site evacuation and emergency procedure
  - Emergency contact procedures, including for the NDEP, Dispatch 9-1-1, and Storey County Emergency Services Direct Connect (775.847.0950)
  - Hazardous materials management plan
  - Wildland fire prevention and suppression
  - "Hot work" permitting
  - On-site water for wildland fire prevention and suppression
  - Access, circulation, and staging, including for emergency and non-emergency vehicles (plan must include maps, aerial imagery, and other necessary visuals)
  - Documenting and reporting of emergency situations
  - Post disaster management, cleanup, and material disposal
  - Post-disaster damage reporting for treatment of historic structures and properties
  - Site reclamation plan with surety bond and estimated timeline, including phasing
  - Documenting and reporting of NDEP and other environmental permits and notices
  - Noxious weed abatement
  - Stormwater management, air and water quality, noxious weed abatement, and BMPs
9. **Fire suppression.** The Permit Holder must maintain fire extinguishers throughout the premises to the satisfaction of the Fire District. Each device must be identified by large and brightly colored (i.e., red and white) identification which includes the words "FIRE EXTINGUISHER". Additionally, the Permit Holder will be held responsible for assuring that all vehicles and heavy equipment (e.g., tractors and other mobile equipment) are equipped with a 5 pound minimum ABC rated fire extinguisher. "Hot Work" may only take place as permitted by the Fire District.
10. **Roadway approaches and drainage.** Egress points abutting State Route 342 must comply with the requirements of the Nevada Department of Transportation (NDOT). Approaches to paved county right-of-way must be sufficient to prevent mud and debris tracking from the site onto the public roadway. Any mud or debris tracked onto the county roadway must be

2000-222-A-3

- removed by the Permit Holder immediately as allowable by the NDEP and the National Environmental Policy Act (NEPA) regulations. Mud, sand, and debris must not be allowed to adversely impact existing drainage systems.
11. **Lighting (non-exempt) and noise.** SCC Chapter 8.02 ("Dark Skies") limits outdoor lighting that may impact adjacent land uses. Exemptions for "temporary lighting" in the Code (which normally apply to such activities as road construction, and may appear to apply to mining and processing operations) will not apply to operations under this SUP. All operations, buildings, and equipment will be required to comply with the strictest regulations under the Code (shield lighting) to ensure minimal impacts to neighbors. Noise emissions shall comply with SCC Chapter 8.04 and other applicable regulations.
  12. **Reclamation and surety bonding.** A surety bond for reclamation is required under this SUP. The amount of surety shall be determined as follows:
    - a. **Mining and exploration.** A surety bond required by a federal or state agency (e.g., BLM and NDEP) overseeing exploration and mining operations will fulfill this requirement when proof the NDEP/BLM approved reclamation plan and required surety is submitted to the Community Development Department within 30 day of approval.
    - b. **Processing.** This SUP requires a surety bond sufficient in amount for complete reclamation of land where crushing, processing, beneficiation, and agglomeration (e.g., heap leach pads), and ancillary uses (e.g., ponds, storage tanks, Merrill Crowe and other structures, conveyance systems, staging areas, and surface disturbances related thereto) occur or which have occurred at American Flat (APN 004-331-36 shown in Attachment B herein), as allowable by the NDEP and other applicable federal and state regulatory agencies and laws. The amount of reclamation surety bond shall be that determined appropriate by a federal or state agency (e.g., BLM or NDEP), OR, an amount determined appropriate by a qualified licensed engineer/environmental manager, whichever is the greater amount. The licensed engineer/environmental manager chosen shall be a person or firm which is mutually agreed upon between the Permit Holder and Storey County. The full cost of the licensed engineer/environmental engineer shall be borne by the Permit Holder.
  13. **Cultural resources discovery.** Should any prehistoric or historic remains/artifacts be discovered during development or excavation, work shall temporarily be halted at the specific site and Storey County Community Development must be notified in order to evaluate the site and, if deemed necessary, to record and photograph the site in question. The period of temporary delay shall be limited to a minimum of two working days from the date of notification, unless it is a significant find and it is deemed necessary to provide more time to evaluate and protect historical remains or artifacts.
  14. **Compliance and show cause.** Storey County may refer this SUP to the Board of County Commissioners for show-cause hearing or revocation based on any of the following reasons. The procedures for show-cause are pursuant to SCC Chapter 17.03 (Administrative Provisions).
    - Failure or refusal of the Permit Holder to comply with any terms or conditions of this SUP.
    - Any misrepresentation made in the application for this SUP and amendments hereto.
    - Any act or failure to act by the Permit Holder or its agents or employees directly related to the SUP which would be a violation of federal, state, or county laws.
    - Any act or failure to act by the Permit Holder or its agents or employees directly relating to the SUP that creates a public nuisance or is detrimental to the public health, safety, and welfare.
    - Failure to return a signed copy of the notice of decision, 21 days from receipt of said notice.
    - Further use of a revoked SUP is a violation of Title 17 (Zoning) and will be punishable as provided in that Title and other County Codes.
  - B. **Exploration and Mining.** The conditions of approval in this Section apply primarily to exploration and mining under this SUP. The listed requirements in this Section are not exhaustive: conditions stated elsewhere in this SUP may apply to this Section, and, conditions stated in this Section may apply to other Sections in this SUP.
  15. **Mining Operations** will be allowed for open pit mining year round, 7 days a week, 24 hours a day.
  16. **Exploratory Drilling.** For any exploratory drilling, areas will be reclaimed at the conclusion of the drill programs. Total surface disturbance will be limited to less than one acre.
  17. **Use of explosives.** Blasting and use of explosives shall comply with SCC Section 17.92.110 (Use of Explosive Materials).
  18. **Transportation.** Ore, overburden, and other excavated materials may be transported throughout the land applicable to this special use permit and delivered from the permitted mining area to the processing site by any type of on- and off-highway vehicles, haul trucks, tractors and heavy equipment, railroad, conveyor systems, and other on-site conveyance systems in compliance with the Nevada Department of Transportation (NDOT) and the Mine Safety and Health Administration (MSHA), as applicable. The permit holder is responsible to repair damages to any county owned road, utility, or other infrastructure caused by activities associated with the uses under this special use permit. The repairs must be completed to the satisfaction of the county. The county reserves the right to restrict or prohibit the use of trucks and heavy equipment on any county-owned right-of-way.

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19. **Signage.** Legible signage shall be placed at entry points of the premises near State Route 342 and at the processing site at 1200 American Flat Road during project phases. The sign(s) must state the name of company/organization, its street address (or descriptive location), contact phone number(s), and other information required by the Fire District. The signs must be at least 2 feet by 3 feet in size. Appropriate signage must be installed on and around the premises stating rules for entry and circulation (e.g., no trespassing, travel permitted only on designated pathways, etc.). Directional signs must be placed at intersections of public ways and mine haul roads, and other places along public ways to appropriately direct the public, residents, and other users in the area.
- C. **Crushing, Processing, and Beneficiation.** The conditions of approval in this Section apply primarily to crushing, processing, beneficiation, agglomeration, and related activities under this SUP. The listed requirements in this Section are not exhaustive; conditions stated elsewhere in this SUP may apply to this Section, and, conditions stated in this Section may apply to other sections in this SUP.
20. **Processing.** This SUP shall allow permitted crushing, processing, beneficiation, and agglomeration (including but not limited to the development and operation of cyanide processing heap leach pads), and ancillary uses (e.g., storage ponds, storage tanks, Merrill Crowe, conveyance systems, etc.) to occur at American Flat at APN 004-331-36 (as shown in Attachment B herein) as allowable by the NDEP and other applicable federal and state regulatory agencies and laws. Associated activities may take place 24-hours per day, seven days per week.
21. **Distance to residences.** At the time of this SUP approval, there exists two single-family residences located approximately 600' from the Subject Property boundary. Crushing, processing, and uses involving hazardous materials (e.g., cyanide) shall remain more than 1,000' from existing residences. Uses such as roads, equipment storage, principal and accessory structures, security and buffer areas, ancillary uses, and stockpiling/reclamation topsoil may take place anywhere within the Subject Property, including areas which are less than 1,000' from residences, so long as buildings conform to setback requirements in SCC 17.32.041.
22. **Safety and security.** Appropriate security measures shall be maintained on the premises to prevent unauthorized access to hazardous chemicals and materials, heap leach pads, ponds, equipment, buildings, related apparatus, etc. Federal and state regulations, at a minimum, must be in compliance. All permits required by the NDEP and State Fire Marshal's Office for hazardous materials storage shall be supplied by the Permit Holder to Community Development within 30 days of receipt. All storage, maintenance of hazardous materials, protective devices (e.g., fencing, gates, etc.), and site monitoring (e.g., on-site security, alarm systems, etc.) shall comply with Fire District, Sheriff's Office, and applicable state and federal agency requirements. Open hydrological features containing cyanide and other hazardous substances must be treated appropriately to prevent wildlife access.
23. **Groundwater monitoring.** Monitoring wells must be installed as directed by the NDEP to monitor the heap leach process and overall processing facility for possible groundwater contamination. A well permit shall be obtained from Community Development Department prior to drilling. Monitoring reports and other findings must be submitted to the Community Development Department on a quarterly basis when operations are active during the first year of operations, including for heap leach pad expansions. If no signs of leakage or other groundwater contamination occur, monitoring reports must be submitted to the Community Development Department bi-annually until full closure of processing facility.
24. **Air monitoring.** Air emissions, including dust and other airborne materials, shall conform to NDEP air permit limitations. Copies of annual reports of environmental quality, necessary to comply with the requirements of the permit(s) issued by the NDEP Bureau of Air Pollution Control, shall be submitted to the Community Development Department within 30 days of receipt. In the event that there is an air discharge in excess of the standards approved by the NDEP under construction phase or operation phase permit(s), the Permit Holder shall provide the Community Development Department a copy of any notice within 24 hours of Permit Holder's receipt. If the Permit Holder is required by the NDEP to prepare a report on the event, the Permit Holder shall submit a copy of the report to the County Community Development at the same time it is submitted to the NDEP. There shall be no obnoxious odors released into the air that are a nuisance to abutting properties.
25. **Water rights reporting.** The Permit Holder shall provide proof of water rights to the Community Development Department prior to any appropriations of water.
26. **Spill reporting.** Any hydrocarbon or chemical spill of or exceeding 25 gallons or 3 cubic-yards shall be reported immediately to Emergency Dispatch 9-1-1 and Storey County Emergency Services (775.847.0950). Additionally, the incident must be immediately reported to the NDEP and the local jurisdiction, including the Fire District and the Emergency Management and Community Development Departments. The Permit Holder must comply with NDEP clean-up requirements and provide the Fire District and the Emergency Management and Community Development a copy of NDEP completion of remediation immediately. All hazardous materials incident clean-up and response costs will be borne by the

2000-222-A-3

Permit Holder as part of the issuance of this SUP. Incidents exceeding a standard First-Alarm fire will be billed to the Permit Holder. If mutual aid is warranted to suppress an incident, those costs will also be funded by the Permit Holder.

**D. Ancillary Operations – Support Buildings and Utilities:** The conditions of approval in this Section apply primarily to uses ancillary to the principal uses under this SUP. The listed requirements in this Section are not exhaustive; conditions stated elsewhere in this SUP may apply to this Section, and, conditions stated in this section may apply to other sections in this SUP.

27. **Temporary structures.** Temporary shelters and structures including, but not limited to, temporary facilities required by the Mine Safety and Health Administration (MSHA), may be erected on the premises. These structure(s) will be temporary and must be removed immediately following closure of the operations under this SUP. Removal of these structures from the site must be included in the Permit Holder's reclamation plan (see Plan of Operations). A Certificate of Historical and Architectural Appropriateness from the Comstock Historic District must be submitted to Community Development prior to issuance of a Building Permit for temporary and permanent structures.
28. **Septic system.** The Permit Holder may acquire a permit from the Community Development Director (or Building Official) to install a septic system and leach-field capable of serving administrative offices not accessible to a municipal sewerage system. The septic systems shall be removed and reclaimed by the Permit Holder as required by NRS at closure or removal of associated buildings.
29. **Watchman's quarters.** The Permit Holder is authorized to have an R.V. type trailer or manufactured building to serve as living quarters for onsite security (i.e. watchman's quarters).
  - a. A temporary (six months) permit from the Community Development Department must be obtained for this watchman's quarters and the permit must be renewed every six months thereafter. These provisions may be precluded by the requirements of the Comstock Historic District. Said structures and/or R.V. must be removed from the premises within 30 days of closure of the operation or when operations under this SUP cease to operate for a period of 24 months or longer.

On July 2, 2013, the Storey County Board of Commissioners gave final approval for the Special Use Permit Amendment 2000-222-A-3. If you have any questions, please contact the Community Development Department, Planning Division at 775-847-0966.

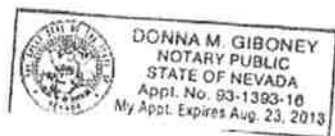
Sincerely,

  
Austin Osborne  
Senior Planner

STATE of Nevada )  
COUNTY of Storey ) SS:

On this 21 day of July in the year 2013, Donna M. Giboney personally appeared before me and proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledge they executed it.

Witness by my hand and official seal:



  
Notary's Signature

2000-222-A-3

ACCEPTANCE

The terms and conditions of this Confirmation of Special Use Permit Amendment #2000-222-A-3 are accepted by Comstock Mining, LLC the property owner for which this permit is issued.

  
Corrado DeGasperis  
President, CEO


2/12/13  
Date

STATE of Nevada }  
COUNTY of Storey } SS:

On this 12 day of Feb in the year 20 13, Corrado DeGasperis personally appeared before me and proved to me on the basis of satisfactory evidence to be the person(s) whose names are subscribed to this instrument, and acknowledge they executed it.

Witness by my hand and official seal:



  
Notary's Signature

**Exhibit K: Existing SUP conditions (SUP No. 2011-016) (“exploration SUP”)**

Staff Report – 2011-016

9/2/2011

**XI. RECOMMENDED CONDITIONS OF APPROVAL:**

The following recommended conditions are in accordance with the planning commission's recommendation for approval of SUP No. 2011-016 at its August 18, 2011, hearing. All of the following conditions shall be met to the satisfaction of Storey County Community Development Department staff, unless otherwise noted:

1. This Special Use Permit (SUP) No. 2011-016 shall be for the purpose of conducting mineral exploration in accordance with the limitations set forth hereby. This SUP shall not be construed as a permit for mining activities. Additionally, all operations shall be in accordance with federal, Nevada State, and Storey County codes and regulations, including the Mine Safety and Health Administration (MSHA) and Occupation Safety and Health Administration (OSHA), when applicable. 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 twelve (12) months from the date of final approval of SUP No. 2011-016, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. Additionally, the Permit Holder shall maintain and furnish proof to Storey County of applicable valid federal and Nevada State permits. This SUP shall remain valid until April 1, 2016, at which point it shall expire.
3. Annual Compliance Review. At a regularly scheduled public meeting during the month of April or May of each year beginning in the year of 2012, the planning commission shall be provided a summary report demonstrating the extent to which the Permit Holder has or has not complied with all conditions set forth in this SUP and all applicable federal and Nevada State (i.e., NDEP) requirements. The report shall disclose and provide valid evidence of all known instances of non-compliance with said terms and regulations and explain what measures, and to what degrees of success and expediency, were employed by the Permit Holder to abate and achieve full conformity therewith. The Permit Holder shall be solely responsible for furnishing to Storey County Community Development all documents and reports related to this SUP from the applicable local, state, and federal agencies within 30 days of receipt. Emergencies and reportable environmental disasters shall be reported immediately in accordance with the applicable provisions of this SUP.
4. Transfer of Rights. This SUP shall inure to the record owner of the Subject Property and to the Permit Applicant (Plum Mining Co. and Comstock Mining, Inc.) and shall run with the land. Any/all transfers of SUP 2011-016 shall be advised in writing by Certified Mail to Storey County Community Development Department, P.O. Box 526, Virginia City, NV 89440 at least 90 days prior to assignee taking over operation of facility. The operators of the facility must sign and accept all stipulations and requirements of SUP 2011-016.
5. Indemnification/Insurance. The Permit Holder warrants that the future use of land will conform to the requirements of Storey County, State of Nevada, and applicable federal regulatory and legal requirements; further, the Permit Holder warrants that continued and

9/2/2011



Staff Report – 2011-016

9/2/2011

future use of the land shall so conform. The Permit Holder and property owner(s) agree to hold Storey County, its officers, and representatives harmless from the costs associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this SUP. The Permit Holder shall maintain satisfactory liability insurance for all aspects of this operation under SUP No. 2011-016 for a minimum amount of \$1,000,000.00 (one million dollars) and provide proof thereof to Storey County prior to granting of this SUP.

6. Surety Bond. No mineral exploration may take place on any land without obtaining necessary permitting from the Nevada Division of Environmental Protection (NDEP) for private mining claims and the Bureau of Land Management (BLM) for federally owned mining claims, whichever is applicable. State and federal permitting requirements include posting of a surety bond adequate in amount to reclaim all disturbed land in accordance with the applicable Nevada State and/or federal regulatory agency.
7. Storm Water Management. The premises shall be maintained for appropriate storm water drainage at all times. No storm water drainage caused by operations under this SUP shall enter any public right-of-ways or adjacent private or public properties. Existing storm water retention and conveyance systems shall remain undisturbed or replaced with systems adequate to maintain existing conditions.
8. Storm Water Pollution Prevention. The Permit Holder shall submit to the NDEP a Storm Water Pollution Prevention Plan (SWPPP) for surface disturbances of one acre or more. The Plan will explain how waterways will be protected from storm water runoff and sediment loading caused from surface disturbances. The Plan will specify how NDEP Best Management Practices, e.g., silt fences, straw waddles, storm water retention basins, etc. will be implemented throughout each project. Site inspections and compliance monitoring will be conducted by the NDEP and the results of those reports will be immediately submitted by the Permit Holder to Storey County Community Development.
9. Noxious Weed Abatement. In accordance with NRS 555.150, the Permit Holder shall be responsible for abating the presence of non-native plant species declared and designated as noxious as provided in NRS. 555.130. Noxious weed species include but are not limited to Tall Whitetop (perennial pepperweed), Hoary Cress, Russian Thistle, Dalmatian Toadflax, Scotch Thistle, etc.
10. Dust Control. The Permit Holder shall be responsible for obtaining a NDEP Dust Control Permit, when applicable, and for maintaining continuous and satisfactory dust control throughout the exploration and development process including at all excavation sites and vehicle staging areas, haul roads, and egress/ingress points.
11. Carson River Mercury Superfund Site (CRMSS). By accepting SUP No. 2011-016 the Permit Holder acknowledges that portions of the mineral exploration area may be within or applicable to the CRMSS. Properly managing disturbances of existing and former mine and mill sites, mill tailings, mine waste, mine material, and other areas that are found to contain Contaminant of Concern (CoC's) as applicable to the CRMSS will be the sole responsibility of the Permit Holder as communicated thereto by the NDEP Bureau of Corrective Actions. Handling, redistributing or reprocessing CoC impacted materials by the Permit Holder shall be completed in accordance with the NDEP. Prior to disturbance of any surface within the CRMSS, the Permit Holder shall comply with an

9/2/2011

Staff Report – 2011-016

9/2/2011

Environmental Protection Agency (EPA) and/or NDEP approved Standard Operating Procedure for sampling and analyzing soils for possible CoC's applicable to the CRMSS. Official reports and results of each study shall be submitted to Storey County Community Development prior to commencement of surface disturbances. Naturally occurring minerals and elements, such as mercury, arsenic, lead, etc., that are unrelated to the CRMSS historic mining and milling activities will be managed under state and federal mining and environmental rules and regulations that are unrelated to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

12. Mud Tracking. All project access points from State Route 342 and/or any other Nevada State or Storey County paved right-of-way shall be surfaced with at least 100 feet of gravel in order to prevent dirt and mud from entering the paved roadway. The approachment improvement shall be completed to the satisfaction of Storey County, Nevada Department of Transportation, and the NDEP, whichever is applicable.
13. Right-of-Way Limitations. Vehicle exceeding 10,000 Lbs. Gross Combination Vehicle Weight (GCVW) shall be prohibited from travelling on the steep grades of S.R. 342 between American Flat Road and Toll Road, Gold Hill except under temporary circumstances not exceeding five business days for each 90 calendar day period where heavy equipment may need to be transported to or from a site and when approval is granted by the Nevada Department of Transportation or Public Works, whichever is applicable. Vehicle travelling on all public right-of-ways shall comply with maximum weight limit standards and be licensed and insured. Approval from Storey Public Works and County Community Development shall be necessary before any haulage or heavy equipment vehicles travel upon county-owned roads. Heavy equipment including, but limited to, haulage vehicles, drill rigs, excavators, etc., shall be prohibited from traveling upon county-owned paved right-of-ways, unless no other feasible option is available, at which instance the SUP Permit Holder shall work with Storey County in determining an appropriate and feasible access route. Drilling and excavating shall be prohibited on state and county owned right-of-way unless directly related to the improvement thereof and with the approval of the Nevada Department of Transportation or Storey County Public Work, whichever is applicable. The SUP Permit Holder shall be held financially responsible for all damages to Nevada State and Storey County right-of-ways.
14. Access Routes. All off-highway vehicular travel routes shall be developed to the satisfaction of Storey County Community Development and Fire Departments. The established routes shall remain the primary travel ways for all emergency/fire vehicles, equipment, and personnel. The Permit Holder may develop and/or utilize other secondary travel routes for non-emergency use with approval of Storey County. The primary emergency access routes shall be kept clear of rocks and other hazardous obstacles. In order to increase route visibility and reduce confusion for emergency personnel, roadside markers shall be installed every 100 feet along said primary access route. At each point where said travel ways turn at or sharper than 90 degrees, directional sign indicating the path by which a traveler will remain on this designated route shall be installed. Roadside markers and directional signs shall be installed and constructed in a manner which will withstand climatic conditions common to the area, including sun, snow, rain, and 100 MPH wind.
15. Grading & Excavation Permit. The SUP Permit Holder shall obtain a Grading and

Excavation Permit for all access roads and drill pads over one acre in area with slopes steeper than 3:1. Other grading and excavation shall be in accordance with the NDEP and the applicable requirements set forth hereby.

16. Hours & Days of Operation. It is hereby recognized that estimated existing ambient conditions may range between 20 to 90 decibels (A-weighted). Ambient noise sources include wind, rustling vegetation, domestic and wild animals, vehicular traffic from State Route 342 and other roads, etc. At a minimum, Chapter 8.04 of the Storey County Code will be administrated by Storey County. The Code places an 84 decibel (octave range 500-1800) limitation on noise at the property line, in the case applicable hereto the "property line" is defined as the boundary line for SUP No. 2011-016. Additionally, when it is determined by Storey County that additional noise abatement is needed, further requirements, such as installation of sound absorbing structures, earth-fill barriers, and increased separation between machinery and residences, may be imposed on a case-by-case basis. Days and hours of operations for mineral exploration activities within 1,000 feet of any occupied residence, including within Storey and Lyon Counties, will be limited to Mondays through Fridays, excluding national and Nevada State holidays, from 7:00 a.m. to 7:00 p.m. In order to provide for extended exploration capacity in areas not likely to impact residences, operations beyond 1,000 feet of residences may continue during said times on Saturdays, Sundays, and holidays. The provisions of SUP No. 2011-016 do not override, nullify or affect SUP No. 2000-222-A-1 approved by the Board of Storey County Commissioners in 2004. The extended timeframe (24 hours/7 days per week) of operations under SUP No. 2000-222-A-1 shall only apply within boundaries set forth by that SUP and not SUP No. 2011-016.
17. Hours and Days Waiver Provision. The weekend and holiday restrictions set forth in the condition for Hours and Days of Operation may be waived when the affected property owner(s) in Storey County (those located within 1,000 of said operations) submit to Storey County Community Development a signed statement that mineral exploration in accordance with this SUP may take place on weekends and/or holidays. The waiver shall not extend the hours of operation limitations. The waiver shall be non-transferrable and will become null and void immediately at the affected property owner(s) written request to Storey County Community Development.
18. Cautionary Signage. Signage shall be installed at each port of entry stating days and hours of operation, the company's name, site address, and 24-hour company management emergency contact phone number(s). Warning signs indicating all potentially dangerous conditions shall be installed at each port of entry and around drill pads, sumps and other potentially hazardous conditions. Cautionary signs shall be positioned peripheral to the active drilling area to inform individuals entering the area to be safety conscious and aware of potentially hazardous conditions. Appropriate signage indicating crossing truck traffic (i.e., "Truck Crossing") shall be installed on the southbound and northbound lanes of State Route 342 by and at the expense of the Permit Holder and to the satisfaction of Storey County Public Works and/or the Nevada Department of Transportation, whichever is applicable.
19. Lighting. Chapter 8.02 of the Storey County Code ("Dark Skies") limits outdoor lighting that may impact adjacent land uses. Exemptions for "temporary lighting" in the Code (which normally apply to such activities as road construction, and may appear to apply to

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- drill rig operations) shall not apply to operations under SUP No. 2011-016. All operations, buildings, and equipment will be required to comply with the strictest regulations under the Code (shield lighting) to ensure minimal impacts to neighbors.
20. Restrooms. The Permit Holder shall provide properly maintained restroom facilities (porta-potties) at each exploration site. The number of restroom facilities provided shall be determined by the projected number of employees as recommended by the Portable Sanitation Association International (PSAI) (<http://www.psa.org/about.html>). Restrooms shall be equipped with properly maintained alcohol-based gel hand sanitizer dispensers.
21. Historical Natural Landmark Protection. As communicated with planning officials in Lyon County, location of “Devil’s Gate” historical natural landmark, Storey County strongly opposes any surface impacts to said landmark or its immediate surrounding environment. In remaining with the regulatory jurisdiction of Storey County, SUP No. 2011-016 prohibits any surface disturbances within 500 feet of Devil’s Gate in Storey County. Surface disturbances within 1,000 feet of the landmark shall be fully reclaimed as pursuant to Condition #34 of this SUP. Underground activities which cause surface disturbances within this area, such as land subsidence, shall also be prohibited.
22. Historical Structures Protection. Mineral exploration and related operations under SUP No. 2011-016 shall not cause any historical structure to be disturbed, altered, moved, or demolished. Historical structures shall include occupied and unoccupied buildings, outbuildings, tanks, mine head-frames, and accessory structures, machinery, and other appurtenances which are 50 years of age or older. Removal and/or relocation of the Keystone Mine head frame and ore box shall be exempt from the limitations of this section when proof of a Certificate of Historical Appropriateness from the Comstock Historic District Commission has been submitted to Storey County Community Development.
23. Cemetery Protection. The Permit Holder for SUP No. 2011-016 shall not cause any cemetery or structures therein, such as headstones, monuments, fences, enclosures, etc., to be disturbed, altered, moved, or destroyed. The terms of this condition shall be fulfilled by compliance with the following limitations:
- Activities and disturbances shall not take place within 300 feet of a cemetery boundary as defined by NRS 452.0075 and as determined by the Comstock Cemetery Foundation (CCF). These limitations shall not apply to general vehicular and heavy equipment traffic taking place on the established county roads and right-of-ways, including American Flat Road. These limitations also shall not apply to mineral exploration activities approved by the CCF within the established cemetery buffer area, but not within any cemetery boundary or public right-of-way. Written approval by the CCF shall be submitted to Storey County Community Development prior to commencement of activities within the scope of these regulations.
  - Activities and disturbances may be permitted between 300 and 500 feet surrounding each cemetery boundary as described above when the SUP Permit Holder initiates and maintains continuous communication and collaboration with the CCF in protecting said cemetery resources. A surface vibration monitoring program shall be developed and implemented as determined by the CCF. The implemented program will monitor surface vibrations at selected sites to assess

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potential vibrations from drilling and excavating operations, heavy machinery, and vehicles. The monitoring program, upon approval of the CCF, will be at the expense and oversight of the CCF.

24. Cultural Resources Discovery. Should any prehistoric or historic remains/artifacts be discovered during development or excavation, work shall temporarily be halted at the specific site and the Storey County Community Development Department shall be notified in order to evaluate the site and, if deemed necessary, to record and photograph the site in question. The period of temporary delay shall be limited to a minimum of two working days from the date of notification, unless it is a significant find and it is deemed necessary to provide more time to evaluate and protect historical remains or artifacts.
25. Visitor/Tourism Element. In accordance with the Storey County Master Plan, the Permit Holder shall develop a pedestrian oriented area abutting State Route 342 at a safe and appropriate location between the “Devil’s Gate” outcropping and American Flat Road, Gold Hill, at which motorists may park and exit their vehicles and view information about the history and purpose of past and current mining and mineral exploration. Development of the information center shall commence no later than 90 days from final approval of this SUP and be completed no later than 12 months thereof and be to the satisfaction of Storey County Community Development, Public Works, and, if applicable, the Nevada Department of Transportation.
26. Signage Informational. Up to three signs in connection with the Permit Holder (Business License Holder) may be for commercial advertising and related purposes. Three additional signs that are non-commercial and serve to educate the public as stated in “Visitor/Tourism Element” above shall be installed at the visitor information center to the satisfaction of Storey County Community Development. The signs and their placement shall also be approved by the Comstock Historic District Commission as evident by submitted proof of a Certificate of Historical and Architectural Appropriateness.
27. Excavation Limitations. Methods of mineral exploration shall be limited to reverse circulation, core drilling, shallow soil auger drilling. No trenching or test pit methods of exploration shall be permitted. Bore holes shall be “plugged” in accordance with the Nevada Administrative Codes (NAC) within 60 days of creation. At no time shall there be more than 5 exploration activities taking place at one time outside of the boundaries of SUP No. 2000-222-A-1. The Permit Holder shall exercise due care in assuring that access routes are the minimum width needed to fulfill their purpose. Natural contours of the land shall be followed where practicable to minimize unnecessary disturbances. Community Development may require the operator to use existing roads where feasible to minimize land disturbances. When commercial hauling is involved and the use of an existing road is required, the authorized officer may require the operator to make appropriate arrangements for use and maintenance.
28. Surface/Mineral Estate Disturbance. Mineral exploration activities shall only take place on properties owned and/or leased by the SUP Permit Holder. At no time shall surface disturbances, e.g., grading, equipment staging, and surface subsidence from subterranean activity, take place on surface property not under the ownership or lease agreement of the Permit Holder. An exception to this limitation may be made upon the expressed written permission of the affected property owner(s). The written permission shall be submitted to Community Development before surface disturbances may commence.

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29. Emergency & Site Management Plan. The Permit Holder shall submit to Storey County a comprehensive Emergency and Site Management Plan. The Plan will be reviewed for appropriateness by Storey County Fire, Emergency Management, Community Development, and Public Works Departments before operations may commence. The Plan shall include at least the following detailed information:
- a. Basic company, owner, site, and emergency contact information;
  - b. Plot plan (detailed sketch drawing) showing each exploration site area, access roads, and vehicle and material staging/storage areas;
  - c. Site evacuation, hazardous material response and confined space rescue training in accordance with MSHA and OSHA requirements, when applicable;
  - d. Wild land fire prevention;
  - e. Emergency contact procedures, including for the NDEP, Dispatch 9-1-1, and Storey County Emergency Services Direct Connect (775.847.0950);
  - f. Fire suppression, emergency vehicle access, circulation, and staging;
  - g. Documenting and reporting;
  - h. Post disaster management, clean up and material disposal;
  - i. Post-disaster damage reporting for treatment of historic structures and properties;
  - j. Schedule of reclamation that will follow operations, including within 500' of residences and the V&T Railroad/Railway corridor (also see 32, Reclamation);
  - k. NDEP Storm Water Pollution Prevention Plan, when applicable; and
  - l. Other information requested by Storey County.
30. Hazardous Materials Fire Permit. Hazardous materials located on site shall only take place when permitted through the Nevada State Fire Marshal's Office and reviewed by Storey County Fire Department for final approval in order to assure appropriate equipment to respond to any incident exists.
31. Fire Prevention and Responsibility. The Permit Holder shall obtain necessary review and permitting from Storey County Fire Department for any welding and "hot work". Care shall be employed by the Permit Holder to assure that vehicles, drill rigs, and other equipment are placed and managed appropriately to mitigate potential fires caused thereby (see also "Emergency and Site Management Plan"). The Permit Holder shall be fully responsible for all costs associated with wild land fires created by exploration and related activities.
32. Emergency Telephone. Any persons located on the premises in connection with the project shall be made aware to dial Storey County Emergency Services Direct-Connect 775.847.0950 (in lieu of 9-11) when dialing for emergency service from cellular telephone. Emergency 9-1-1 still applies to landline telephones.
33. Spill Reporting. Any hydrocarbon or chemical spill of or exceeding 25 gallons or 3 cubic-yards shall be reported immediately to Emergency Dispatch 9-1-1 and Storey County Emergency Services (775.847.0950). Additionally, the incident shall be immediately reported to the NDEP and the local jurisdiction, including Storey County Fire, Emergency Management, and Community Development Departments. The Permit Holder shall comply with NDEP clean-up requirements and provide Storey County a copy of NDEP completion of remediation immediately. All hazardous materials incident clean-up and response costs shall be borne by the Permit Holder as part of the issuance of this SUP. Incidents exceeding a standard first alarm fire will be billed to the Permit

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Holder. If mutual aid is warranted to suppress an incident, those costs shall also be funded by the Permit Holder.

34. Reclamation. The required Emergency and Site Management Plan shall include the following elements when surface disturbance takes place within 500 feet of a residential structure or the Virginia & Truckee Railroad/Railway corridor or within 1,000 feet of the "Devil's Gate" natural landmark. The Plan shall be updated periodically, as needed, and submitted to Storey County for approval at least 10 business days prior to commencement of surface disturbances. "Closure" of each surface disturbance shall be when the bore hole is plugged. Reasonable adjustments to the reclamation schedule may be approved by Storey County Community Development under certain circumstances of Force Majeure. The following elements shall be included in the Plan and shall specify details for each exploration site:
- a. Estimated schedule of reclamation that will follow each surface disturbance;
  - b. Reclamation beginning no later than 90 calendar days from "closure" of each surface disturbance area and associated land impacts;
  - c. Reclamation being completed no later than 30 calendar days from the start of reclamation;
  - d. Written notice of "closure" of each exploration site to be provided to Community Development within 24 hours thereof;
  - e. Explanation or illustrations indicating intent to reshape the lands disturbed and affected by the exploration operation to its approximate original contours and appearance;
  - f. Plan for replacement of topsoil and vegetation using native species previously occurring in or around the disturbed areas to provide a vegetative cover at least to the point where natural succession is occurring. Photographic proof of pre-existing conditions shall be submitted to Community Development. Re-vegetation, including seeding, re-seeding, and/or planting shall take place in the autumn season in the months of October or November and not during times of extreme weather conditions such as snow. Adjustments to re-vegetation may be made as necessitated by weather and other natural conditions;
  - g. Treatment of slopes created or affected by the exploration process; and
  - h. The post-operation monitoring and maintenance of reclaimed land. Appropriate preparation and re-vegetation of the land may be sufficient.
35. Riparian Area Trees. Within 75 feet of the center-point of any waterway, removal or disturbance of trees with trunks 6 inches or more in diameter or groves thereof shall be prohibited. Storey County Community Development shall be notified if activities are scheduled to take place near riparian area trees.
36. Utilities and Survey Monuments. The Permit Holder shall be responsible for knowing the location of and for protecting all above and below-ground utilities, including electrical, cable, communications, water, and sewer. A Geographic Information Systems (GIS) aerial image with layer(s) illustrating the approximate location (within 10 feet) of the water main serving Silver City shall be submitted to the Storey County Public Works Director for approval and Community Development Department for filing prior to any excavation. Workers conducting excavations, drilling, and other surface disturbances shall have the GIS image in possession for reference at all times when such work takes

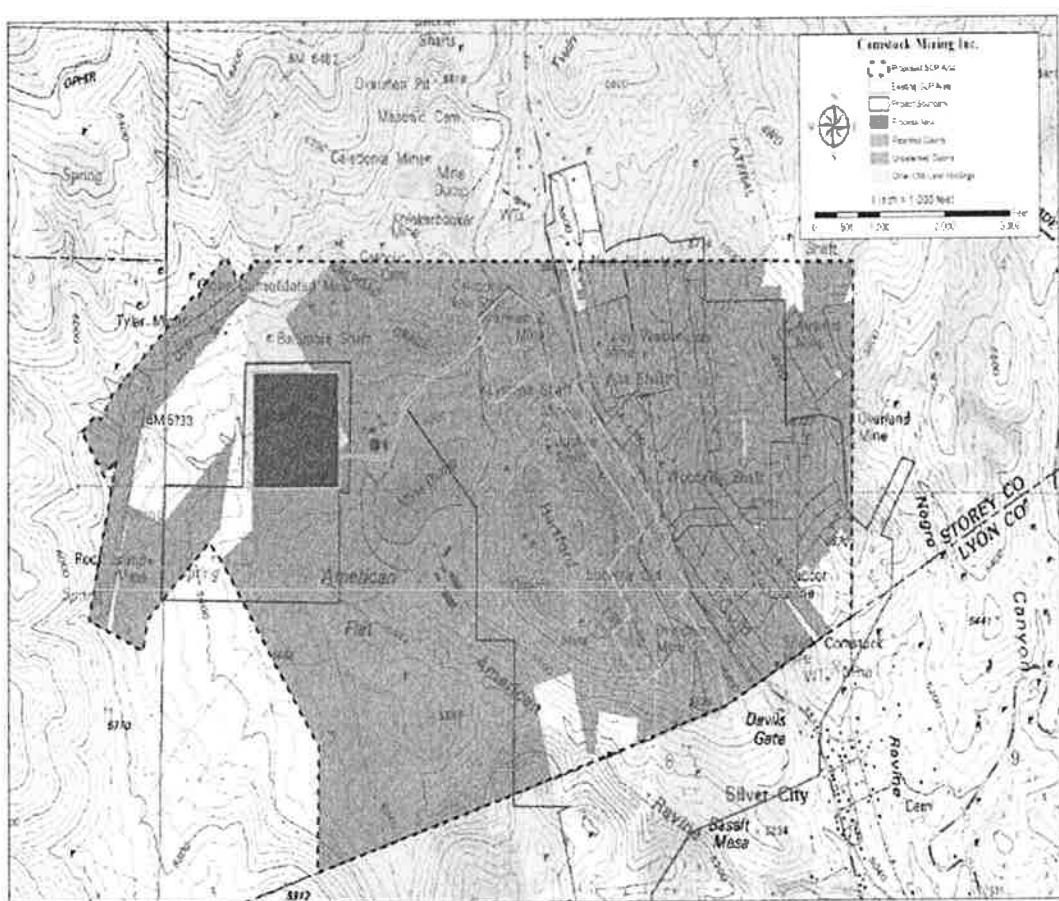
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place within 100 feet of said water utility. In accordance with NRS 455, the Permit Holder shall be responsible for calling and following the procedures for USA North One-Call System before digging near said waterline. All other provisions under NRS 455 shall also apply. No survey monument shall be moved or disturbed in any way. To the extent practicable, all monument witness corners, reference monuments, bearing trees and line trees shall be protected against undue destruction, obliteration, or damage. If in the course of operations any monuments, corners, or accessories are destroyed, obliterated, or damaged, the Permit Holder shall immediately report the matter to the authorized officer. The Permit Holder shall prescribe, in writing, the requirements for the restoration or re-establishment of all such monuments.

37. Blasting Limitation. No blasting, other than down-hole detonations for the purpose of dislodging or mobilizing seized bore hole drilling equipment, shall take place in association with this SUP. Storey County Emergency Dispatch (775.847.0950) shall be notified by telephone 30 minutes prior to each occurrence of material detonation. The Permit Holder shall obtain a blasting permit from Storey County Fire Department prior to detonation.





**Exhibit L: SUP Application No. 2000-222-A-4 (“amended SUP” application)**



**Storey County Planning Department**

26 South "B" Street, P.O. Box 176, Virginia City, NV 89440  
Phone: (775) 847-1144 Fax: (775) 847-0949  
[planning@storeycounty.org](mailto:planning@storeycounty.org)

**Development Application**

Submit this completed application and all attachments along with the application fee (see page two for type of application and fees) at least 30 days prior to the meeting you wish to have your request scheduled. The application will not be accepted unless complete, including attachments (applicant will be notified within 15 days if application is not acceptable and what is still required). The application fee is non-refundable. Please make checks payable to Storey County Planning Development.

Project Number: SUP 2000-222-A-3

Property Owner: Comstock Mining LLC, Comstock Mining Inc, Northern Comstock LLC  
All land owners must be listed on this application. Type or print legibly in black or blue ink.

Mailing Address: 1200 American Flat Road

City: Gold Hill State: NV Zip: 89440

Telephone (Home) ( )                      Business (775) 847-5272

Applicant: Comstock Mining LLC  
All applicants must be listed on this application.

Mailing Address: P.O. Box 1118

City: Virginia City State: NV Zip: 89440

Telephone (Home) ( )                      Business (775) 847-5272

☒ Gold Hill    ☐ Virginia City    ☐ VC Highlands (1 acre)    ☐ Highland Ranches (10 acres)    ☐ Virginia Ranches (40 acres)

☐ Mark Twain    ☐ Hated    ☐ Lockwood    ☐ Painted Rock    ☐ TRI    ☐ Other                     

Project Address: 1200 American Flat Road, Gold Hill, NV 89440

Assessor's Parcel Numbers (APN): see attached Table 1

Lot:                      Block:                      Acreage:

Application Type	Application Fee	Application Type	Application Fee
<input type="checkbox"/> Abandonment	\$200.00	<input type="checkbox"/> Amended Map	n/a
<input type="checkbox"/> Condition Amendment	n/a	<input type="checkbox"/> Boundary Line Adjustment	\$250.00 + 25.00 per lot
<input type="checkbox"/> Development Agreement (Requires a Special Use Permit)	\$1,000.00	<input type="checkbox"/> Extension of Time Request (One Year Extension Only)	50% of Original Fee
<input type="checkbox"/> Land Division Map (40 acre minimum)	\$500.00 + \$50.00 per lot	<input type="checkbox"/> Lot Consolidation	n/a
<input type="checkbox"/> Master Plan Map Amendment	\$2,900.00	<input type="checkbox"/> Master Plan Text Amendment	\$800.00
<input type="checkbox"/> Natural Resources Exploration and Registration	\$65.00 per hour	<input type="checkbox"/> Street Name Request	n/a
<input type="checkbox"/> Parcel Map – Record of Survey	\$250.00 + 25.00 per lot	<input type="checkbox"/> Parcel Map Final	n/a
<input type="checkbox"/> Planned Unit Development (PUD) - Tentative	\$500.00 + 1.00 per lot	<input type="checkbox"/> Planned Unit Development - Final	\$200.00 + 25.00 per lot
<input type="checkbox"/> *Special Use Permit – Minor	\$250.00	<input type="checkbox"/> *Special Use Permit – Routine	\$450.00
<input type="checkbox"/> *Special Use Permit – Major	\$750.00	<input checked="" type="checkbox"/> *Special Use Permit – Major Industrial	\$2,500.00
<input type="checkbox"/> Subdivision Map - Tentative	\$500.00 + 1.00 per lot	<input type="checkbox"/> Subdivision Map - Final	\$200.00 + 25.00 per lot
<input type="checkbox"/> Variance - Administrative	n/a	<input type="checkbox"/> Variance	\$100.00
<input type="checkbox"/> Wireless Communication Facility		<input type="checkbox"/> Wireless Communication Facility, Modification	n/a
<input type="checkbox"/> Zoning Map Change	\$1,000.00	<input type="checkbox"/> Zoning Text Change	n/a

Note: Additional fees to cover costs accrue by the county in association with the application, including staff time and consultation with outside legal and professional council may be charged to the applicant. No additional fees will be charged without expressed written permission by the applicant.

RY Applicants Initials

\*If you are applying for a Special Use Permit, please refer also to the Storey County Special Use Permit Definitions List when determining a minor, major, routine or major industrial permit.

Storey County Development Applications

**Detail Description/Justification of Project**

Attached additional pages as necessary

Comstock Mining, LLC (Comstock) requests modifications to our Special Use Permit (SUP) 2000-222-A-3. These modifications are described in the attached letter.

**Storey County Development Application**

**Professional Consultant/Representative(s)**

Name: Comstock Mining LLC  
Address: 1200 American Flat Rd.  
City: Gold Hill State: NV Zip: 89440  
Phone: 775-847-5272 x135 Fax: 775-847-7118 Cell: 775-720-0112  
Contact: Ron Laken Email: laken@comstockmining.com

**Other Person(s) to be Contacted**

Name: Comstock Mining LLC  
Address: 1200 American Flat Rd.  
City: Gold Hill State: NV Zip: 89440  
Phone: 775-847-5272 x126 Fax: 775-847-7118 Cell: 775-683-8567  
Contact: Rachel Yelderman Email: yelderman@comstockmining.com

**Applicant's Affidavit:**

I, Corrado DeGasperis, being duly sworn, depose and say that I am the applicant  
(Printed name)  
of the described project and/or request, and all the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Community Development Department staff.

Signature of Applicant

Date

4/29/14

Subscribed and sworn to before me this

29th day of April, 2014

United States

Notary Public in and for said county,

New York

State

(Notary stamp)

YOOJIN PARK  
Notary Public, State of New York  
No. 01PA6265769  
Qualified in Bronx County  
Commission Expires July 16, 2018  
*Character card filed in NY County*

**Property Owner's Affidavit:**

I, Comstock Mining Inc., being duly sworn, depose and say that I am an owner\* in  
(Printed name)  
of the described property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Community Development Department staff.  
(\*A separate Affidavit must be provided by each property owner)

Signature of Property Owner

Date

4/29/14

Subscribed and sworn to before me this

29th day of April, 2014

United States

Notary Public in and for said county,

New York

State

(Notary stamp)

YOOJIN PARK  
Notary Public, State of New York  
No. 01PA6265769  
Qualified in Bronx County  
Commission Expires July 16, 2018  
*Character card filed in NY County*

**Storey County Development Application  
Additional Property Owners or Applicants**

**Property Owner's or Applicant's Affidavit:**

I, Comstock Mining LLC, being duly sworn, depose and say that I am an owner\* in  
(Printed name)

fee of the described property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Community Development Department staff.

(\*A separate Affidavit must be provided by each property owner)

Signature of Property Owner

Date

Subscribed and sworn to before me this  
29<sup>th</sup> day of April

United States, New York  
Notary Public in and for said county and state.

(Notary stamp)

YOOJIN PARK  
Notary Public, State of New York  
No. 01PA6265769  
Qualified in Bronx County  
Commission Expires July 16, 2018  
Character card filed in NY County

**Property Owner's or Applicant's Affidavit:**

I, Northern Comstock Joint Venture, being duly sworn, depose and say that I am an owner\* in  
(Printed name)

fee of the described property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County PDepartment staff.

(\*A separate Affidavit must be provided by each property owner)

Signature of Property Owner

Date

Subscribed and sworn to before me this  
29<sup>th</sup> day of April

United States, New York  
Notary Public in and for said county and state.

(Notary stamp)

YOOJIN PARK  
Notary Public, State of New York  
No. 01PA6265769  
Qualified in Bronx County  
Commission Expires July 16, 2018  
Character card filed in NY County

**Property Owner's or Applicant's Affidavit:**

I, \_\_\_\_\_, being duly sworn, depose and say that I am an owner\* in  
(Printed name)

fee of the described property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department staff.

(\*A separate Affidavit must be provided by each property owner)

Signature of Property Owner

Date

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_

Notary Public in and for said county and state.

(Notary stamp)

Storey County Development Application

Property Owner's Affidavit:

I, J. Ann Ignatich <sup>DWC officer</sup>  
(Printed name), being duly sworn, depose and say that I am an owner\* in fee of the described property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

J. Ann Ignatich  
Signature of Applicant

Date 5/14/14

State of Nevada,  
County of Storey

Signed and sworn to before me on MAY 14th 2014 by,

J. Ann Ignatich as DWC officer \*\*\*

Aneta Kuznicka-Berge  
Notary's Signature

DEC 16, 2015  
My Commission Expires



Property Owner's Affidavit:

I, \_\_\_\_\_, being duly sworn, depose and say that I am an owner\* in fee of the described property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

\_\_\_\_\_  
Signature of Applicant

Date \_\_\_\_\_

State of Nevada,  
County of Storey

Signed and sworn to before me on \_\_\_\_\_ by,

\_\_\_\_\_

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
My Commission Expires

\*Each property owner must provide an Affidavit



Storey County Development Application

Property Owner's Affidavit:

I, CAROLINE SALZWIMMER, being duly sworn, depose and say that I am an owner\* in fee of the described  
(Printed name)  
property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the  
statements and answers herein contained and the information herewith submitted are in all respects complete, true and  
correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of  
the Storey County Planning Department Staff.

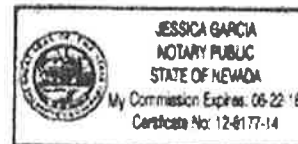
Caroline Salzwimmer  
Signature of Applicant

Date MAY 6<sup>TH</sup> 2014

State of Nevada,  
County of Storey NYE

Signed and sworn to before me on 05/06/14 by,

Caroline Salzwimmer  
Jessie Garcia  
Notary's Signature  
06/22/2016  
My Commission Expires



Property Owner's Affidavit:

I, DAN L. SALZWIMMER, being duly sworn, depose and say that I am an owner\* in fee of the described  
(Printed name)  
property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the  
statements and answers herein contained and the information herewith submitted are in all respects complete, true and  
correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of  
the Storey County Planning Department Staff.

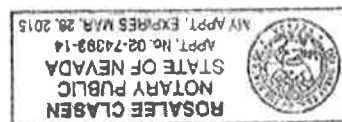
Dan L. Salzwimmer  
Signature of Applicant

Date MAY 6<sup>TH</sup> 2014

State of Nevada,  
County of Storey NYE

Signed and sworn to before me on 5-6-14 by,

Dan L. Salzwimmer  
Rosalie Clasen  
Notary's Signature  
3-28-2015  
My Commission Expires



\*Each property owner must provide an Affidavit

Storey County Development Application

**Property Owner's Affidavit:**

I, Daniel L. Bowers, being duly sworn, depose and say that I am an owner\* in fee of the described  
(Printed name)  
property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the  
statements and answers herein contained and the information herewith submitted are in all respects complete, true and  
correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of  
the Storey County Planning Department Staff.

Daniel L. Bowers  
Signature of Applicant

Date 05/13/2014

State of Nevada,  
County of Storey

Signed and sworn to before me on MAY 13<sup>TH</sup> 2014 by,

DANIEL LEE BOWERS \*\*\*

Ameta Kuznicka-Berge  
Notary's Signature

DEC 16, 2015  
My Commission Expires



**Property Owner's Affidavit:**

I, \_\_\_\_\_, being duly sworn, depose and say that I am an owner\* in fee of the described  
(Printed name)  
property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the  
statements and answers herein contained and the information herewith submitted are in all respects complete, true and  
correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of  
the Storey County Planning Department Staff.

\_\_\_\_\_  
Signature of Applicant

Date \_\_\_\_\_

State of Nevada,  
County of Storey

Signed and sworn to before me on \_\_\_\_\_ by,

\_\_\_\_\_

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
My Commission Expires

**\*Each property owner must provide an Affidavit**

Storey County Development Application

**Property Owner's Affidavit:** RATLEIGH AND GOLD LLC

I, PAMELA BRANDON, being duly sworn, depose and say that I am an owner\* in fee of the described property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

Pamela Brandon  
Signature of Applicant

Date 05/13/2014

State of Nevada,  
County of Storey

Signed and sworn to before me on MAY 13<sup>TH</sup>, 2014 by:

PAMELA ANTOINETTE BRANDON \* \* \*

Aneta Kuznicka-Berge  
Notary's Signature  
DEC 16, 2015  
My Commission Expires



**Property Owner's Affidavit:**

I, RUSSELL BRANDON, being duly sworn, depose and say that I am an owner\* in fee of the described property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

Russell Brandon  
Signature of Applicant

Date 05/13/2014

State of Nevada,  
County of Storey

Signed and sworn to before me on MAY 13<sup>TH</sup>, 2014 by:

RUSSELL DAVID BRANDON

Aneta Kuznicka-Berge  
Notary's Signature  
DEC 16, 2015  
My Commission Expires



**\*Each property owner must provide an Affidavit**

Storey County Development Application

Property Owner's Affidavit: VANDT MANAGEMENT LLC

I, Philip Cowee, being duly sworn, depose and say that I am an owner\* in fee of the described

property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

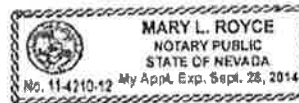
P. Cowee  
Signature of Applicant

Date May 16, 2014

State of Nevada,  
County of Storey

Signed and sworn to before me on May 16, 2014 by

Philip Cowee  
Mary L. Royce  
Notary's Signature  
Sept 28, 2014  
My Commission Expires



Property Owner's Affidavit:

I, \_\_\_\_\_, being duly sworn, depose and say that I am an owner\* in fee of the described

property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

\_\_\_\_\_  
Signature of Applicant

Date \_\_\_\_\_

State of Nevada,  
County of Storey

Signed and sworn to before me on \_\_\_\_\_, by,

\_\_\_\_\_  
Notary's Signature  
\_\_\_\_\_  
My Commission Expires

\*Each property owner must provide an Affidavit

Storey County Development Application

**Property Owner's Affidavit:**

I, CALI THOMPSON-CZECH, being duly sworn, depose and say that I am an owner\* in fee of the described  
(Printed name)  
property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the  
statements and answers herein contained and the information herewith submitted are in all respects complete, true and  
correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of  
the Storey County Planning Department Staff.

Cali Thompson-Czech  
Signature of Applicant

Date 5-16-14

State of Nevada,  
County of Storey

Signed and sworn to before me on MAY 15<sup>th</sup> 2014 by,

CALI ANNE THOMPSON-CZECH \*\*\*

ANETA KUZMICKA-BERGE  
Notary's Signature  
DEC 16, 2014  
My Commission Expires



**Property Owner's Affidavit:**

I, RANDALL RAYMOND CZECH, being duly sworn, depose and say that I am an owner\* in fee of the described  
(Printed name)  
property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the  
statements and answers herein contained and the information herewith submitted are in all respects complete, true and  
correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of  
the Storey County Planning Department Staff.

Randall Raymond Czech  
Signature of Applicant

Date 05/27/2014

State of Nevada,  
County of Storey

Signed and sworn to before me on MAY 27<sup>th</sup> 2014 by,

RANDALL RAYMOND CZECH

ANETA KUZMICKA-BERGE  
Notary's Signature  
DEC 16, 2014  
My Commission Expires



\*Each property owner must provide an Affidavit

Storey County Development Application

RECEIVED  
MAY 19 2014

**Property Owner's Affidavit:**

I, Dan E. Turney, being duly sworn, depose and say that I am an owner\* in fee of the described  
(Printed name)  
property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the  
statements and answers herein contained and the information herewith submitted are in all respects complete, true and  
correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of  
the Storey County Planning Department Staff.

Dan E. Turney  
Signature of Applicant

Date 5/14/2014

State of Nevada,  
County of Storey Washoe

Signed and sworn to before me on May 14, 2014 by,

Dan E. Turney

Mitchell L. Pruitt  
Notary's Signature

May 16, 2015  
My Commission Expires



**Property Owner's Affidavit:**

I, \_\_\_\_\_, being duly sworn, depose and say that I am an owner\* in fee of the described  
(Printed name)  
property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the  
statements and answers herein contained and the information herewith submitted are in all respects complete, true and  
correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of  
the Storey County Planning Department Staff.

\_\_\_\_\_  
Signature of Applicant

Date \_\_\_\_\_

State of Nevada,  
County of Storey

Signed and sworn to before me on \_\_\_\_\_ by,

\_\_\_\_\_

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
My Commission Expires

**\*Each property owner must provide an Affidavit**



Storey County Development Application

**Property Owner's Affidavit:** PLUM Mining

I, Corrado DeGasperis, being duly sworn, depose and say that I am an owner\* in fee of the described property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

[Signature]  
Signature of Applicant

Date 06/04/2014

State of Nevada,  
County of Storey

Signed and sworn to before me on 6th of June 2014 by,

CORRADO DE GASPERIS  
[Signature]  
Notary's Signature  
DEC 16, 2015  
My Commission Expires



**Property Owner's Affidavit:**

I, \_\_\_\_\_, being duly sworn, depose and say that I am an owner\* in fee of the described property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

\_\_\_\_\_  
Signature of Applicant

Date \_\_\_\_\_

State of Nevada,  
County of Storey

Signed and sworn to before me on \_\_\_\_\_ by,

\_\_\_\_\_  
\_\_\_\_\_  
Notary's Signature  
\_\_\_\_\_  
My Commission Expires

**\*Each property owner must provide an Affidavit**

Storey County Development Application

DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS																		
Submittal Requirements		Development Application	Detailed Description/Justification	Paid Tax Receipt	Plot Plan	Reduced Map (11 x 17)	Original Map Mylar	Map & Data in CAD Format on Disk	Vicinity Map	Floor Plan	Legal Description - Deed	Title Report	Drainage Report	Soils Report	Traffic Report	Water Rights	Reclamation Plan	Additional Information - Check with Planning Department
<input checked="" type="checkbox"/>	Application Type																	
<input type="checkbox"/>	Abandonment	X	X	X	X	X			X		X							X
<input type="checkbox"/>	Amended Map	X	X		X	X			X		X							X
<input type="checkbox"/>	Condition Amendment	X	X						X									X
<input type="checkbox"/>	Boundary Line Adjustment	X	X	X	X	X			X		X	X						X
<input type="checkbox"/>	Development Agreement (Requires Special Use Permit)	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
<input type="checkbox"/>	Extension of Time Request (One Year Extension Only)	X	X	X					X									X
<input type="checkbox"/>	Land Division Map (40 acre minimum)	X	X	X	X	X			X		X	X						X
<input type="checkbox"/>	Lot Consolidation*	X	X	X	X				X									X
<input type="checkbox"/>	Master Plan Map Amendment	X	X		X	X			X									X
<input type="checkbox"/>	Master Plan Text Amendment	X	X						X									X
<input type="checkbox"/>	Natural Resources Exploration and Registration Review	X	X	X	X	X			X									X
<input type="checkbox"/>	Parcel Map -- Record of Survey																	X
<input type="checkbox"/>	Parcel Map	X	X	X	X	X			X		X					X		X
<input type="checkbox"/>	Planned Unit Development Tentative	X	X	X	X	X		X	X		X	X	X	X	X	X		X
<input type="checkbox"/>	Planned Unit Development, Final	X	X	X	X	X		X	X									X

\*Administrative lot consolidation procedure

**Note: Additional information and materials may be required with the application.**

## DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

[illegible]

**Note:** Additional information and materials may be required with the application.

Storey County Development Application

**DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS GUIDE**

1. Development Application – You can get an application from the Planning Department at the Storey County Courthouse or online at [StoreyCounty.org](http://StoreyCounty.org).
2. Detailed Description/Justification – The description of your project and the reason for the project. Be as detailed as possible and submit any information to help explain your project (photos, maps, etc.).
3. Paid Tax Receipt – This is a receipt showing your property taxes are current or paid in full. A copy can be obtained from the Clerk/Treasurer's office located on the 2<sup>nd</sup> floor in the Storey County Courthouse.
4. Plot Plan – A diagram showing the location of all buildings, well and septic (if any). This can be obtained from the Building Department or Assessor's office or neatly hand drawn by the applicant.
5. Reduced Map (11 x 17) – Applications with large maps must supply one that can be scanned in for use in reports.
6. Original Map Mylar – This map is done by a professional surveyor.
7. Map & Data in CAD format on Disk – This map is done by a professional surveyor.
8. Vicinity Map – This map shows surrounding parcels to application parcel. A copy can be obtained from the assessor's office located on the 1<sup>st</sup> floor in the Storey County Courthouse.
9. Floor Plan – These are building plans for a house (subdivision) and done by a builder.
10. Legal Description – Deed – Done by a professional surveyor.
11. Title Report – Done by a professional company.
12. Drainage Report – Done by a professional company.
13. Soils Report – Done by a professional company.
14. Traffic Report – Done by a professional company.
15. Water Rights – You can obtain this from State Water Department.
16. Reclamation Plan – Done by a professional company.



May 13, 2014

Austin Osborne  
Storey County Planning Department  
26 South B Street  
Virginia City, NV, 89440

**Re: Request for Amendments to Special Use Permits 2000-222-A-3 and 2011-016**

Dear Mr. Osborne,

Comstock Mining, LLC requests modifications to Mining and Processing Special Use Permit (SUP) 2000-222-A-3 and Exploration SUP 2011-016. These modifications are described below.

**Purpose**

The proposed SUP amendment moves the geographic boundaries of the SUP, allowing for methodical expansion of the operation, primarily east, where significant mineral discoveries were identified during exploration drilling over the past few years. Mining within the current boundaries is maturing and those mined areas are scheduled for eventual reclamation.

Additionally, after meaningful diligence and conversations with you, we agree that it would be beneficial to combine the Exploration SUP (2011-016) into the Mining and Processing SUP (2000-222-A-3) so that there is only one combined SUP.

There are also some wording clarifications that we request to be made to the existing SUP.

**Description and Justification for Amendment of Mining and Exploration Boundaries**

As noted above, the primary substantive SUP amendment is modification of the geographic boundaries of the SUP mineral exploration and mining areas. Since the SUP was last amended, Comstock has secured additional private lands and mining rights in southern Storey County and completed additional engineering, assessments and feasibility studies within existing and new lands. Comstock would like to use its existing infrastructure and methodically expand onto some of its new land and mineral rights to continue its stable mining operations within the district. Accordingly, we request that the boundaries of the current SUP be changed to conform to the attached maps.

The current SUP mining boundary encompasses approximately 165 acres. Within the new boundary, Comstock proposes a methodical mine expansion sequence, that is, we would not be mining the whole area at once. Instead, we commit to actively mining a similar scope, no more than 95 acres at one time. Mining and reclamation will occur contemporaneously as shown on

the Reclamation Schedule, provided in Attachment 4. Once this amount of disturbance is reached, Comstock will commence contemporaneously reclaiming and restoring any completed mine areas, within a county approved reclamation plans, designed for post mining productive uses and enjoyment, typically in better condition than it was in. Restorations should strive to be consistent with landscape features and the overall historic mining character. This reflects the unique blend of modern, responsible mining that Comstock is committed to and a genuine passion for the historic mining district. This commitment to area disturbance limits and reclamation is not described in SUP 2000-222-A-3, Paragraph A.1, but would best be part of Paragraph A.12 which is described in a section below.

The proposed SUP amendment also moves the geographic boundaries for mineral exploration, where geological structures have been identified east of known resources, allowing for further exploration investment and resource expansion. The boundary amendment positions Comstock Mining for underground mining in the future.

The SUP boundary has been modified around the processing facilities to accommodate continued operation at existing, permitted rates of production. Mining and processing methods will remain the same. To make these changes, there is no wording that needs to be amended; the SUP only needs have the existing Attachment A (referred to in SUP paragraph A.1) and B (referred to in SUP paragraph A.12.b and C.20) replaced with new maps showing the new mining, exploration, and processing boundaries. Parenthetical statements referencing Attachment B in A.12.b and C.20 will need to be revised to include the following APNs: 004-331-08, 004-331-14, 800-001-22, 800-002-45, 004-331-28, 004-331-27, and 004-331-22.

#### **Description of and Justification for SUP Clarifications on Reclamation**

SUP 2000-222-A-3, Paragraph A.1 – Add the following sentence after the first sentence in this paragraph: *This SUP also allows for reclamation of the exploration and mining lands, as the Permit Holder voluntarily reclaims these lands.* The purpose of adding this sentence is because the Special Uses listed in the first sentence does not include reclamation. Comstock Mining, LLC is voluntarily reclaiming land soon after the mining is completed, and restoring previously disturbed and mined lands to more natural conditions and contours. This is another example of how Comstock Mining, LLC is demonstrating and establishing new standards for responsible mining. The voluntary requirement is enforced by the various bonds required in Section A.12 of the SUP.

A.12 – After the sentence “A surety bond required ...” add as second sentence, *Reclamation is defined as activities consisting of backfilling, sloping, reseeded, visual mitigation, and removal of temporary mining structures.* The purpose of this addition is to clarify expectations of reclamation.

A.12.a – Add the following sentence to the end of 12.a: *In addition to meeting the state and federal requirements, the Permit Holder will develop reclamation requirements and funding for reclamation of surface mining disturbance.* This sentence is added to further demonstrate



Comstock Mining, LLC's commitment to the territory, beyond state and federal requirements. After that sentence, add, *In lieu of the reserved 1% royalty for reclamation that the company has funded in the past, the expenditures associated with satisfying additional reclamation requirements will be financed by a private bond. The bond will be funded for long-term obligation, which is defined as activities occurring after the current calendar year. Reclamation in the same calendar year is performed "contemporaneously to mining" and therefore funded with current resources.* Comstock Mining, LLC's reclamation concepts for closure and reclamation of existing surface mining areas meet Storey County objectives for the promotion of tourism. The Reclamation Cost Estimate (RCE), which is provided in Attachment 5, was completed to show the reclamation liability for the Lucerne Project. The principal assumption for the RCE is that the final reclamation and closure will be initiated for currently planned disturbance areas and operating conditions for the Lucerne Project's operational life. The RCE has been compiled and calculated using State of Nevada's most recent Standardized Reclamation Cost Estimate (SRCE) Model, which is derived from Version 1.4.1, Build 017 from Nevada Division of Environmental Protection, Bureau of Mining Regulations and Reclamation (NDEP-BMRR) and Bureau of Land Management (BLM). The SRCE utilizes standardized reclamation calculation methods, data and procedures to estimate the cost of reclaiming a mine site as if a third-party contractor is performing the reclamation. This is the most conservative method of cost estimate possible.

The cost estimate and summary was completed using Comstock Mining, LLC's available engineering designs and plans together with the 2013 Standard Cost Data File Version 1.12, which contains appropriate geographical area specific costs for labor, equipment, operation, material and miscellaneous unit rates or schedules.

Add the following: *The current proposed operation is for 95 rolling acres of active mining and 45 acres of reclamation within the mining area. The Permit Holder will be contemporaneously reclaiming completed mine areas so that the total disturbed area will not exceed 140 acres. The bond may be adjusted annually or on a more frequent basis when proof of surety is submitted to the Community Development Department within 30 days from any change made to the amount. The proposed bond amount of \$1.2 million will satisfy long-term reclamation activities for this area, while approximately \$300,000 of the company's current resources will be applied towards reclamation activities in this calendar year.*

Comstock Mining, LLC notes that we currently have bonds with the NDEP for all the mining areas on private lands. The areas that are currently under bond are shown in Mining Operations Disturbance Areas within Attachment 3.

A.12.b – Put a period after "The amount of reclamation surety bond shall be that determined appropriate by a federal or state agency (e.g., BLM or NDEP)" and remove everything after this starting with "OR..." The purpose of removing the remainder of this condition is to eliminate a redundant SUP requirement. The entire facilities described earlier in A.12.B are required by federal and state law to be bonded. The NDEP is required to review the bond estimate to

determine if it is reasonably sufficient to conduct all required reclamation (NAC 519A.370) and then the bond is periodically reviewed to consider inflation (NAC 519A.380). The bond estimate is based on third-party reclamation of the facilities; including a 36% multiplier for indirect costs assumed if the Permit Holder did not satisfactorily complete reclamation activities prior to closing the site.

#### **Description of and Justification for SUP Wording Clarifications**

The specific requests for wording clarifications to SUP 2000-222-A-3 are listed and described below.

B: Change title from “Exploration and Mining” to *Definition Drilling and Mining* as we understand that a new section will be added to the permit called “Drilling Mineral Exploration Operations” to incorporate SUP #2011-016.

B.16: Replace the title, “Exploratory Drilling” with *Definition Drilling* as this applies to definition drilling. Definition drilling is performed within current or likely near-future mine areas and has a very small footprint. It is important to differentiate between definition drilling and exploration drilling in this revised permit because the conditions from SUP #2011-016 are being incorporated into this permit. Exploration drilling can be considered any drilling more than 500 feet from an existing mine. Replace both sentences with: *Each series of definition drill pads shall be collectively no more than 1 acre in surface disturbance (excluding roads), and shall be reclaimed at the conclusion of definition programs unless it is to become part of an active mine area. This allows for one acre rolling per definition. Reclamation is defined as backfilling and recontouring to the approximate original condition. The purpose of this* requested change is to clarify that each definition program is no more than one acre, but that there are multiple definition programs. Each drill pad is approximately one-tenth of an acre, but there are about 10 drill sites in each program. Additionally, some of the drilling takes place in areas that are followed up by mining or even within actively mined areas; therefore, reclamation of these drilling areas is not applicable.

B.18: Change the last sentence from: “The county reserves the right to restrict or prohibit the use of trucks and equipment on any county-owned right of way” to *The county reserves the right to restrict or prohibit the use of trucks and heavy equipment on any county-owned right-of-way if the County Commissioners determine that the Permit Holder has caused unavoidable and irreversible long-term damage to the roads.* The reason for this requested clarification is because the first part of this paragraph allows use of the roads, but then with the current wording, the County can revoke this at any time and for whatever or no reason. The suggested wording clarifies that the County can exercise this right only if there is justification for it.

C.20: Change last sentence from “Associated activities may take place 24-hours per day, seven days per week” to *These processing and associated activities may take place 24-hours per day, seven days per week.* The reason for this change is to clarify that it means that ALL processing activities, direct and indirect, not just the associated activities.

C.20: Remove the reference to the American Flat parcel because there are now several parcels (including APN 004-331-36, 004-331-08, 004-331-14, 800-001-22, 800-002-45, 004-331-28, 004-331-27, 004-331-22) within the processing area. We recommend that it just refer to Attachment B.

C.21: Delete the first sentence, "At the time of this SUP approval, there exists two single-family residences located approximately 600' from the Subject Property boundary." The reason for this is that one of the residences has been acquired by Comstock Mining, LLC and is now company-owned property. The sentence is also not needed, as the requirement that the activities be more than 1,000 feet from existing residences is made.

C.21: Change the second sentence from "Crushing, processing, and uses involving hazardous materials (e.g., cyanide) shall remain more than 1,000' from existing residences" to *Crushing, processing, and activities and uses involving cyanide shall remain more than 1,000' from residences existing at the time of this SUP approval.* The reason for this is because the current wording of "hazardous materials" can mean even diesel fuel which would then restrict the use of diesel fuel (trucks); however, we are aware the intent of the County was the cyanide activities, so we believe that the wording should be revised to clarify this.

Proposed Section D, Drilling Mineral Exploration Operations: Include conditions of SUP 2011-06.

#### **Comstock Mining, LLC's Commitment to Compliance and Highly Responsible Mining**

Comstock Mining, LLC has continued to operate in compliance with the terms and conditions of the current SUP while at the same time mining responsibly, enhancing the community, and contributing to the local and regional economy. As we are mining and processing on the Comstock, in a historic district that we care about, we strive to minimize impact, footprint, and disturbance, while always innovating to enhance and improve the territory. Any mining or processing plan will visibly protect, preserve, restore, and celebrate the value of the historic Comstock district.

Approval of this SUP is also in accordance with the County Master Plan. The County has a stated goal in the Master Plan:

"Support the development of the county's significant mineral resources while ensuring that negative impacts to the tourism based economy of the Comstock Lode area are minimized."

*Storey County Master Plan, Executive Summary, Chapter 9 Land Uses, County wide, Goal 5 at 9-10*

Comstock Mining, LLC is responsibly developing the County's mineral resources, making significant economic contributions to the county, while at the same time mitigating impacts to tourism, the residential community, and the environment.

Objective 5.2 of the above stated goal is: "Refrain from duplicating permit application requirements and fees which have been established by state and federal agencies." Thus, most of the SUP conditions require that Comstock Mining, LLC follow state and federal law and have the appropriate permits and oversight from state and federal agencies. However, Comstock Mining, LLC has gone beyond this goal in the past by retaining a one percent royalty to fund improvement projects in the County, rehabilitate important historic relics from the Comstock Era, and has been undergoing concurrent reclamation to help restore contemporary mined areas to conditions as good as or better than before. Comstock Mining, LLC further solidifies this commitment by committing to a surety bond with Storey County as described in this letter.

Comstock Mining, LLC appreciates Storey County's attention to this application for SUP amendments. Please let us know if you have any questions.

Sincerely,  
Comstock Mining LLC



Rachel Yelderman  
Director, Environmental & Permitting

Attachments:

- 1 – Development Application
- 2 – Tax Receipts
- 3 – Figures
- 4 – Reclamation Schedule
- 5 – Reclamation Cost Estimate

Under separate cover – Affidavits from Additional Property Owners

ATTACHMENT 2  
TAX RECEIPTS

05/11/14  
14:13:06  
Page 1

**Storey County  
Tax Report for Selected Parcels - Amounts Owning**

01.12.21.

Parcel #	Assessed Owner Name	Prior Years	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Amount
002-121-01	NORTHERN COMSTOCK LLC						.00
002-122-01	NORTHERN COMSTOCK LLC						.00
002-123-01	NORTHERN COMSTOCK LLC						.00
002-124-01	COMSTOCK MINING INC						.00
002-125-01	BOWERS DANIEL I TRUSTEE						.00
002-126-01	COMSTOCK MINING INC						.00
002-127-01	NORTHERN COMSTOCK LLC						.00
002-128-01	NORTHERN COMSTOCK LLC						.00
002-129-01	COMSTOCK MINING INC						.00
002-130-01	V & T MANAGEMENT LLC						.00
002-131-01	SALZIMMER DAN L & CAROLINE						.00
002-132-01	SALZIMMER DAN L & CAROLINE						.00
002-133-01	SALZIMMER DAN L & CAROLINE						.00
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in total

BY: Katherine



Tax Bill - Storey County

5/14/14

MAKE REMITTANCE PAYABLE TO:  
Storey County Clerk/Treasurer  
P O Drawer D  
Virginia City, NV 89440

Parcel 002-141-19 Roll # 001010  
2820 SLIPPERY GULCH RD  
GOLD HILL  
PARCEL '1A' RNG C-6  
District-3.0

TAXES FOR PERIOD  
July 1, 2013 thru June 30, 2014

CZECH RANDALL R&THOMPSON CALI A  
P O BOX 482  
SILVER CITY, NV 89428

ASSESSED VALUES	TAXES	RATE	ABATEMENT OR RECAPTURE	TAX AMOUNT
Real Estate 10,060	GENERAL	1.6974		1,306.14
Building/Improvements 66,890	SCHOOL OPER	.7500		577.12
-----	SCHOOL DEBT	.1447		111.35
TOTAL 76,950	CAPITAL ACQUIS	.0500		38.48
	STATE	.1700		130.82
	IND MEDICAL	.0100		7.70
	IND ACCIDENT	.0150		11.54
	WILDLAND FIRE	.1100		84.65
	YOUTH SERVICE	.0045		3.46
	JAIL FUND	.0745		57.33
	FIRE/EMER SRV	.4346		334.42
	-----			-----
	Ad Valorem Total	3.4607		2,663.01
	Penalties			.01
	Payments to Date			2,663.02-
	PAID IN FULL			

PAID  
MAY 1 2014  
BY: *K. Thompson*

Tax Bill - Storey County

5/14/14

MAKE REMITTANCE PAYABLE TO:  
Storey County Clerk/Treasurer  
P O Drawer D  
Virginia City, NV 89440

Parcel 002-141-18 Roll # 004556  
2925 SLIPPERY GULCH RD  
GOLD HILL  
PARCEL '2A' RNG C-6  
District-3.0

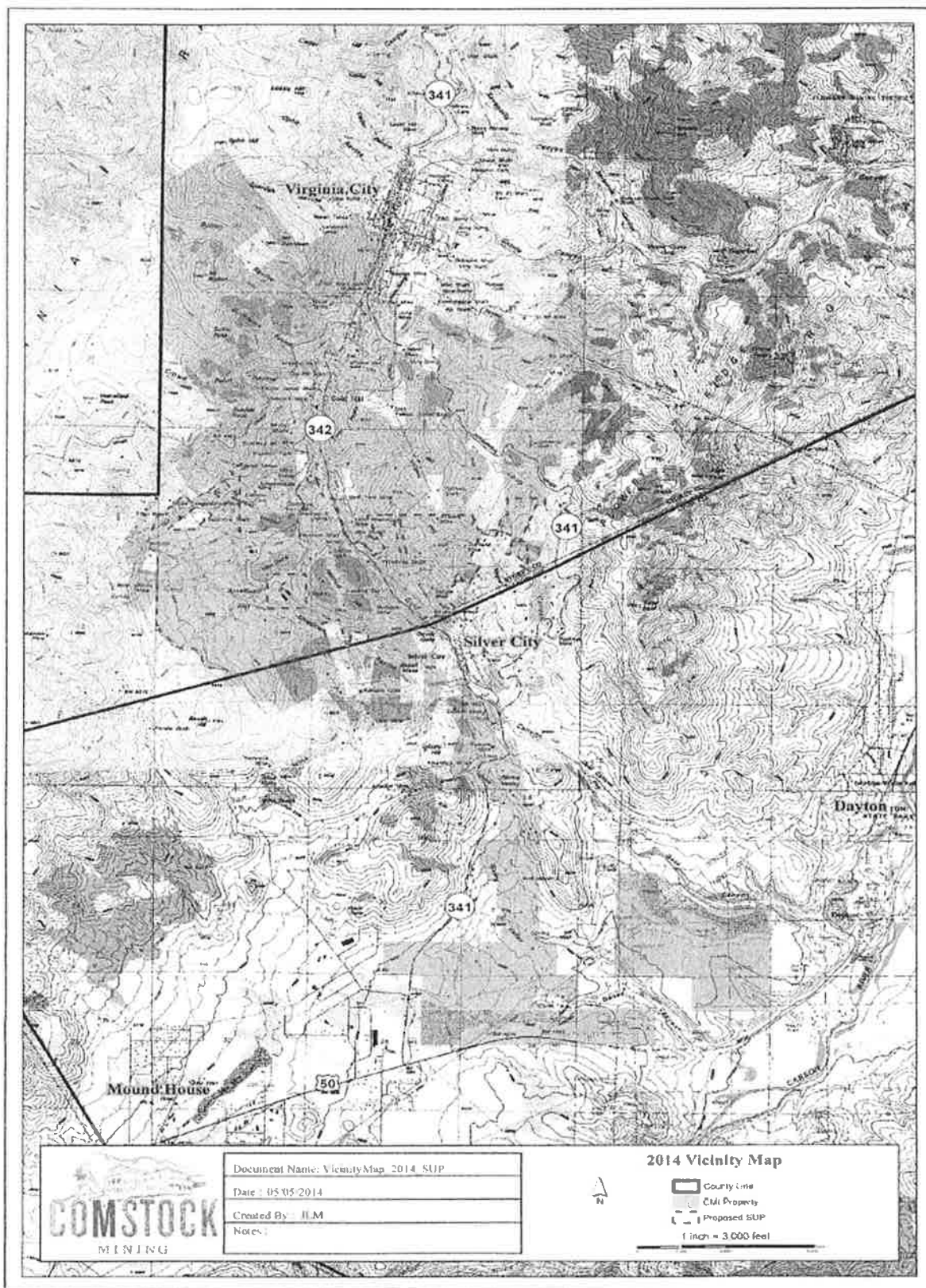
TAXES FOR PERIOD  
July 1, 2013 thru June 30, 2014

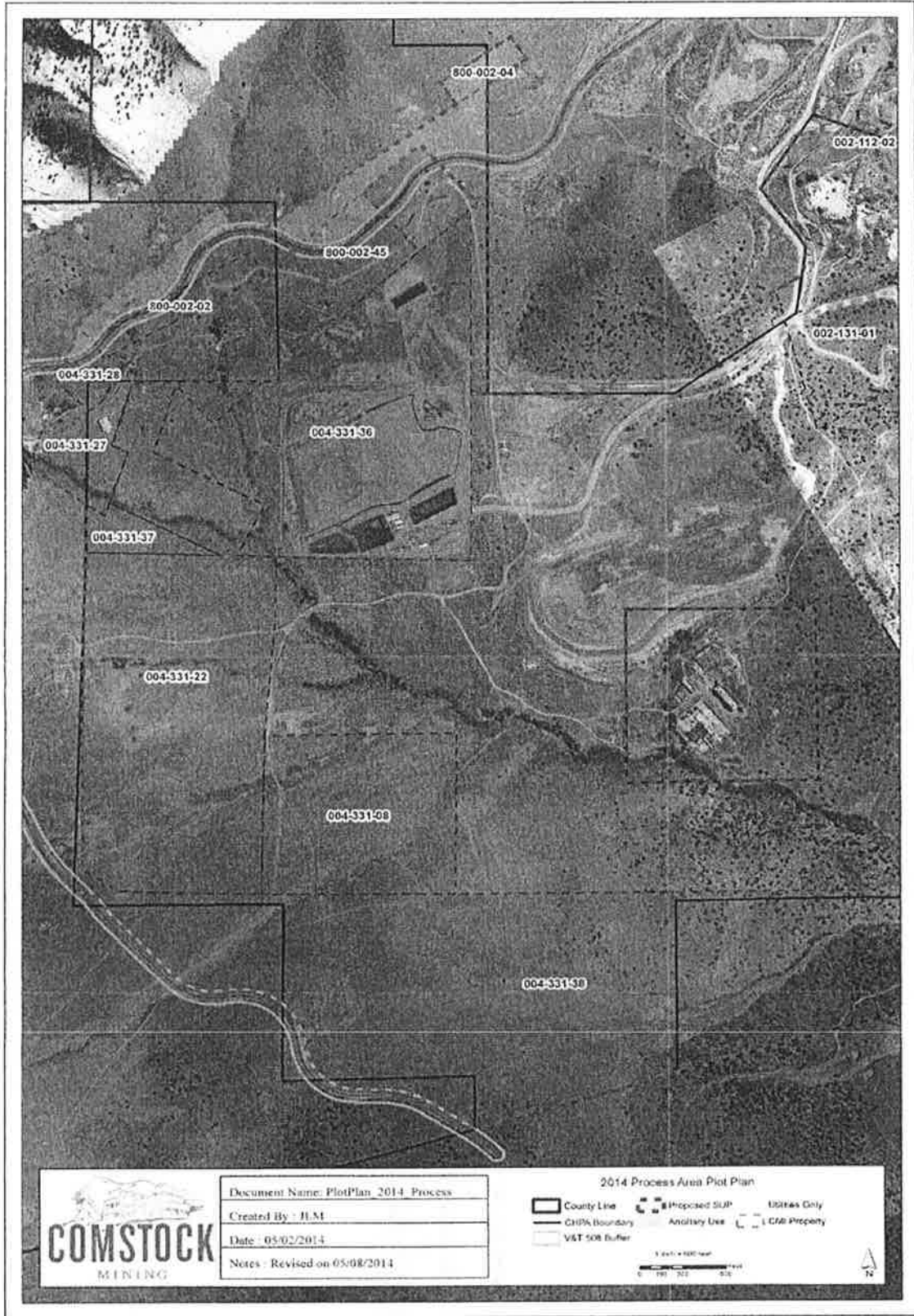
TURNER DAIL EDWARD TTEE  
3059 CREEKWOOD DR  
REMO, NV 89502

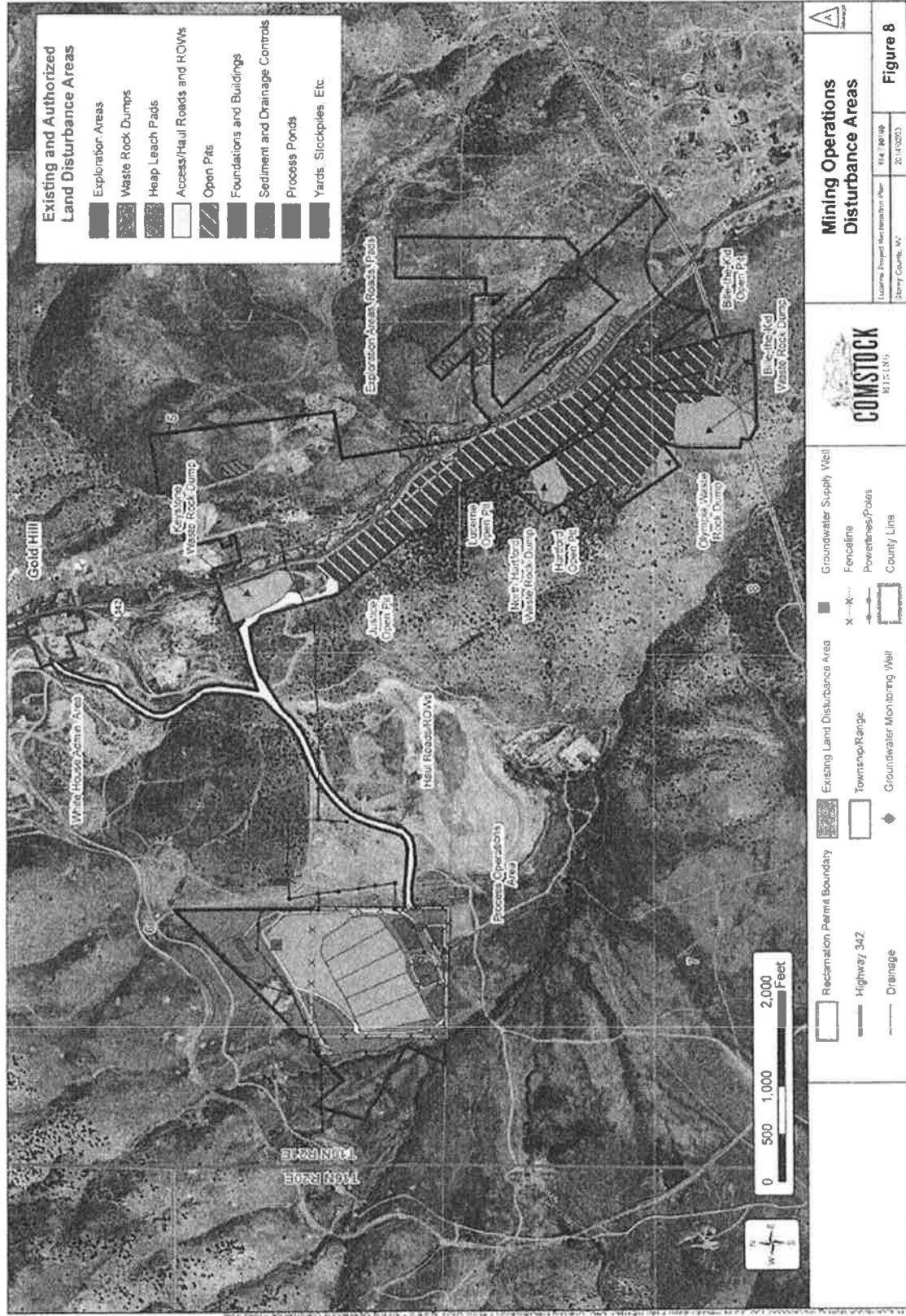
ASSESSED VALUES		TAXES	RATE	ABATEMENT OR RECAPTURE	TAX AMOUNT
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		SCHOOL OPER	.7500	24.37-	68.48
		SCHOOL DEBT	.1447	4.70-	13.21
		CAPITAL ACQUIS	.0500	1.63-	4.56
		STATE	.1700	5.53-	15.52
		IND MEDICAL	.0100	.33-	.91
		IND ACCIDENT	.0150	.49-	1.37
		WILDLAND FIRE	.1100	3.58-	10.04
		YOUTH SERVICE	.0045	.15-	.41
		JAIL FUND	.0745	2.42-	6.80
		FIRE/EMER SRV	.4346	14.13-	39.67
TOTAL	12,380				
		Ad Valorem Total	3.4607	112.50-	315.93
		Payments to Date			315.93
		PAID IN FULL			

PAID  
MAY 14 2014  
BY: *[Signature]*

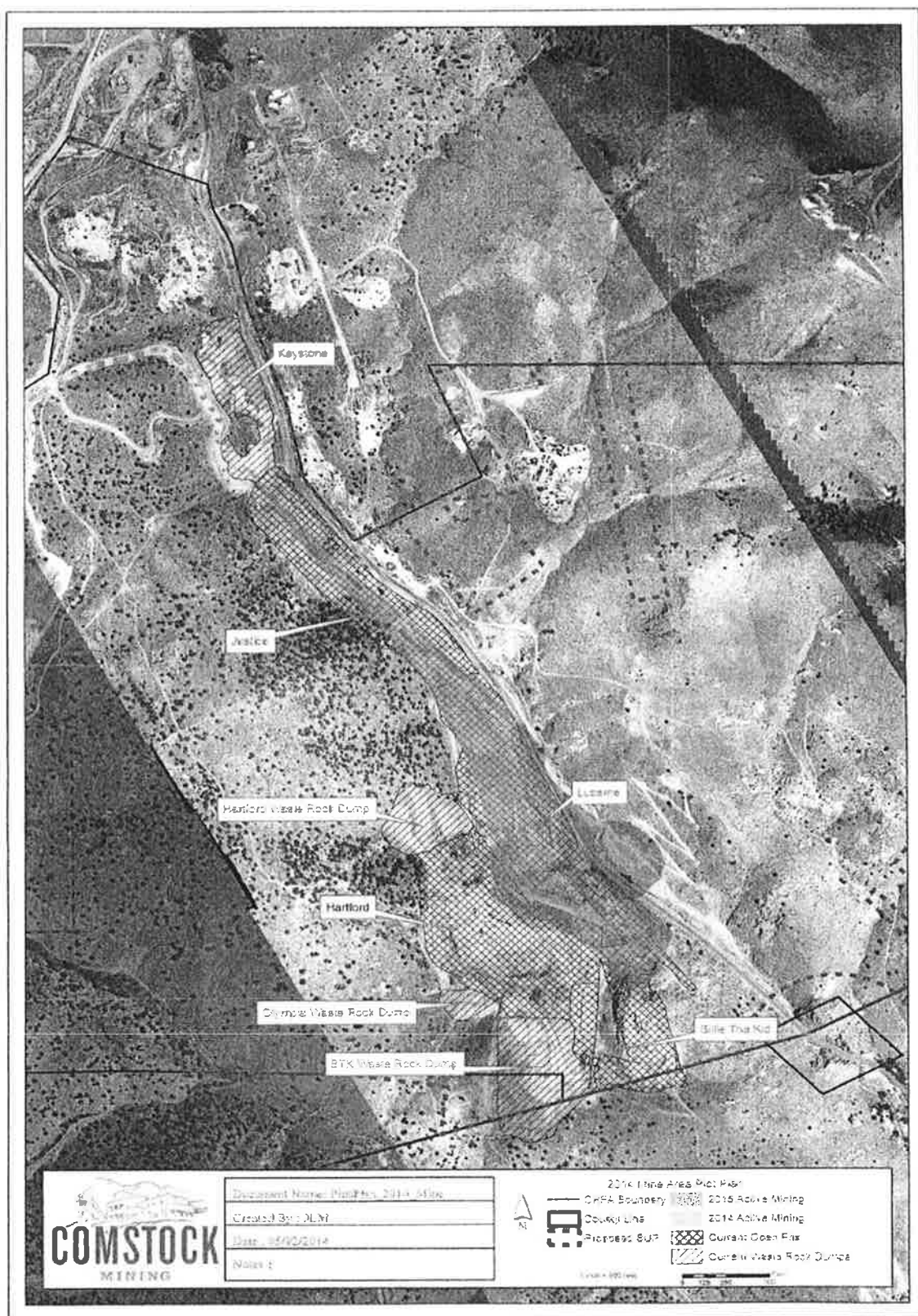
ATTACHMENT 3  
FIGURES





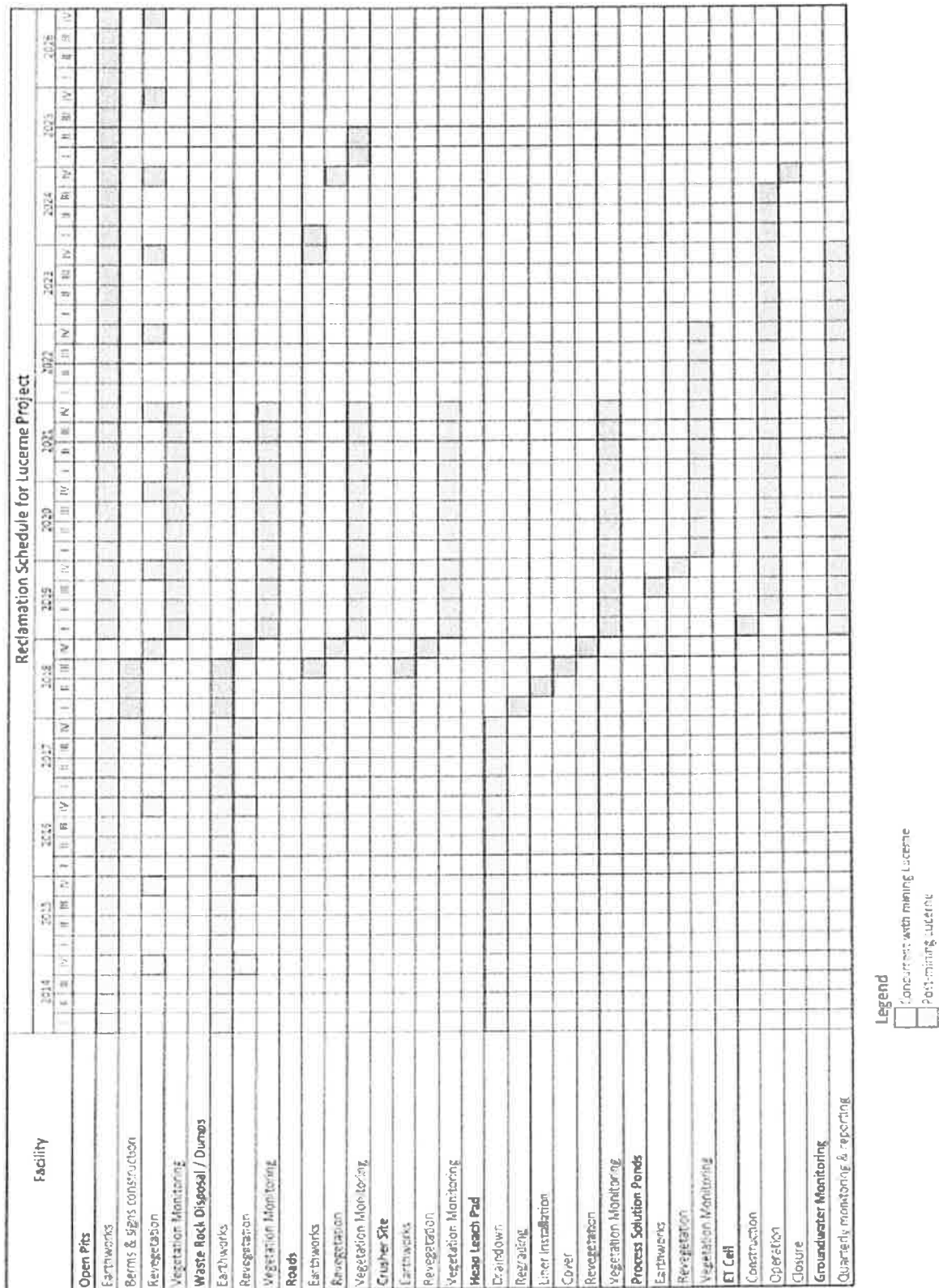








ATTACHMENT 4  
RECLAMATION SCHEDULE

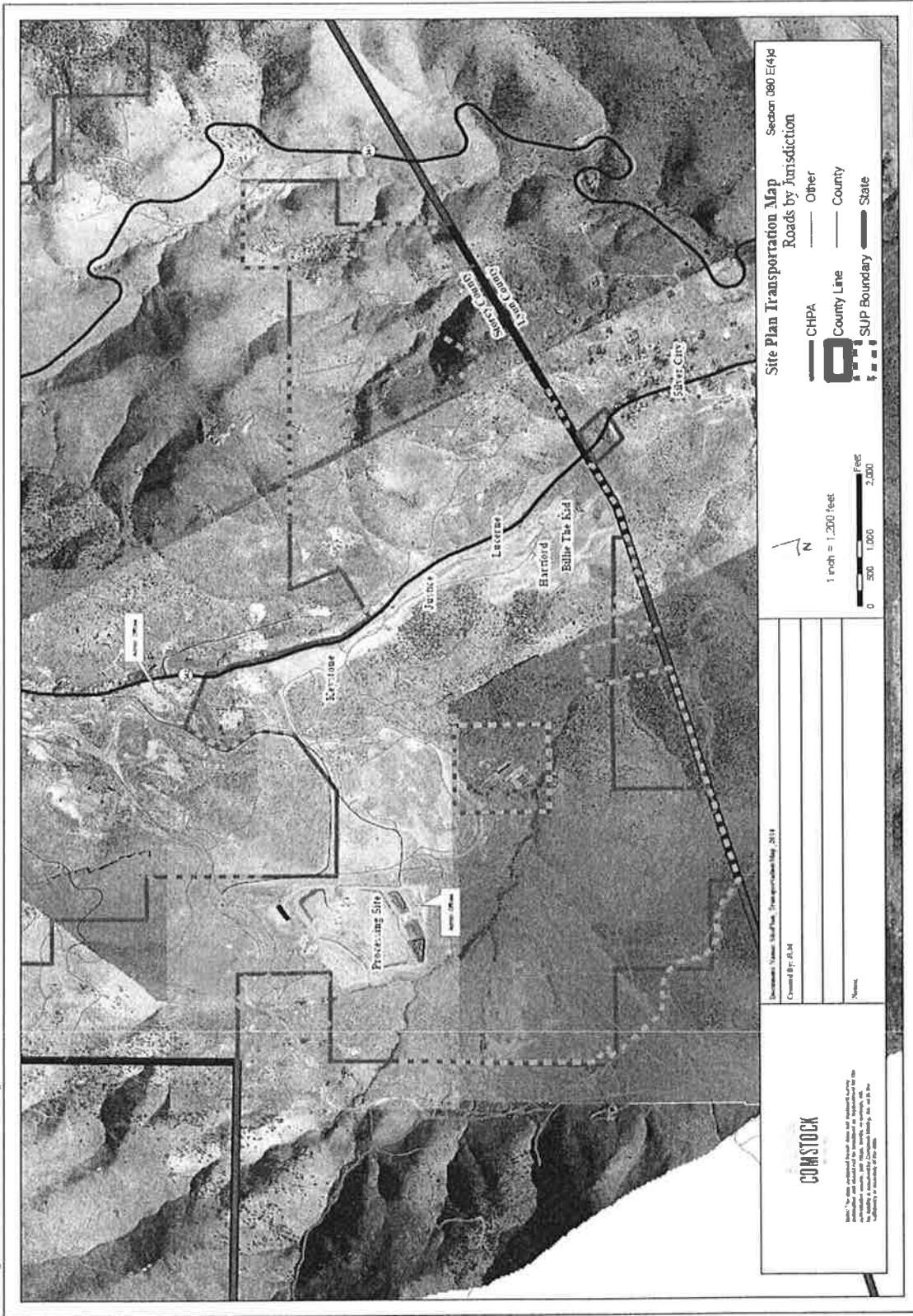




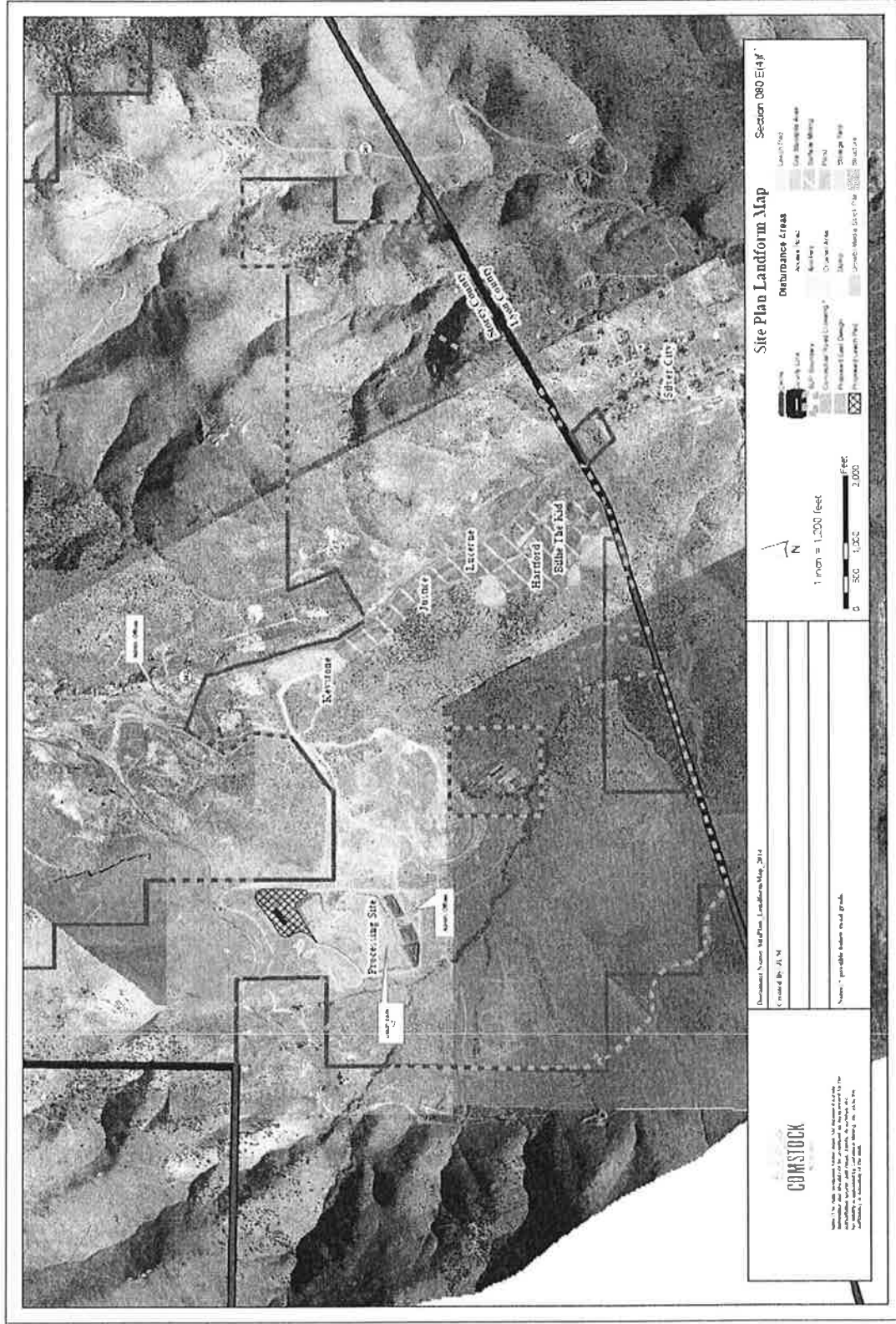
**Note: Pages 35-39 of the submitted application containing reclamation renditions are ommitted here but are shown in Exhibit C above.**

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# Transportation Plan Map

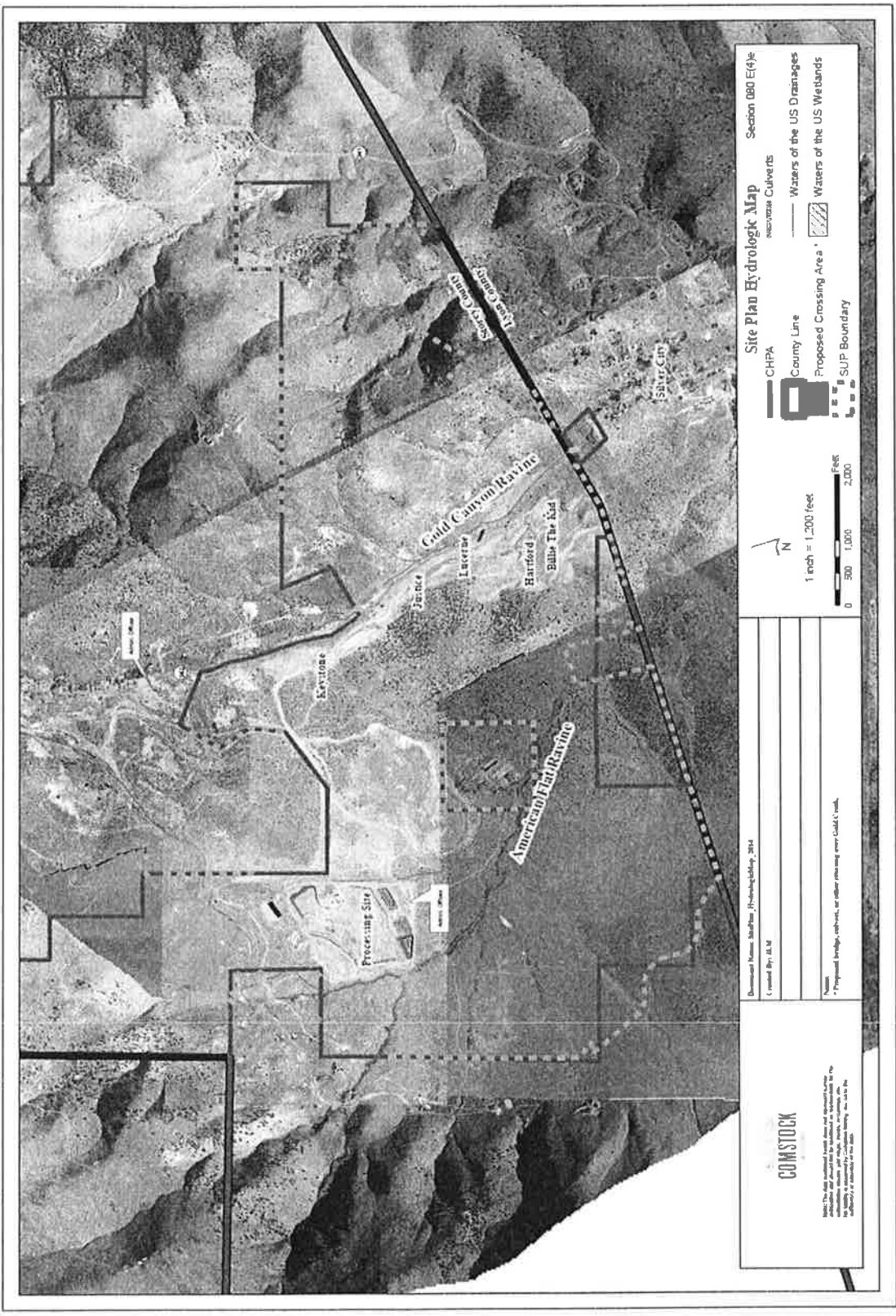


# Existing Landform Map





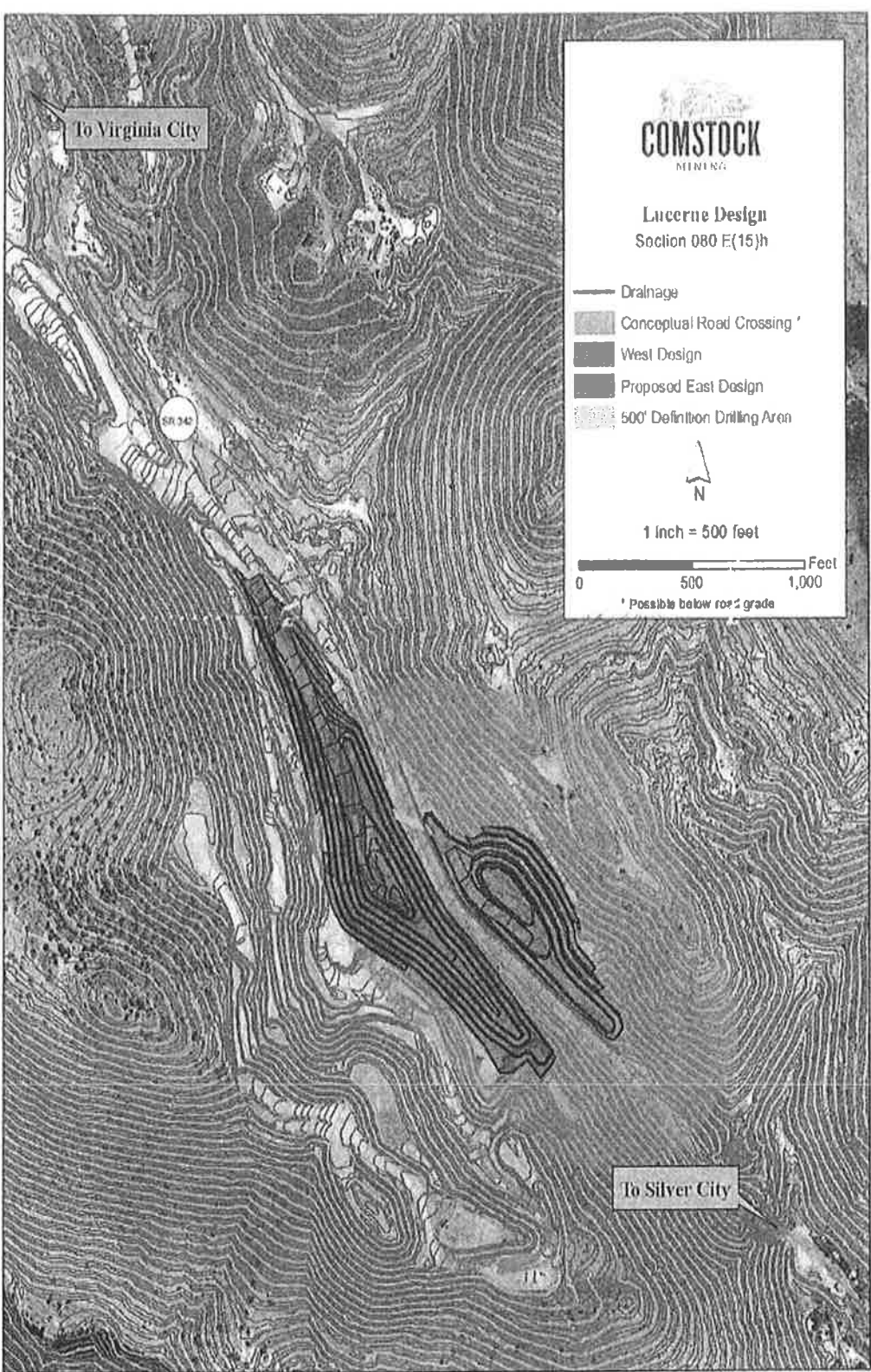
Site Plan Hydraulic Map







Topographic illustrations for expansion on each side of State Route 342.



Document Name: TopoConditions DuringOp 2014

### **Noise Abatement**

Comstock Mining complies with the County Noise Ordinance (Storey County Code Chapter 8.04), which includes an 84 decibel limit at the property line. The SUP also contains conditions pertaining to noise, including limiting days and hours of operation in areas. If operations exceed the County noise standard, Comstock will implement noise abatement measures to reduce the resultant noise levels at the property line such as installation of sound-absorbing structures, earth-fill barriers, limitations on the number of motorized machines that may operate concurrently, and restrictions on the hours and days of operation. The SUP also requires that operational surface activities within 1,000 of a residence be limited to the hours of 8 AM to 5 PM, Monday through Friday and no holidays, unless waived by the property owner.

### 13. Historic Structures Protection

Mineral exploration and related operations under the SUP shall not cause any historical structure to be disturbed, altered, moved, or demolished. Historical structures shall include occupied and unoccupied buildings, outbuildings, tanks, mine head-frames, and accessory structures, machinery, and other appurtenances which are 50 years of age or older. Architectural inventories conducted within the SUP boundary have identified two historical structures (Blustain 2013, Comp 1987). These two resources include the Justice Ore Bin (S1009) and the Mammoth Ore Bin (S1011). No additional architectural resources are known to exist within this area (Comp 1987). As there are no anticipated impacts to historical structures extant in 1942 within the exploration and mining boundary, a historic structures protection plan is not needed. Information on the two ore bins is summarized in the table below. The terms of this condition shall be fulfilled by compliance with the following limitations:

- a. The mine's operations will avoid historical structures and they will not be disturbed, altered, moved, or demolished without approval by Comstock Historic District Commission. All historical structures will continue to be avoided by 200 feet and any ground disturbance activities within 200 feet will require an archaeological monitor be present at the expense of the Permit Holder.

Blustain, J.S.

2013 *Architectural Documentation for the Comstock Mine, Inc. Baseline Cultural Resource Study, Storey and Lyon Counties, Nevada*. Report Submitted to DOI, Bureau of Land Management, Sierra Front Field Office, Carson City, Nevada. Report No. BLM3-2643-1.

Comp, T. A.

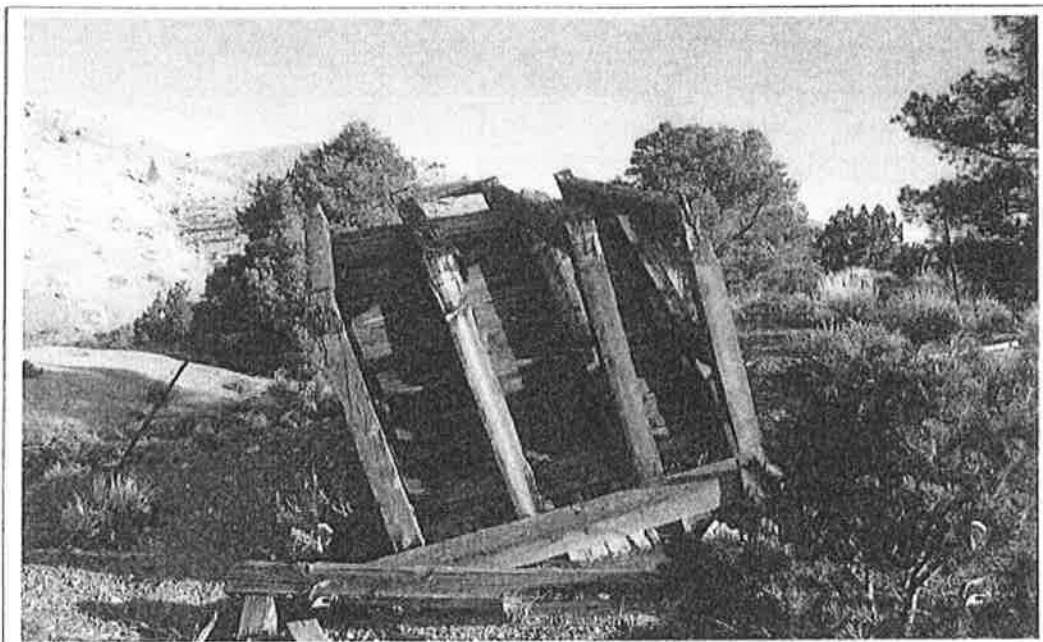
1987 *Comstock Project 87 Inventory*. Original manuscript on file with the Comstock Historic District Commission, Virginia City, Nevada.

RESOURCE NAME	RESOURCE NUMBER	DATE BUILT	DESCRIPTION	DEMOLISHED, REMOVED, OR ALTERED?
The Justice Ore Bin	S1009	c.1859-1870	The Justice Ore Bin is a wood-framed structure measuring approximately 24 feet 9 inches long and 14 feet 4 inches wide. Its exact date of construction is unknown, although it was most likely built between 1859 and c. 1870. The structure is supported upon a series of wooden uprights and cross members that measure approximately 9 inches wide and 7.5 inches thick. The bin is composed of wooden 2x12-inch planks.	No
The Mammoth Ore Bin	S1011	c.1930	The Mammoth Ore Bin is a wood-framed structure with no foundation. It was constructed in c.1930s based on its materials and method of construction. When upright, it would have measured 12 feet 2 inches tall, 8 feet 3 inches deep, and 9 feet 2 inches wide. It is composed of a skeleton of 9-inch-square posts lined with 2-by-12-inch boards. Despite extensive research, the Mammoth Ore Bin's origin and exact date of construction remain unknown.	No

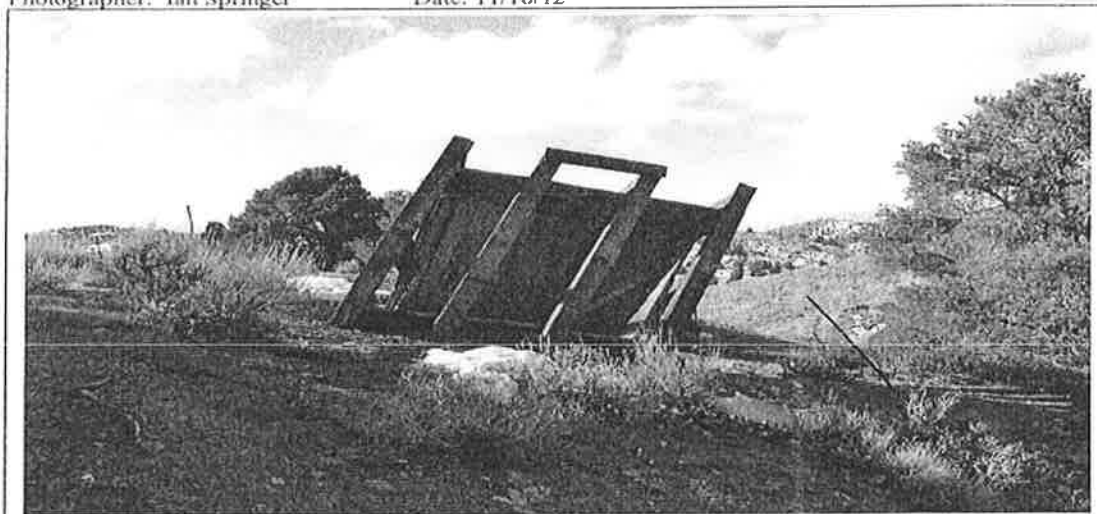
The applicant has received permission from the Comstock Historic District Commission to remove and subsequently replace the Justice Foundation Hoist Works Blocks at their approximate original location. They blocks are currently stored and secured at the Cabin in the Sky property, which is owned and managed by the applicant.

Resource Name: The Mammoth Ore Bin
SHPO Resource Number: S1011

***RESOURCE PHOTOGRAPHS***

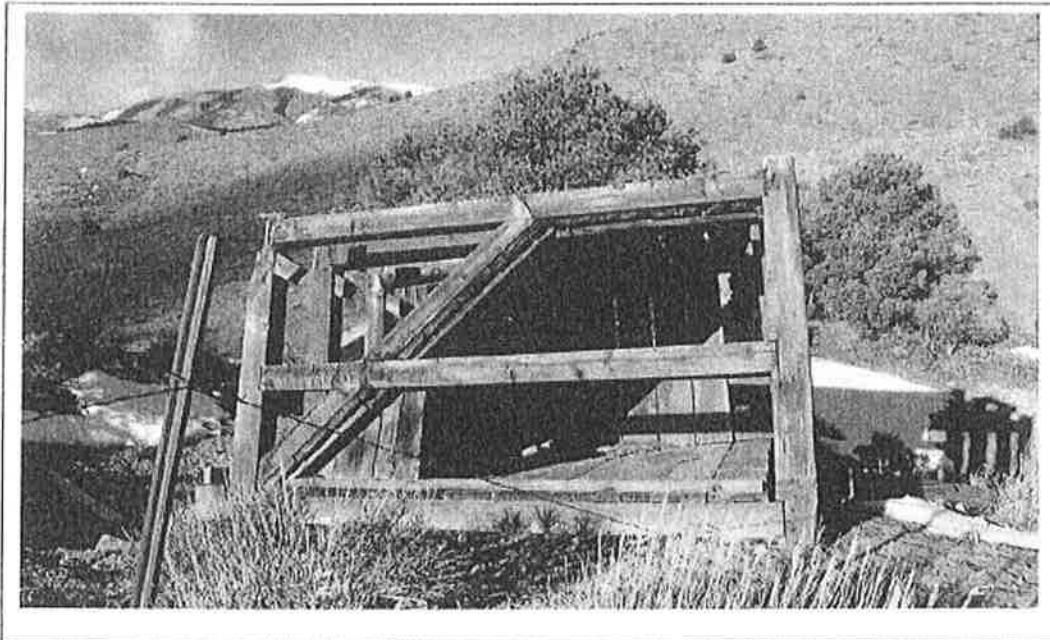


Elevation: Mammoth Ore Bin, Bottom      Facing: West  
Photographer: Ian Springer      Date: 11/16/12



Elevation: Mammoth Ore Bin, Top      Facing: East  
Photographer: Ian Springer      Date: 11/16/12

Resource Name: The Mammoth Ore Bin
SHPO Resource Number: S1011



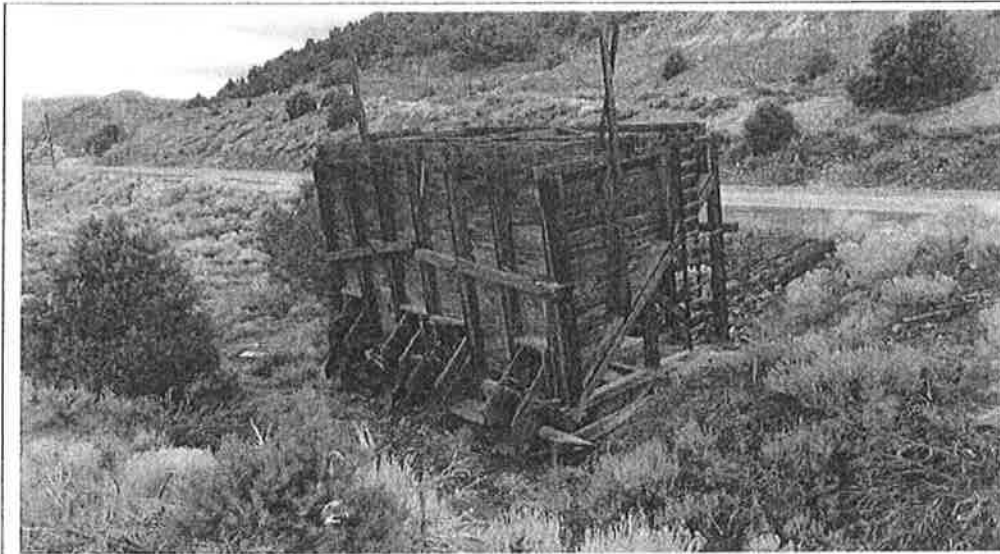
Elevation: Mammoth Ore Bin, Elevation 1      Facing: South  
Photographer: Ian Springer      Date: 11/16/12



Elevation: Mammoth Ore Bin, Elevation 2 and Bottom      Facing: Northwest  
Photographer: Ian Springer      Date: 11/16/12

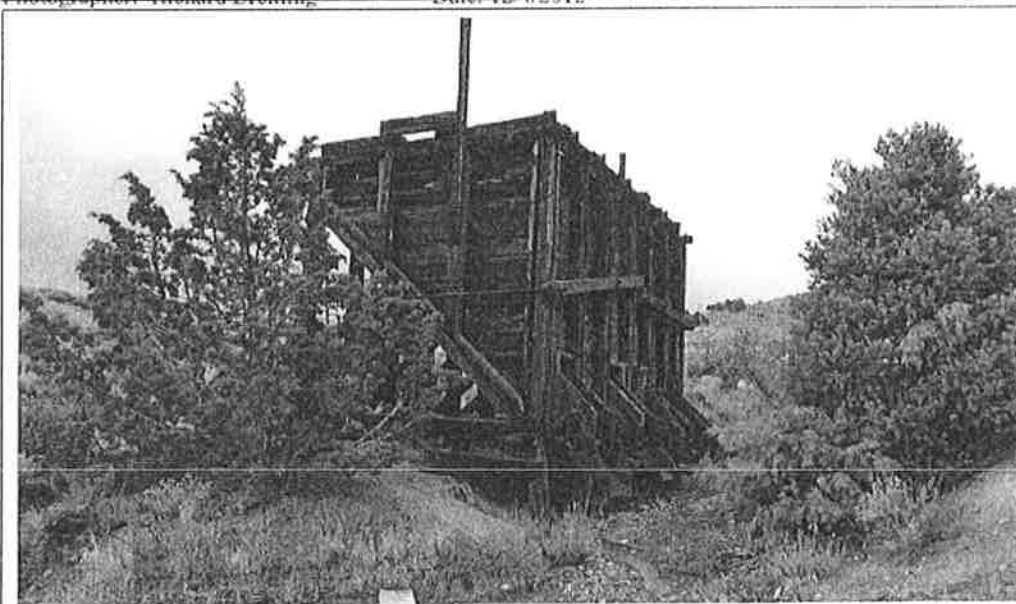
Resource Name: The Justice Ore Bin
SIPO Resource Number: S1009

**RESOURCE PHOTOGRAPHS**



Elevation: Justice Ore Bin, east and north elevations      Facing: Southwest

Photographer: Richard Breilling      Date: 12/4/2012



Elevation: Justice Ore Bin, south and east elevations      Facing: Northwest

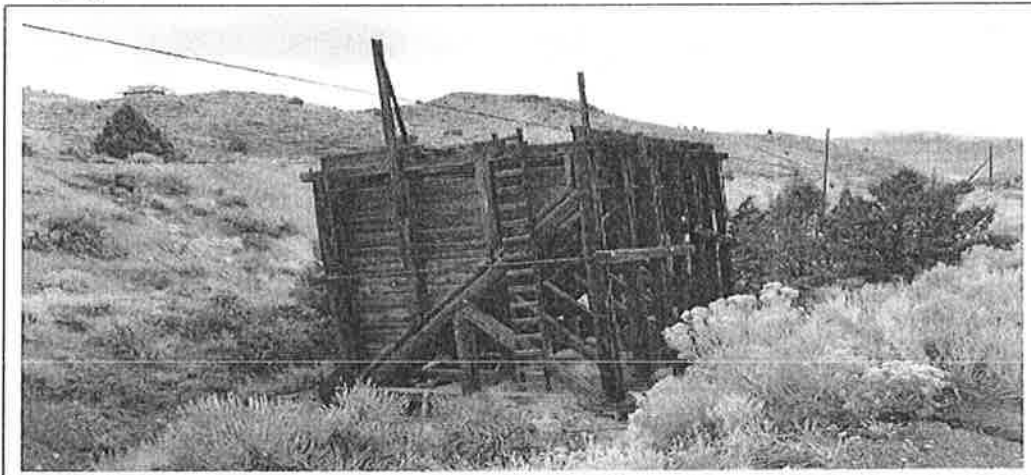
Photographer: Richard Breilling      Date: 12/4/2012



Resource Name: The Justice Ore Bin
SIPO Resource Number: S1009



Elevation: Justice Ore Bin, west and south elevations      Facing: Northeast  
Photographer: Richard Breitling      Date: 12/4/2012



Elevation: Justice Ore Bin, north and west elevations      Facing: Southeast  
Photographer: Richard Breitling      Date: 12/4/2012

#### 14. Cemetery Protection

Two Cemeteries are known to exist within 1,000 feet of the proposed SUP boundary. They include the Gold Hill Cemetery and the New Catholic Cemetery. Both resources are located outside the current SUP boundary and will not be directly impacted. The Permit Holder shall not cause any cemetery or structures therein, such as headstones, monuments, fences, enclosures, etc., to be disturbed, altered, moved, or destroyed. The terms of this condition shall be fulfilled by compliance with the following limitations:

- a. Activities and disturbances shall not take place within 300 feet of a cemetery boundary as defined by NRS 452.0075 and as determined by the Comstock Cemetery Foundation (CCF). These limitations shall not apply to general vehicular and heavy equipment traffic taking place on the established county roads and right-of-ways, including American Flat Road. These limitations also shall not apply to mineral exploration activities approved by the CCF within the established cemetery buffer area, but not within any cemetery boundary or public right-of-way. Written approval by the CCF shall be submitted to Storey County Community Development prior to commencement of activities within the scope of these regulations.
- b. Activities and disturbances may be permitted between 300 and 500 feet surrounding each cemetery boundary as describe above when the SUP Permit Holder initiates and maintains continuous communication and collaboration with the CCF in protecting said cemetery resources. A surface vibration monitoring program shall be developed and implemented as determined by the CCF. The implemented program will monitor surface vibrations at selected sites to assess potential vibrations from drilling and excavating operations, heavy machinery, and vehicles. The monitoring program, upon approval of the CCF, will be at the expense and oversight of the CCF.

#### **PERMITS REQUIRED TO ADJUST MINING BOUNDARY TO EAST OF SR342**

Include:

- SUP - Storey County (in progress)
- Water Pollution Control Permit (WPCP) amendment for Eastern Lucerne (NDEP-BMRR)
- Reclamation Permit amendment (NDEP-BMRR)
- Road Underpass and/or Move Permits - NDOT, Storey County
- Gold Canyon Creek crossing - Waters of the US - ACOE (Nationwide Permit coverage)
- Mitigation of eligible historic sites



## Eastern Lucerne Conceptual Plan – Rudimentary Visual Representations

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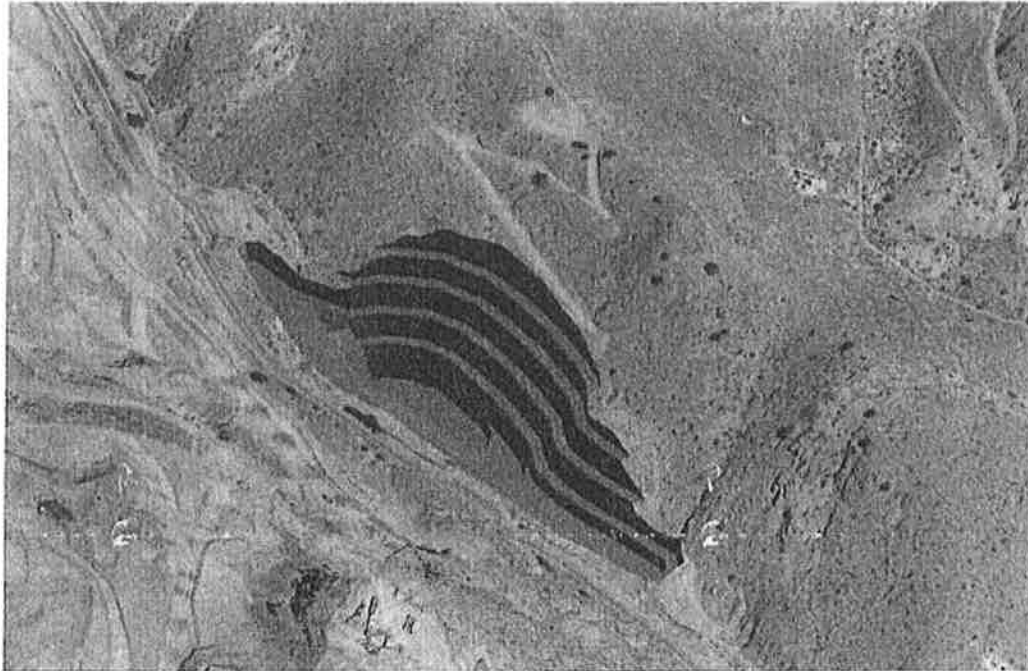
### **Current View**

The image below shows the area of potential mining, east of SR342.



### **Surface Operation View**

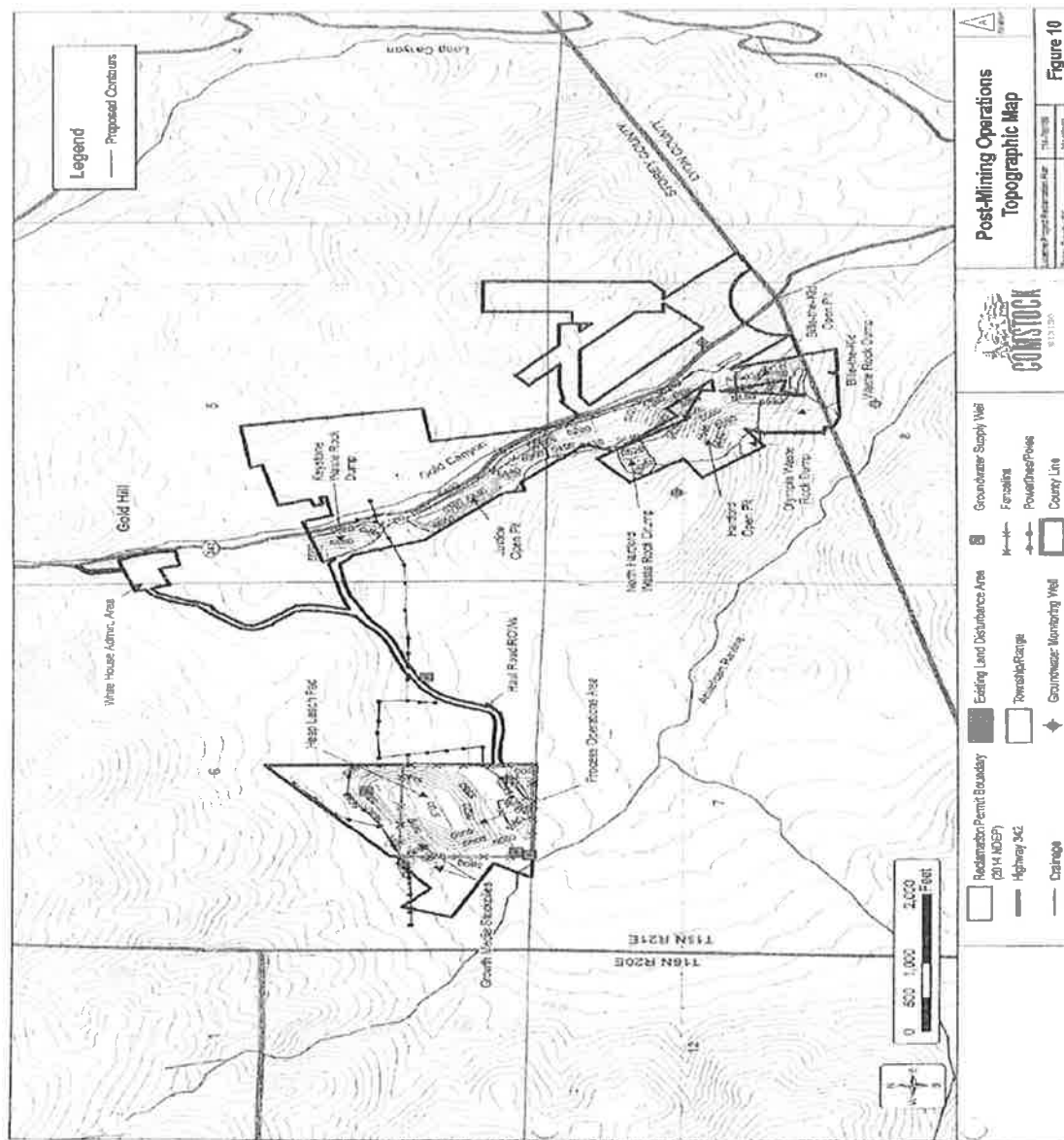
The image below shows a graphic representation of what how the area might look during operations.



### **Reclamation**

Reclamation may consist of backfilling benches and contouring to near original topography. Alternatively reclamation may be tied into future activities. The following image shows a rough image of what the area would look like after reclamation.







# Storey County Board of County Commissioners

## Agenda Action Report

Meeting date: 09/02/14

Estimate of time required: 10 min.

Agenda: Consent [ ] Regular agenda [x] Public hearing required [x]

1. **Title:** In accordance with an approval of Special Use Permit No. 2000-222-A-4 by Comstock Mining, LLC, county planning staff hereby recommends closure and nullification of existing Special Use Permit No. 2011-016 ("Exploration SUP"). This SUP request is subject to approval of preceding SUP No. 2000-222-A-4 by Comstock Mining, LLC. This SUP amendment request shall not be subject to hearing or modification if said preceding SUP is not approved.
  2. **Recommended motion:** In accordance with the approval of Special Use Permit No. 2000-222-A-4 by Comstock Mining, LLC, compliance with federal, state, and county regulations, and the recommendation of approval by the Planning Commission and staff, I [Commissioner] find that existing SUP No. 2011-016 is no longer necessary and may conflict with the provisions of SUP No. 2000-222-A-4, and, therefore, I motion to approve permanent closure of existing SUP No. 2011-016 ("Exploration SUP").
  3. **Prepared by:** Austin Osborne, Senior Planner
- Department:** Planning Department **Telephone:** 847-1144
4. **Staff summary:** In 2011 the applicant was granted Special Use Permit No. 2011-016 allowing it to conduct mine exploration on portions of land now subject to the provisions of SUP No. 2000-222-A-4. In addition to mining, processing, and mine definition, SUP No. 2000-222-A-4 allows for mine exploration. Therefore, existing SUP No. 2011-016 for mine exploration is no longer necessary and may conflict with the provisions of SUP No. 2000-222-A-4. Staff recommends closure of SUP No. 2011-016.
  5. **Supporting materials:** See Staff Report No. 2000-222-A-4 Section 2.2 (pp. 5-9), Section 9 (pp. 34 and 52), and Exhibit K (pp. 77-85).
  6. **Fiscal impact:** None on local government.

Funds Available:

Fund:

\_\_\_ 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



## Storey County Board of Fire Commissioners Agenda Action Report

Meeting date: 09/02/14

Estimate of time required: 15 min.

Agenda: Consent [ ] Regular agenda [x] Public hearing required [x]

*Note: Convene as Board of Fire Commissioners*

1. **Title:** Discussion/Possible Action: Approval of Memorandum of Understanding (MOU) between the Storey County Board of Fire Commissioners (Employer) and the Storey County Firefighters' Association IAFF Local 4227 (Firefighters' Association) pertaining to salaries, merit steps, and employee anniversary/hire dates.
2. **Recommended motion:** I [Commissioner] motion to approve the Memorandum of Understanding (MOU) between the Storey County Board of Fire Commissioners and the Storey County Firefighters' Association IAFF Local 4227 clarifying employee salaries and merit steps as pertaining to employee anniversary/hire dates. I understand that the MOU clarifies the meaning of, but does not modify the terms of, the existing Bargaining Agreement between the parties.
3. **Prepared by:** Austin Osborne, Administrative Officer  
  
**Department:** Human Resources **Telephone:** 775.847.0968
4. **Staff summary:** Pursuant to NRS 288 and Article 1 of the Bargaining Agreement between the Employer and the Firefighters' Association, clarification is needed regarding salary and step benefits as applicable to employee anniversary/hiring dates.
5. **Supporting materials:** Recommended draft MOU enclosed herewith.

6. **Fiscal impact:**

Funds Available:

Fund:

\_\_\_\_\_ Comptroller

7. **Legal review required:**

\_\_\_\_\_ District Attorney

8. **Reviewed by:**

 Department Head

Department Name: Commissioner's Office

 County Manager

Other agency review: \_\_\_\_\_

9. **Board action:**

☐ Approved  
☐ Denied

☐ Approved with Modifications  
☐ Continued



## STOREY COUNTY FIRE PROTECTION DISTRICT

145 North C Street  
P.O. Box 603  
Virginia City, NV 89440  
(775) 847-0954 Phone • (775) 847-0987 Fax

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July 1, 2014

Honorable Board of Storey County Fire Commissioners  
C/O Mr. Pat Whitten, County Manager  
26 South "B" Street  
Virginia City, NV 89440

Attn: County Manager and Administrative Officer

Re: Memorandum of Understanding to 2014-2017 Collective Bargaining Agreement

Dear Mr. Whitten:

Please let this Memorandum of Understanding (MOU) provide clarification regarding employee salaries and merit steps, and how they relate to employee anniversary dates pursuant to Article 3 of the 2014-2017 Collective Bargaining Agreement (CBA) between the Storey County Board of Fire Commissioners and the Storey County Fire Fighters' Association, IAFF Local 4227. The terms and conditions of this MOU, and accordingly said Article of the CBA, shall apply as follows. This MOU shall be effective for the term of said CBA.

- **Existing Employees** – Employees who were newly hired to full-time positions on or before 11/30/12 shall thenceforth receive merit-step increases on July 1 of each year. No merit-step increase shall ever occur on the employee's actual hire-date/true anniversary date. On 07/01/14, these employees shall advance to their next respective steps pursuant to the 2014-2017 CBA, e.g., a Step 2 employee shall advance to Step 5, etc., on that date.
- **New Employees** – Employees who were newly hired to full-time positions on or after 07/01/13 shall thenceforth receive merit-step increase on their actual anniversary date, that being the date at which they were hired as new full-time employees. On their true anniversary date, these employees will receive merit-step pay and will advance to Step 2 pursuant to the 2014-2017 CBA. They will thereafter advance to Step 3, 4, 5 and so-on each year. For example, if "John" was hired on April 05, 2014, he will receive merit-step on April 05, 2015, and will advance to Step 2 on that date. He will not receive merit-step pay or advancement on July 1 of any year. If "Jane" was hired on August 05, 2014, she will receive merit-step on August 05, 2015, and will advance to Step 2 on that date. She will not receive merit-step pay or advancement on July 1 of any year.
- **Reclassified Employees** – Any employee, regardless of initial hire date, who is reclassified (promoted, demoted, promoted then demoted back to his/her original position, etc.) shall be assigned a new true anniversary date. The new anniversary date will be the date on which the employee was reclassified. Thenceforth, the reclassified employee will receive merit-step

increases on his/her true anniversary date. Thenceforth, regardless of the initial hire date, that employee will advance through the pay range one step at a time, e.g., 1, 2, 3, etc. For example, if "John", a current Step 3 employee who normally receives merit-step on July 1 of each year, was promoted to a higher position on April 05, 2014, he will earn his next merit-step increase (step and pay) on April 05, 2015. He will receive no merit-step increase on July 1 of any year following his reclassification.

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Marshall McBride, Chairman  
Storey County Fire Board

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Victor Yohey, President  
Storey County Fire Fighters' Association

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Lance Gilman, Vice Chairman  
Storey County Fire Board

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Roy Thomson, Vice-President  
Storey County Fire Fighters' Association

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Bill Sjovangen, Commissioner  
Storey County Fire Board

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Gary Hames, Chief  
Storey County Fire District

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Pat Whitten, County Manager  
Storey County

APPROVED AS TO FROM:

Attest By:

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Bill Maddox, District Attorney

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Vanessa Stephens, Storey County Clerk/Treasurer





## Storey County Board of County Commissioners Agenda Action Report

Meeting date: 09/02/14

Estimate of time required: 15 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title:** DISCUSSION/POSSIBLE ACTION: Approval of modification and extension of Collective Bargaining Agreement between Storey County (Employer) and the Storey County Sheriff's Office Employees' Association/Operating Engineers Local Union No. 3 (Union).
2. **Recommended motion.** I [Commissioner] motion to approve modifying and extending the Collective Bargaining Agreement between Storey County and the Storey County Sheriff's Office Employees' Association/Operating Engineers Local Union No. 3 as tentatively agreed between the parties and as presented by staff.
3. **Prepared by:** Austin Osborne, Administrative Officer  
  
**Department:** Human Resources **Telephone:** 775.847.0968
4. **Staff summary:** Pursuant to NRS 288 and Article 1 of the Bargaining Agreement between the Employer and the Union, the existing 2011-2014 Agreement is proposed to be modified as tentatively agreed between the parties.
5. **Supporting materials:** Provided in closed session per NRS 288.


6. **Fiscal impact:**

Funds Available: Fund: \_\_\_\_\_ Comptroller

7. **Legal review required:**

\_\_\_\_\_ District Attorney

8. **Reviewed by:**

 Department Head

Department Name: Commissioner's Office

 County Manager

Other agency review: \_\_\_\_\_

9. **Board action:**

☐ Approved  
☐ Denied

☐ Approved with Modifications  
☐ Continued

Agenda Item No. 21





## Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 2, 2014

Estimate of time required: 5 Minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion/Possible Action: Acceptance and award of contract for three (3) Ambulance Re-chassis to Fire Trucks Unlimited in the amount of \$200,505.
2. **Recommended motion:** *I move to accept and award the bid for three (3) Ambulance Re-chassis to Fire Trucks Unlimited in the amount of \$200,505.*
3. **Prepared by:** Gary Hames

**Department:** Equipment Acquisition


**Telephone:** (775) 847-0954

4. **Staff summary:** Re-chassis of three ambulance cab and chassis' for the fire district began a year ago. This is necessary and prudent due to the mileage, hours and mechanical issues with the existing ambulances. An application has been successfully completed and awarded by the USDA for a loan to support this purchase. Specifications have been written and issued to fourteen (14) bidders with only one (1) submitting a proposal, one submitting a "no-bid" letter (Burtons Fire Apparatus) and one calling to state they only re-chassis their own boxes (Braun). This bid submittal and requested approval is for only the re-chassis of the ambulance. It does not include the cost of the new vehicle to place the existing box. The actual vehicle will be in a separate staff recommendation. Fire Trucks Unlimited submittal does meet or exceed all of our specifications at this time. They are also a Nevada based company located in Henderson.

5. **Supporting materials:** Specification with costs.

6. **Fiscal impact:** Funds Available: Yes ☒ Fund: Equipment Acquisition ☐ Comptroller

7. **Legal review required:** ☐ District Attorney

8. **Reviewed by:** ☒ Department Head ☐ Department Name: Equipment Acquisition  
 County Manager ☐ Other agency review: USDA

9. **Board action:**

☐ Approved  
☐ Denied

☐ Approved with Modifications  
☐ Continued

Agenda Item No. 22



## **FIRETRUCKS UNLIMITED LLC**

1175 Center Point, Henderson, NV 89074  
(702) 558-3352 [Phone] - (702) 558-9821 [Fax]  
[www.firetrucksunlimited.com](http://www.firetrucksunlimited.com) URL

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August 15, 2014

Storey County Fire Protection District  
Post office Box 603  
145 NorthC Street  
Virginia City, Nevada 89440

As the largest Apparatus Service Center in the states of Nevada and Utah, and the largest Refurbishment Center in the region. Firetrucks Unlimited welcome the opportunity to provide our services to Storey County Fire Protection District. Enclosed please find the information you requested.

We are a major supplier of quality, customized fire equipment to firefighters across our region. We build highly reliable durable specialty vehicles that have a reputation of proven performance.

FTU Fire Apparatus is built to be safe, dependable and price competitive to meet the diverse needs of municipalities and their fire departments. FTU builds and markets a variety of configurations including wildland, tankers, and rescue vehicles as well as remounting ambulances.

Thank you for your interest in our company. If you have any questions, please feel free to contact me at 866-876-0979, 702-558-3352, or via e-mail at [Richard@firetrucksunlimited.com](mailto:Richard@firetrucksunlimited.com).

Respectfully,

Richard Ives  
Firetrucks Unlimited

FTU Fire Apparatus Representative

# Storey County Fire Protection District



## Specifications and Bid Proposal Package for Three (3) Type 1 Ambulance Chassis Changeover

**REJECTION OF PROPOSALS:** The Storey County Fire Protection District reserves the right to reject any or all proposals and alternatives and to waive any informality or technicality in any proposal that we may deem to be in the best interest of this District, and to request new proposals when required. In addition, we reserve the right to accept the proposal deemed most advantageous and in the best interest of the District. We will not be bound to accept low bid if it is not in our best interest. We reserve the right to determine which (if any) substitutions are acceptable and to negotiate changes. We reserve the right to add additional vehicles to this purchase if so desired. It is also the intent of the District to allow any other governmental entity to utilize NRS 332.195 – Joinder Clause, to purchase off of this same specification if so desired.

Vendors taking complete exception to the entire specifications will be removed from the bidding process as non-responsive.

**NFPA 1901-2009:** The National Fire Protection Association "Standard for Automotive Fire Apparatus, 2009 Edition, is hereby adopted and made a part of these specifications for the components supplied in the incomplete chassis. In addition to this standard, Federal KKK Ambulance requirements shall be strictly adhered to. It is the responsibility of the vendor to identify any portion of this specification that is not aligned with either NFPA or KKK standards.

The bid shall state the type of warranty that the manufacturer will provide, with copies of warranty coverage and omissions enclosed with these specifications.

If awarded the bid, a licensed, authorized representative of the bidder shall provide a minimum of four (4) – four (1) hours training sessions to staff and maintenance personnel at time of delivery.

If awarded the bid; vendor shall be willing to provide follow-up service including replacement parts for repairs, etc. as may be needed by the District to maintain the vehicle after it is put into operation.

By signing this document, the Bidder agrees that this Bid is made without any understanding, agreement or connection with any other person, firm or corporation making a bid for the same purpose, and that this bid is in all respects fair and without collusion or fraud.

If a vendor represents more than one (1) Manufacturer, we will only accept the top of the line manufacturer meeting these specifications. This purchaser is NOT interested in low quality, budget built equipment.

Total bid price will include all items and components as listed in these specifications including delivery to this location. Listing any items contained in these specifications as an extra cost item, unless otherwise specified, will be cause for rejection.

#### **APPROVAL DRAWING-**

Prior to construction, the successful bidder will provide three approval drawings of the apparatus for the fire department's review. The drawings will show such items as the chassis being utilized, lights, horns, sirens and all compartment locations and dimensions. The blueprint will be a visual interpretation of the

approval of the specific item. Requests must be received within 30 days of contract award. No substitution may be made without prior approval.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

#### **Progress Reporting-**

Successful vendor will have available photos of the units being produced. These photos will be updated and sent weekly until final inspection.

In addition to the production photos; weekly status reports, any additional shop notes, additional drawings, etc. will be sent to the Fire District.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

#### **PRODUCT LIABILITY INSURANCE**

Due to the high cost of replacement of said fire apparatus and to protect the District of our full rights, the successful vendor shall carry garage liability insurance equal to or in excess of \$10,000,000.00.

Meets Specification: Yes ☐ No ☒ (if no, provide explanation)

#### **PRE-CONSTRUCTION CONFERENCE - FACTORY**

A pre-construction conference will be held at the factory prior to the actual construction of the vehicle(s). The conference will be held in the successful bidders manufacturing facility with three (3) representatives of the Fire Department and appropriate representatives of the successful bidder.

Transportation, lodging and meals, will be the responsibility of the successful vendor.

Meets Specification: Yes ☐ No ☒ (if no, provide explanation)

#### **PRE-PAINT INSPECTION TRIP**

There will be a pre-paint inspection trip for three (3) representatives of the District at the facility where the apparatus is being constructed. The inspection trip will be completed prior to painting of the body. Factory and Sales representatives will be available at the time of inspection.

Transportation, lodging and meals, will be the responsibility of the successful vendor.

Meets Specification: Yes ☐ No ☒ (if no, provide explanation)

#### **FINAL INSPECTION TRIP**

There will be a final inspection trip for four (4) representatives of the District at the facility where the apparatus is being constructed. The inspection trip will be completed prior to delivery of the apparatus. Factory and Sales representatives will be available at the time of inspection.

Transportation, lodging and meals will be the responsibility of the successful vendor.

Meets Specification: Yes ☐ No ☒ (if no, provide explanation)

**Speaker--**

(2) New Whelen SA315P 100 Watt Siren Speakers shall be installed behind the chassis grill.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

**Cab Boot-**

A new pass-through boot shall be fabricated and installed. If necessary, modifications shall be made to the patient module box (filling holes) to accommodate the new boot.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

**Onspot Chains--**

The onspot chains from old chassis shall be re-installed on new chassis (if possible). If that is not possible, the vendor shall accommodate new onspot automatic tire chains as part of their costs contained within this request for proposal.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

**Urea Fill--**

Provide fill door with access using standard commercial containers.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

**Safety Labels-**

Cab placard & safety labels - Install required safety labels.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

**Mud Flaps--**

2 New Mud flaps on rear body.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

**New A/C Lines -**

Replace a/c hose with new #8 & #10, install new fittings.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

**Diamond plate-**

### **Dome Lights –**

Patient compartment dome lights (7) shall be replaced with new Weldon LED low profile dome lights with Hi/Lo setting. This vendor is being used for example purposes only of what lights are expected.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

### **Scene/Load Lights -**

Use existing Scene Lights. Light heads shall be removed prior to paint, polished and then reinstalled.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

### **Troubleshoot wiring–**

Wiring harness shall be disconnected from ambulance box and re-connected to new chassis with disconnect plugs for future remounting. Troubleshoot wiring issues.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

### **Backup Camera-**

Install backup cameras and monitors.

Meets Specification: Yes ☐ No ☒ (if no, provide explanation)

### **Cab Paint–**

The new chassis shall be ordered in white and repainted department color (blue). All door openings, cabinet openings and the like shall all be painted.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

### **Body Paint–**

Prior to paint, any necessary body work shall be performed. Repaired areas shall be sealed and primed prior to paint. Box to be cleaned, refinished with new blue base coat/ clear coat paint scheme single tone to match new chassis cab. After paint box shall be cut and buffed.

The cab and body shall be painted at the same time, no exceptions.

Meets Specification: Yes ☒ No ☐ (if no, provide explanation)

### **Compartment paint–**

The exterior compartments shall be refinished with a gray rhino liner.





## FIRE APPARATUS

Firetrucks Unlimited  
1175 Center Point  
Henderson, Nevada 89074  
(866) 876-0979 [Phone] - (702) 558-9821 [Fax]  
[www.firetrucksunlimited.com](http://www.firetrucksunlimited.com) URL

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### APPARATUS PROPOSAL

DATE: September 15, 2015  
FOR: Storey County Fire Protection District  
MAILING ADDRESS: 145 North C Street  
Virginia City, Nevada 89440

Bidder hereby proposes to manufacture and furnish to Purchaser, subject to Purchaser's acceptance of the Bidder's proposal and the proper execution of the appropriate contract, the following apparatus and equipment to be built in accordance with the attached specifications.

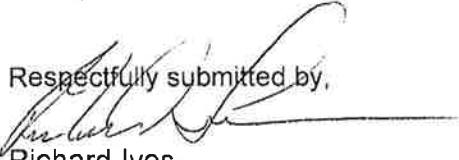
Quantity: Three (3) Type 1 Ambulance Chassis Changeovers

For the sum of Sixty six thousand eight hundred thirty five Dollars each.  
(Plus applicable taxes if any)

**TOTAL for all (3) Three = \$200,505.00 plus any applicable taxes**

Delivery is to be made subject to all clauses of the attached contract, within approximately 90 **calendar days** from receipt of the **CHASSIS** by the Bidder. Company will not be liable for any delay, failure to make delivery, or other default due to strikes or labor unrest, war, riot, federal, state or local government action, fire, flood or other disaster or acts of God, accidents, breakdown of machinery, lack of or inability to obtain materials, parts or supplies, or any other causes or circumstances beyond the reasonable control of Company which prevent or hinder Company's manufacture and/or delivery of the Apparatus. The Bidder's right to withdraw this proposal, if not accepted within thirty (45) days from the above date is hereby acknowledged.

Respectfully submitted by,

  
Richard Ives  
Sales Representative

Firetrucks Unlimited  
1175 Center Point  
Henderson, Nevada 89074  
702-558-3352 Office  
702-279-5118 Cell



The Refurb Leader!

BID

## Firetrucks Unlimited

1175 Center Point Dr.  
Henderson, NV 89074  
866.876.0979 (toll free)  
702.558.9821 (fax))  
[brianr@firetrucksunlimited.com](mailto:brianr@firetrucksunlimited.com)

QUOTE NO.  
DATE August 5, 2014  
CUSTOMER ID  
EXPIRATION DATE 60 Days

TO Storey County Fire Protection

Virginia City, Nevada 89506

Attn: Victor Yohey

## SOW (STATEMENT OF WORK)

SALESPERSON	JOB	PAYMENT TERMS
Richard Ives	Wheeled Coach Ambulance Remounts	50% upfront and 50% and delivery

**This project includes 3 similar boxes that will be modified, refurbished and updated to appear the same (as close as possible) . Price per each.**

Item #	DESCRIPTION	LINE TOTAL
	<b>CHASSIS</b>	
1	Ford F350 4x4 to be changed to Dodge 4500 4x4 : Story Cty will order and drop ship chassis to Firetrucks Unlimited. Firetrucks Unlimited will offer copy of chassis quote to local Henderson dealer to allow them to match price and possibly save on delivery fees. NOTE: Dodge 4500 may not meet applicable load height requirements.	TBD
	<b>CAB</b>	
3	High Idle - The truck shall be equipped with a high idle system that will activate once chassis is placed in park. THIS ITEM MUST BE ORDERED WITH THE CHASSIS.	n/a
4	Center Console - Provide and install new Troy center console with appropriate plates for customers radio, siren, amp & voltage gauges, cupholders, switching.	1,100
5	Radio - A new Motorola PM 1500 Model dual head mobile vhf radio per the districts specifications and install in console.	2,600
6	Siren/Radio - A new Federal Signal PA300 200 Watt Siren shall be provided and installed in the new center console.	800
7	Speaker - (2) New Whelen SA315P 100 Watt Siren Speakers shall be installed behind the chassis grill.	700

Item #	DESCRIPTION	LINE TOTAL
8	Boot - A new passthrough boot shall be fabricated and installed. If necessary, modifications shall be made to the patient module box (filling holes) to accommodate the new boot.	1,500
9	Wheels - to be ordered with chassis	n/a
10	Onspot Chains - The onspot chains from old chassis shall be re-installed on new chassis (if possible), otherwise install new onspot chains.	2,900
11	<b>BODY - Wheeled Coach</b>	
12	Urea Fill - Provide fill door with access using standard commercial containers	450
13	Cab placard & safety labels - Install required safety labels.	100
14	Remove & Replace Body - Body will be removed and installed on new chassis, necessary body mounts, spacers and hardware will be replaced as necessary.	4,000
15	Mud Flaps - 2 New Mud flaps on rear body	100
16	New A/C Lines - Replace a/c hose with new #8 & #10, install new fittings.	3,400
17	Diamond plate- Polish body diamond plate.	600
18	<b>PATIENT COMPARTMENT / INTERIOR</b>	
19	Reupholster and repair panels - make each box uniform with upholstery, sheeting	1,800
20	Flooring - The patient compartment flooring shall be replaced with new "GRAY" LONPLATE II material.	1,200
21	Air Bags - No Action, chassis will be ordered with no air bags and there is no concern of rear height due to current lift system. NOTE: LOAD HEIGHT MAY EXCEED KKK STANDARDS. NO LIABILITY IS ASSUMED BY FIRETRUCKS UNLIMITED FOR NON-COMPLIANCE. OPTION: A Kelderman 4 bag suspension kit can be added for \$8,500.	n/a
22	<b>ELECTRICAL</b>	
23	Lighting Package: Existing lighting shall remain, light heads shall be removed before paint. (4) new Whelen LED lighthead shall be provided and installed on the new chassis. (2) Whelen 500 Series on front grill, and (2) Whelen LINZ on front fenders.	1,700
24	DOT Lights - Use existing Brake, Reverse & Turn lights. Polish lenses	200
25	Clearance lights - Use existing clearance lights, polish lenses	50
26	Dome Lights - Patient compartment dome lights (7) shall be replaced with new Weldon LED low profile dome lights with Hi/Lo setting	1,200
27	Scene/Load Lights - Use existing Scene Lights. Lightheads shall be removed prior to paint, polished	150
28	Troubleshoot wiring - Wiring harness shall be disconnected from ambulance box and re-connected to new chassis. Troubleshoot wiring issues.	5,500
29	Backup Camera - A backup camera shall be installed on the ambulance.	1,200

Item #	DESCRIPTION	LINE TOTAL
30	<b>PAINT &amp; GRAPHICS</b>	
31	Cab Paint - The chassis order white and repainted department color (Blue)	2,600
32	Body Paint - Prior to paint, any necessary body work shall be performed. Repaired areas shall be sealed and primed prior to paint. Box to be cleaned, refinished with new blue base coat/ clear coat paint scheme single tone to match new chassis cab. After paint box shall be cut and buffed.	6,250
33	Compartment paint - The exterior compartments shall be refinished with a gray rhino liner.	1,400
34	Striping - Per the departments current striping layout.	2,200
35	Lettering - Department lettering and shields (reflective) shall be provided and installed similar to old design.	900
36	Rear Chevrons - New reflective BLUE AND GRAY chevrons shall be applied on at least 50% of the rear vertical surface.	900
37	Door Seals - All door seals will be replaced after paint.	600
38	Old Chassis Flatbed - The takeoff chassis shall have a new steel flatbed with headache rack, mud flaps, 2 red whelen emergency lights mounted to the headache rack, existing air ride suspension compressor to me mounted in metal cabinet under left rear of flatbed in front of mudflap.	8,800
39	<b>GENERAL</b>	
40	Transportation - Pick up old chassis, return remounted chassis, return flatbed truck, new chassis to be dropshipped to Henderson, NV.	2,250
41	Inspection meetings - Lodging, Transportation & Meals, Pre-Con : 3 people, Pre-Paint: 3 people, Final: 4 people (trip charges are being spread over 3 trucks, total charge for inspections is \$4,350)	1,450
42	Management, Supplies, Overhead and Warranty	8,235
		<b>\$ 66,835.00</b>
Accepted by: _____		

[www.firetrucksunlimited.com](http://www.firetrucksunlimited.com)  
 THANK YOU FOR YOUR BUSINESS!

This is a draft that can be modified - please review, add lines, delete lines, change and send back for an updated Draft. Once both parties agree on the content of the SOW (Statement of Work) we will produce a FINAL. After a FINAL is accepted any changes will be accompanied with a "Change Order". Each change order will have a price per item and a new calculation of completion.



## ***The Refurb Leader!***

### **Exceptions/Clarifications**

Page 3, paragraph 3 – “Federal KKK Ambulance requirements shall be strictly adhered to”, NOTE: upgrading to Ford F450 chassis without adding rear air bag or liquid spring suspension may cause the leading height to exceed parameters set by KKK. The specification currently does not call for rear air bag or liquid spring suspension.

Page 3, paragraph 10 APPROVAL DRAWING – As this is a remounted ambulance, a new drawing will not be provided.

Page 4, CONTRACT REQUIREMENTS, LIQUIDATED DAMAGES – Delivery time commences when all chassis have been provided by the customer, adherence to reasonable pre-construction meeting timelines

Page 4, Warranty Repairs – Firetrucks Unlimited standard refurbishment warranty is 1 year and applies only to the work performed by Firetrucks Unlimited. New chassis warranty shall be administered by the chassis manufacturer.

Page 5, Product Liability Insurance – Firetrucks Unlimited can provide garage liability insurance in the amount of \$3,000,000 which is consistent with companies of similar size and type.

Page 5, Inspections – There will be a total of 3 (PreCon: 3 reps, PrePaint: 3 reps, Final: 4 reps) inspections trips for the project. All three ambulances will be inspected at the same time.

Page 6, High Idle – The chassis need to be ordered with high idle option as this is not available after market.

Page 6, Center Console - PM1500 VHF dual control head mobile quoted, 1550 model not available, CDM 1550 available but does not have dual head

Page 9, Backup Camera - A single backup camera and monitor shall be provided.



## Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 2, 2014

Estimate of time required: 5 Minutes

Agenda: Consent [ ] Regular agenda [X] Public hearing required [ ]

1. **Title:** Discussion/Possible Action: Purchase of three (3) Dodge Ram 4500 Regular Cab Chassis through Nevada State Purchasing, or other vendor if less then state purchasing, in the amount not to exceed \$142,113.
2. **Recommended motion:** *I move to approve the purchase of three (3) Dodge Ram 4500 Regular Cab Chassis through Nevada State Purchasing, or other vendor if less then state purchasing, in the amount not to exceed \$142,113.*
3. **Prepared by:** Gary Hames

**Department:** Equipment Acquisition

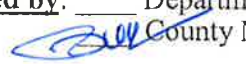
**Telephone:** (775) 847-0954

4. **Staff summary:** These three (3) chassis will be utilized for the re-chassis of three ambulances. This cost is over and above the bid award for the actual work to remove our existing boxes and place them on these chassis as recommended for approval to Fire Trucks Unlimited within a separate staff recommendation. A loan application has been successfully completed and awarded by the USDA for a loan to support this purchase. This staff recommendation is a not to exceed amount as we are searching for a dealer that may be able to provide the vehicle at a lesser price then state purchasing. State Purchasing price for 2014 models is \$47,371 as the chassis must have an ambulance prep package installed. We may experience a problem with the order cutoff date through state purchasing for 2014 models. We are hopeful that we can use the 2014 state pricing to find 2015 models somewhere through a vendor at the same or less cost. That is why this is written in a not to exceed amount.

**5. Supporting materials:** State Purchasing Price

6. **Fiscal impact:** Funds Available: Yes Fund: Equipment Acquisition \_\_\_\_\_ Comptroller

7. **Legal review required:** \_\_\_\_\_ District Attorney

8. **Reviewed by:** \_\_\_\_\_ Department Head Department Name: Equipment Acquisition  
 County Manager Other agency review: USDA

9. **Board action:**

<input type="checkbox"/>	Approved	<input type="checkbox"/>	Approved with Modifications
<input type="checkbox"/>	Denied	<input type="checkbox"/>	Continued

Agenda Item No. 23

## STANDARD PAGE/COST MATRIX ~ FLEET

(Use separate page for each package)

**DEALER NAME: Carson Dodge Chrysler Jeep****Specify State's Vehicle Item Number: 3.6 Ram 4500 Regular Cab Chassis Cab 4x2-4x4**

(i.e. 1.1 Sedan: Full size; 4 door; 6 passenger)

Specify MANUFACTURER, MODEL NAME, YEAR & BODY MODEL CODE:	Base Price for RENO/CARSON CITY	Base Price for LAS VEGAS
Ram 4500 C/C, 2014, DP4L63	\$38,300.00	\$38,500.00
State vehicle miles per gallon (MPG): Diesel N/R <i>Total w/Options: \$47,371-</i>		
State manufactures warranty: 3/36,000 COMP AND 5/100,000 DIESEL ENGINE		
Specify engine size and emission rating: 6.7 LITER CUMMINS 6 CYL; 50 STATE; UREA		
Includes Minimum Standard Equipment Listed: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, state exceptions:		
Exterior Color: List available colors:		
Black (\$340.00), Bright Red (\$340.00), Silver, White, Brilliant Black, Dark Brown (\$340.00), Deep Forrest Green, Deep Water Blue (\$191.00), Detonator Yellow (\$340.00), Flame Red, Light Cream (\$340.00), Light Green (\$340.00), Mineral Gray, Omaha Orange (\$340.00), Rugged Brown, School Bus Yellow (\$340.00), Timberline Green (\$340.00), White Gold, Yellow (\$340.00)		
Seats, Cloth: List available colors:		
Med Slate Gray		
GVW: 16,000-16,500 #		WHEELBASE: 144.5-204.5
(When Applicable)		(When Applicable)



## OPTION PACKAGE PAGE ~ FLEET

(Use separate page for each package)

DEALER NAME: Carson Dodge Chrysler JeepSpecify State's Vehicle Item Number: 3.6 Ram 4500 Regular Cab Chassis 4x2-4x4

(i.e. 1.1 Sedan: Full size, 4 door, 6 passenger)

Option Package Name/Code:	SLT Package (2GG)	\$2,950.00
---------------------------	-------------------	------------

List Equipment Features Below:

Bright Front Bumper, Bright Grille, Bright Wheel Skins, Overhead Console, Power Locks, Power Folding Trailer Tow Mirrors, Power Windows, Keyless Entry, SLT Badge, Sentry Key Theft Deterrent System
Front Floor Mats, Leather Wrap Steering Wheel, Audio Ctrls Steering Wheel, 6 Speakers

Power Accessory Group (AJW) \$531.00
--------------------------------------

Power Windows, Power Door Locks, Power Trailer Tow Mirrors
--

Power and Remote Entry Group (AJH) \$638.00
---

Power Windows, Power Door Locks, Power Trailer Tow Mirrors, Keyless Entry

## ITEMIZED OPTION PAGE ~ FLEET

(Use separate page for each package)

DEALER NAME: Carson Dodge Chrysler Jeep

		DEDUCT AMOUNT
ABS Brake System	STD	\$-
Air Conditioning	STD	\$-
Cruise Control	STD	\$-
Diesel Engine	STD	\$-
Engine Block Heater	\$77.00	\$-
Four Wheel Drive (4x4)	\$1,700.00	\$-
Heavy Duty Alternator	\$128.00 220 Amp	\$-
Hitch Receiver	N/A	\$-
Integrated Trailer Brake	\$196.00	\$-
Keyless Entry w/Fob (must have power door locks)	SEE GROUP	\$-
Limited Slip Differential	STD	\$-
Paint, Metallic	SEE PAINTS	\$-
Power Mirrors	SEE GROUP	\$-
Power Locks	SEE GROUP	\$-
Power Seats	\$723.00 SLT ONLY	\$-
Power Windows	SEE GROUP	\$-
Radio; AM/FM Stereo, Cassette Player	AM/FM STD	\$-
Radio; AM/FM Stereo, Cassette Player, CD	CD \$166.00	\$-
Rear Window Wiper	N/A	\$-
Seats, Vinyl	<\$166.00>	
Vinyl Colors: Med. Slate Gray		
Skid Plate	\$43.00	\$-
Tilt Steering	STD	\$-
Tire, Spare, Full Size	\$298.00	\$-
Trailer Tow Mirrors	STD	\$-
Trailer Tow Package	N/A	\$-
Daytime Running Lamps	\$43.00	
Cargo Lamp	\$64.00	
Fog Lamps (SLT Only)	\$119.00	
Snow Plow Prep	\$170.00	
Rear Sliding Window	\$119.00	
Power Take Off Prep	\$251.00	
Ambulance Prep Group	\$378.00	
Engine Shutdown Timer	\$213.00	
Voltage Mont. System Idle	\$128.00	
84" Cab to Axle	\$156.00	
108" Cab to Axle	\$311.00	
120" Cab to Axle	\$465.00	
4.88 Axle Ratio	\$106.00	
Max Tow Package	\$336.00	
Tube Steps	\$446.00	
225/70R19.5F All Trac Tires	\$213.00	\$-
Heavy Duty Front Suspension	\$106.00	
U Connect Handsfree Communication	\$561.00	
Dual Alternators	\$336.00	
Park View Rear Back Up Camera	\$336.00	
Elect Mont. Module	\$166.00	
6.4 Liter Hemi Gas Engine	<6,300.00> Credit	

Delivery charge for other than Reno or Las Vegas (i.e. Ely) \$300.00 per unit.



## Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 2, 2014

Estimate of time required: 5 Minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion/Possible Action: Acceptance and award of contract for three (3) Type I Triple Combination Structural Fire Fighting Engines to Ferrara Fire Apparatus in the amount of \$1,640,828.

2. **Recommended motion:** *I move to accept and award the bid for three (3) Type I Triple Combination Structural Fire Fighting Engines to Ferrara Fire Apparatus in the amount of \$1,640,828.*

3. **Prepared by:** Gary Hames

**Department:** Equipment Acquisition

**Telephone:** (775) 847-0954

4. **Staff summary:** Replacement of structural fire engines for the fire district began two years ago. This is necessary and prudent due to the mileage, hours and mechanical issues with the existing engines. An application has been successfully completed and awarded by the USDA for a loan to support this purchase. Specification have been written and issued to thirty-seven (37) bidders with four (4) being responsive. Following are important excerpts from these submittals:

1. Ferrara is the lowest bid at \$1,640,828. This is in comparison to Rosenbauer at \$1,677,232; Pierce at \$1,883,508; and, H&E Equipment Sales (E-One) at \$1,945,825.80.
2. Ferrara is the only vendor to not have a single exception to the specifications.
3. Our requirement of being completed in 210 days has been accepted by Ferrara.
4. The loose equipment was entirely encompassed within their proposal of which they are the only company to completely fulfill that requirement.

5. **Supporting materials:** Fire Apparatus Proposal Letter (attached)

6. **Fiscal impact:** Funds Available: Yes Fund: Equipment Acquisition \_\_\_\_\_ Comptroller

7. **Legal review required:** \_\_\_\_\_ District Attorney

8. **Reviewed by:** \_\_\_\_\_ Department Head  
County Manager Department Name: Equipment Acquisition  
Other agency review: USDA

9. **Board action:**

<input type="checkbox"/>	Approved	<input type="checkbox"/>	Approved with Modifications
<input type="checkbox"/>	Denied	<input type="checkbox"/>	Continued

Agenda Item No. 24



**FIRE APPARATUS PROPOSAL**

August 15, 2014

Storey County Fire Protection District  
Post Office Box 603  
135 North C Street  
Virginia City, Nevada 89440

We are pleased to submit our proposal for your consideration on the following complete apparatus in strict accordance with the attached proposal for:

**Three-(3) Ferrara Fire Apparatus, Inc. model RP1001 Type I Engines mounted on a Ferrara Inferno chassis per the attached specifications and proposal:**

<b>Unit Price:</b>	<b>\$513,500.00</b>
<b>Total Truck Price (3 Units)</b>	<b>\$1,540,500.00</b>
<b>Loose Equipment:</b>	<b><u>\$100,328.00</u></b>
<b>Total Purchase Price:</b>	<b>\$1,640,828.00</b>

The pricing provided is **inclusive** of all Federal, State and Local taxes and any other fees, which may apply unless specifically noted herein.

Payment Terms: Payment is due upon acceptance of completed apparatus.


The apparatus and equipment are to be supplied and shipped in accordance with the specifications and approvals by the Storey County Fire Protection District. Delays due to strikes, war or other causes beyond our control not preventing, within **210 calendar days after receipt of order**, and delivered to you up at:

*Storey County Fire Protection District  
Virginia City, Nevada*

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the Storey County Fire Protection District. The proposal specifications are supplied for construction purposes. Any additions and/or changes to the enclosed specifications shall be generated and/or approved by the Storey County Fire Protection District, and accepted by Ferrara Fire Apparatus, Inc.

Unless accepted within 90 days from this date, Ferrara Fire Apparatus, Inc. reserves the right to withdraw this proposal.

Sincerely,  
Ferrara Fire Apparatus, Inc.

  
Chris Ferrara  
President/CEO

27855 James Chapel Road • P.O. Box 249 • Holden, LA 70744  
[www.ferrarafire.com](http://www.ferrarafire.com) • [www.fireequipment.com](http://www.fireequipment.com) • E-mail: [erica@ferrarafire.com](mailto:erica@ferrarafire.com)  
Phone 225-567-7100 • 800-443-9006 • Fax 225-567-7679

# Storey County, Nevada

## Commission Meeting Agenda Item Request

2014 AUG 25 AM 8:35  
STOREY COUNTY CLERK  
BY: [Signature]  
DEPUTY

The Storey County Board of Commissioners has established a policy for placement of items on its meeting agenda. The 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: 9-2-14	Date Request Submitted: 8-25-14
Agenda Item Requested: Reimbursement for fire alarm system Gold Hill train station	
This item is intended for: <input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Discussion/Possible Action (at the Board's discretion)	
<input checked="" type="checkbox"/> Supporting documentation is attached <input type="checkbox"/> No supporting documentation is necessary	
Requested by: Kim Fegert (please print name clearly)	
Address: P.O. Box 931 Virginia City, NV 89440	
Phone: 847-0611	Email (optional):

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 -----

APPROVED: [Signature]

For Office Use Only		
Date Request Received: 8.25.14	Received: <input checked="" type="checkbox"/> In Person <input type="checkbox"/> Via FAX	By: VS
<input checked="" type="checkbox"/> Supporting documentation attached - # of pages 17		Meeting date of this item: 9.2.14

For additional information, please contact the  
**Storey County Clerk's Office**  
(775) 847-0969 or email [vdufresne@storeycounty.org](mailto:vdufresne@storeycounty.org)



# Gold Hill Historical Society

P.O. Box 1052  
Virginia City, NV 89440

To:  
Members of the Storey County Commission  
Court House  
Virginia City Nevada

8-24-2014

Gentlemen:

The Board of Directors wish to request that the following issue be placed on the agenda for the September 2<sup>nd</sup> meeting of the Commission:

Reimbursement for Fire Alarm System in Gold Hill train station, in the amount of \$863.36, and associated attorney's fees in the amount of \$200.00.

Thank you for your prompt attention to this matter.

Cordially,

Kim Fegert, Project Manager

Gold Hill Historical Society





# Gold Hill Historical Society

P.O. Box 1052  
Virginia City, NV 89440

To: Shirley Arnold  
Burgarello Alarm, Inc.  
P.O. Box 2883  
Sparks, NV 89432

Dear Ms. Arnold:

We regret to inform you that because of circumstances beyond our control, we will no longer have need for your company's services. The Gold Hill train station is owned by Storey County, and they decided not to renew our lease on it. They, however, will have need of alarm monitoring, and, may welcome contact from your organization. The County Manager, Pat Whitten's contact number is 847-0968, e-mail [pwhitten@storeycounty.org](mailto:pwhitten@storeycounty.org).

It is my understanding that we have one year left on our contract with you, so, if you'd prefer, we can have our attorney bill Storey County for the remainder of the contract and use their remittance to pay you off.

Thank you for your company's service and your attention to this matter.

Regards,

*Kim Fegert*  
Kim Fegert, Project Manager  
Gold Hill Historical Society  
[ghsteadyworker@yahoo.com](mailto:ghsteadyworker@yahoo.com)  
775-720-4274

cc James J. Rankl, Esqu.



50 Snider Way  
Sparks, NV 89431  
(775) 359-9415  
(775) 359-9214 Fax  
(775) 359-1233 Dispatch  
(800) 848-8646

923 Incline Way, Unit #2  
Incline Village, NV 89452  
(775) 832-7177  
(775) 832-5160 Fax  
NV Cont. Lic.# 0018093  
CA Cont. Lic # 682092

# INVOICE

DATE	INVOICE NO.
9/5/2013	323131

GOLD HILL HISTORICAL SOCIETY  
P O BOX 1052  
VIRGINIA CITY NV 89440

Please write your Customer Number on your check.

Customer No.	P.O. Number	Terms	Due Date
18809		NET 20	9/25/2013

Please return the top stub with your payment.

Service Period	Description	Qty.	Unit Price	Ext. Amount
	CONTR 13411  OOS/GOLD HILL RAILROAD DEPOT 1420 MAIN STREET Lease BALANCE DUE ON LEASED CONTRACT # 13411 / FIRE SYSTEM. --- 15 MONTHS 11 DAYS REMAINING @ \$34.64 /MO.		532.36	532.36
Paid \$ 1886				

For your convenience we accept Electronic Funds Transfers, Visa, Master Card, and Discover

Remit to: Burgarello Alarm, Inc.  
P.O. Box 2883  
Sparks, NV 89432

Subtotal	532.36
Sales Tax	0.00
Invoice Total	532.36



# Gold Hill Historical Society

P.O. Box 1052  
Virginia City, NV 89440

Burgarello Alarm, Inc.  
P.O. Box 2883  
Sparks, NV 89432-2883

September 9, 2013

Please find enclosed a check for \$532.36, thereby completing our responsibility for the contract number 13411.

Previously, we advised you to contact the building's owner, Storey County, for an agreement on continued services. We are not aware of any result.

Because, as a 501c3 non-profit organization, we are bound by the Internal Revenue Code to account for and distribute our assets in a prescribed manner, we are required to account for value for expenditures, and can only donate to other non-profit organizations. Continued alarm monitoring on a premises we no longer occupy or have any responsibility for is of no value to us. Therefore, you are commanded to cease such activities if our funds are being used for payment of such services. Your contract allows you to assign your responsibilities to anyone else without notice to us, but it does NOT authorize you to assign our funds to other entities' operations, premises, or accounts. You bill the Gold Hill Historical Society for services. We are who you expect to pay for them, we are who have paid for them, and, it is our responsibility to account for value provided.

Your contract says that "Gold Hill Railroad Depot" is the subscriber. If you insist that that entity, separate from the Gold Hill Historical Society, is the true and sole responsible party to the contract, then that building's legal owner is solely responsible for paying for services provided to it after August 8, 2013. Therefore, we expect you to provide to us \$532.36 of value of some sort for our payment of the remainder of the contract. Giving your firm payments for service not renderable is a violation of the Internal Revenue Code. That you cannot provide that service in the traditional way your business operates is not our concern, as our loss of our building is apparently not of your concern. We selected your business in part because of a good reputation, and trust that it will be well deserved in settling this issue.

We look forward to your prompt consideration and reply to this matter.

Cordially,

A handwritten signature in dark ink, appearing to read "Kim Fegert". The signature is written in a cursive, flowing style.

Kim Fegert, Project Manager  
Gold Hill Historical Society

cc James J Rankle, Esq.

**JAMES J. RANKL  
ATTORNEY AT LAW, P.C.**

300 WEST SECOND STREET  
CARSON CITY, NEVADA 89703

(775) 882-6450

FAX (775) 883-1987

**VIA FACSIMILE (847-1007) and U.S. MAIL**

December 24, 2013

William A. Maddox  
Storey County District Attorney  
P. O. Box 496  
Virginia City, NV 89440

Re: Truckee Railroad Depot at Gold Hill, Nevada

Dear Mr. Maddox:

As you know this office represents the Gold Hill Historical Society. While a tenant of the county at the Truckee Railroad Depot at Gold Hill, Nevada, the Society purchased and had installed a fire alarm system from Burgarello Alarm. The cost of the equipment was \$388.36 and the installation cost was \$475.00. Enclosed are copies of the invoices for the equipment purchase and installation.

Given the nature of the installation and the need to continue to protect the building, the Society was unable to remove the alarm equipment from the building at the end of the lease period. Accordingly, my client requests the reimbursement from the County for the installed alarm system in the amount of \$863.36.

Sincerely,



James J. Rankl

JJR:djh

Enc.

cc: Kim Fegert, President, Gold Hill Historical Society (without enclosures)

**JAMES J. RANKL**  
**ATTORNEY AT LAW, P.C.**  
300 WEST SECOND STREET  
CARSON CITY, NEVADA 89703  
(775) 882-6450  
FAX (775) 883-1987  
**VIA FACSIMILE (847-1007)**

February 7, 2014

William A. Maddox  
Storey County District Attorney  
P. O. Box 496  
Virginia City, NV 89440

Re: Truckee Railroad Depot at Gold Hill, Nevada

Dear Mr. Maddox:

To date I have not received a response to my letter you dated December 24, 2013, a copy of which is attached for your convenience. My client would appreciate a response to its request for reimbursement at your earliest convenience. If the request should be directed to another county department, please advise.

Sincerely,



James J. Rankl

JJR:djh

Attachment

cc: Kim Fegert, President, Gold Hill Historical Society



FEB 13 2014

WILLIAM A. MADDOX  
STOREY COUNTY DISTRICT ATTORNEY  
P.O. Box 496 • 201 South C Street • Virginia City, Nevada 89440

---

February 12, 2014

James J. Rankl  
Attorney at Law, P.C.  
300 West Second Street  
Carson City, Nevada 89703

Re: Truckee Railroad Depot at Gold Hill, Nevada

Jim:

I am sorry that I have been remiss in responding to your letter of December 24, 2013. Until January of this year, I have been the only attorney up here and paper tends to get lost on my desk.

I have a question. What was the source of the funds that were used to purchase the fire alarm system? The Gold Hill Historical Society got grants and contributions for restoration of the depot. If the funds used to purchase the fire alarm system at the depot were funds from a grant or contribution to restore the depot then I don't believe we have to reimburse for its purchase.

Further, where does this end? Is the Gold Hill Historical Society going to ask for reimbursement for other improvements done to the building? Are we going to be asked to pay for wood, nails and paint used in restoration, etc.? The county does not believe that it should reimburse for the fire alarm system.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "William A. Maddox", written over a horizontal line.

William A. Maddox

cc Pat Whitten

Telephone (775) 847-0964 • Fax (775) 847-1007 • [www.scda@storeycounty.org](http://www.scda@storeycounty.org)





# Gold Hill Historical Society

P.O. Box 1052

Virginia City, NV 89440

To: James J Rankle, Esq.  
300 West Second Street  
Carson City, Nevada 89703

February 17, 2014

Dear Mr. Rankl:

Upon review of the copy of the letter dated February 12, 2014 from Mr. William Maddox, I think it appropriate to assist the Storey County Commission with the following information:

First, a recap of the circumstances surrounding the acquisition of the fire alarm system. Since it was the intention of the Gold Hill Historical Society to open the building in question to the public, a decision was made by the Board that a fire sprinkler system would be necessary to meet current building codes, and, would be prudent in any case to protect the substantial investment in the structure by the Society. To that end, bids were solicited, the winning bid for approximately \$35,000.00 was identified, and, a grant application was filed with the State of Nevada Commission on Cultural Affairs, and was administered through the State Historic Preservation Office. The contractor was Delta Fire Systems Sparks Branch. They installed the system and were paid the full bid amount for the contract by reimbursements to the Society provided and accounted for by SHPO.

Because the County is responsible for the local water system, Public Works constructed a water main, whose materials were paid for by the Society, and connected it to the system.

The alarm system in question, while not necessary for the function of the sprinkler system, was added as a courtesy to the Fire Department. The alarm system was NOT included in the grant process, as a different contractor other than the sprinkler installer provided it, and, since it was merely a long term lease agreement, CCA funds could not be used to pay for it. Gold Hill Historical Society's strong suit is in leveraging grant funding by providing skilled labor at a match of approximately three dollars to every one dollar of grant money received, so we have received minimal other financial contributions. The last grant that the Society had received was in 2007, and all money was invested in the building at that time (CCA requires money awarded be spent by deadlines). Subsequently, the Society has been accepting loans from its membership to cover expenses such as utilities and minor hardware purchases. That was the manner in which the fire alarm lease contract was financed.

Since the alarm system lease contract was carried by the Society, and not the County, the Society was responsible for the whole term and amount of the lease, and, was quite naturally required to pay the full amount to settle the contract. The problem arose when it was discovered that there was quite some time left remaining on the contract term of five years after the County Commission denied the renewal of the building lease. Because the Society is an I.R.C. 501c3 organization, the rules regarding those types of organizations do not permit money to be paid for services not rendered to standard business organizations. Both the alarm company and the Society agreed that since the company could not continue to serve the needs of the Society in the normal manner as a result of a situation well beyond the control of either entity, the value of the contract would be fulfilled by the Society taking ownership of the equipment installation. With the building's best interests in mind, the Society elected not to immediately salvage the installation, in the hope that common sense would prevail in the provision of an opportunity for the building owner to acquire the equipment.

Because the impending opening of the building's gift shop was forever prevented by the County Commission's unilateral action, the hope of recovering funds loaned to the Society through business development is dashed, and the Society's Board sees its responsibility to its members as asset recovery. The Board is under no obligation whatsoever to continue to forfeit recoverable assets that can be used to settle claims, and the Society's ability to acquire and justify contributions otherwise has been irreparably damaged by the loss of the project venue. The Board is authorized to offer a lease of the equipment in question to the building owner, with the alarm company contracted on our behalf for its maintenance. We would, however, respectfully suggest that purchase would be less expensive in the long term.

As to the question posed as to whether we intend to fraudulently bill the County Commission for other improvements otherwise paid for by grants or donations, we would point to our impeccable record of making sure all grant accounting guidelines were followed to the satisfaction of the SHPO office, for a total amount exceeding \$350,000.00. Further, the Society has no paid employees, so the value of the asset at question is insignificant compared to the value contributed by members as legitimate donations. There's no reason for us to tarnish our record as have other organizations participating in the railroad project as a whole, and we take exception to the insinuation.

The Board wishes to convey its sympathy and understanding to Mr. Maddox for the circumstances he deals with at work, and sincerely appreciates the assistance he has so far rendered. At the pleasure of the Board, we can consider requesting that this issue be taken up at a County Commission meeting for public discussion, as it seems that other citizens have met with good success at resolving such matters in that venue.

Feel free to copy this directly to Mr. Maddox.

Regards,

Kim Fegert, Project Manager

**JAMES J. RANKL**  
**ATTORNEY AT LAW, P.C.**  
300 WEST SECOND STREET  
CARSON CITY, NEVADA 89703  
(775) 882-6450  
FAX (775) 883-1987

**VIA FACSIMILE (847-1007)**

February 19, 2014

William A. Maddox  
Storey County District Attorney  
P. O. Box 496  
Virginia City, NV 89440

Re: Truckee Railroad Depot at Gold Hill, Nevada

Dear Mr. Maddox:

Thank you for your letter dated February 12, 2014. In response to your first question, please be advised that the source of funds for the purchase of the alarm system was loans and contributions from Gold Hill Society members. The actual installed sprinkler system was paid for by a grant from the Nevada Commission on Cultural Affairs and administered through the State Historic Preservation System. The subject alarm system was not paid for by that grant and was installed independently of the sprinkler system by Burgarello Alarm.

In response to your second question, my client does not intend to seek reimbursement for "wood, nails and paint" used to restore the County's building. The subject alarm system is a high quality, fully functioning asset that was installed to protect the building. The County directly benefited from the installation of the asset and continues to benefit. My client has limited sources of funding and the maintenance and storage of its railroad equipment, including Engine 8 and other historical artifacts generates significant expenses and costs. The reimbursement of the cost to install the alarm system would be applied to those expenses and costs.

William A. Maddox  
February 19, 2014  
Page 2

It is respectfully submitted that the County has received a significant benefit from the installation of the alarm system and that my client is entitled to reimbursement of the documented amount paid for the system (\$863.36).

Sincerely,



James J. Rankl

JJR:djh

cc: Kim Fegert, President, Gold Hill Historical Society

Customer No. 18809  
Contract No. 13411  
15 • FAX (775) 359-9214

18809 Gold Hill R.R. Depot

Balance due on the  
Security  
equipment located  
at 1420 Main St.  
Gold Hill NV 89440

I, INC. (herein "CO" and  
(herein "Subscriber"),  
response services, and/or to lease,  
d in the Recurring Services to be  
ant) at the premises of subscriber  
(herein the "Premises").  
Phone: 790-0776

NT KNIGHT 5208

\$388.36

Equipment Sales

326414

9/10/13

be an insurance policy or a substitute for an insurance policy.  
s provided and are unrelated to the value of the Subscriber's  
to warrant CO assuming any risk of consequential, collateral,  
ict or inadequacy of the System or services or due to CO's  
mont to provide for the liability of CO and Subscriber agrees  
he System or service is designed to detect or avert. From the

nature of the system provided hereunder or the services to be performed, it is impractical and extremely difficult to fix the actual damages, if any, which may proximately result from the active or passive negligence of, or failure on the part of, CO to perform any of its obligations hereunder, or the failure of the System to properly operate. If CO should be found liable for loss or damage due to a failure on the part of CO or the System or services, in any respect, such liability shall be limited, solely with regard to any RECURRING SERVICE transaction, to an amount equal to fifty percent of one year's recurring service charge or the amount of \$250, whichever is less, or, solely with respect to a DIRECT SALE transaction, to an amount equal to the purchase price of the piece of equipment with respect to which the claim is made, and regardless of the type of transaction, this liability shall be exclusive. The provisions of this paragraph shall apply in the event of loss or damage, irrespective of cause or origin, results directly or indirectly to person or property from the performance or nonperformance of the obligations set forth by the terms of this Agreement or from the active or passive negligence of CO, its agent or employees. In the event that Subscriber desires CO to assume greater liability under this Agreement, a choice is hereby given of obtaining full or limited liability by paying an additional amount in proportion to the amount of liability CO will assume. If this option is chosen, an additional rider shall be attached to this Agreement setting forth the additional liability of CO and the additional charge.

3. If this Agreement is a RECURRING SERVICE transaction, then this Agreement shall begin on the later of the date of completion of installation or the date of commencement of Recurring Services, and shall continue for a period of FIVE YEARS after the first day of the month next following said date. This Agreement shall renew automatically for successive periods of one year thereafter unless either party gives the other party written notice of termination not later than the 30th day before the last day of the then existing term.

4. Subscriber agrees to pay CO the sale and/or installation charges indicated below by paying an amount equal to the deposit indicated below at the time of signing this Agreement and by paying the amount of the BALANCE DUE upon completion of the installation. Further, the Subscriber agrees to pay the CO the total of the TOTAL QUARTERLY RECURRING SERVICE CHARGE indicated below quarterly in advance during the term of this Agreement and any automatic renewals thereof. IN ADDITION, IN THE EVENT OF TERMINATION BY THE SUBSCRIBER PRIOR TO THE END OF THE TERM OF THE AGREEMENT, THE AGREED UPON DAMAGE PAYMENTS SET FORTH IN SECTION 7 HEREOF, WHICH MAY BE SUBSTANTIAL, WILL BECOME IMMEDIATELY DUE AND PAYABLE.

	SALE	LEASE
SALES PRICE	\$ -	\$ -
SALES/USE TAX	\$ -	\$ -
LEASE INSTALLATION	\$ -	\$ 475.00
LINE SECURITY INSTALLATION	\$ -	\$ -
LINE SECURITY TAX	\$ -	\$ -
UL APPLICATION	\$ -	\$ -
TOTAL	\$ -	\$ 475.00
DEPOSIT REQUIRED	\$ 237.50	
BALANCE DUE	\$ 237.50	

RECURRING QUARTERLY PAYMENTS	
MONITORING	\$ -
LEASE PAYMENT	\$ 108.68
PHONE LINE SECURITY (Lease)	\$ -
TESTING	\$ 93.75
OPENINGS & CLOSINGS	\$ -
SERVICE CONTRACT	\$ -
KEY SERVICE	\$ -
UL LISTING	\$ -
TOTAL RECURRING CHARGE	\$ 202.43

THE TERMS AND CONDITIONS CONTAINED ON THE REVERSE SIDE OF THIS AGREEMENT ARE INCORPORATED HEREIN, AND, BY REFERENCE, MADE A PART HEREOF. SUBSCRIBER ACKNOWLEDGES RECEIVING A COPY OF THIS AGREEMENT AND HAVING READ AND UNDERSTOOD ALL OF SUCH TERMS & CONDITIONS, INCLUDING, WITHOUT LIMITATION, SECTIONS 2,5,6,7,11,AND,12, WHICH LIMIT THE WARRANTIES, LIABILITIES AND OBLIGATIONS OF CO.

By: ROB  
Security Representative

By: GOLD HILL RAILROAD DEPOT

Approved \_\_\_\_\_  
Authorized Representative

Richard Freeman  
Title \_\_\_\_\_ Date \_\_\_\_\_

THIS AGREEMENT SHALL NOT BE BINDING UPON CO UNLESS APPROVED IN WRITING BY AN AUTHORIZED REPRESENTATIVE OF CO. IN THE EVENT SUCH APPROVAL IS NOT OBTAINED, THE SOLE LIABILITY OF CO SHALL BE TO REPORT TO THE CREDIT BUREAU AND TO THE FACTOR THAT HAS BEEN ASSIGNED TO CO BY SUBSCRIBER UPON SIGNING OF THIS AGREEMENT.



50 Snider Way  
Sparks, NV 89431  
(775) 359-9415  
(775) 359-9214 Fax  
(775) 359-1233 Dispatch  
(800) 848-8646

923 Incline Way, Unit #2  
Incline Village, NV 89452  
(775) 832-7177  
(775) 832-5160 Fax  
NV Cont. Lic.# 0018093  
CA Cont. Lic # 682092

# INVOICE

DATE	INVOICE NO.
9/10/2013	326414

GOLD HILL RAILROAD  
C/O STOREY COUNTY  
PO BOX 483  
VIRGINIA CITY NV 89440

Please write your Customer Number on your check.

Customer No.	P.O. Number	Terms	Due Date
18809		NET 20	9/30/2013

----- Please return the top stub with your payment. -----

Service Period	Description	Qty.	Unit Price	Ext. Amount
	GOLD HILL RAILROAD 1420 MAIN STREET Equipment sale BALANCE DUE ON PURCHASE OF SECURITY EQUIPMENT LOCATED AT: 1420 MAIN ST. GOLD HILL NV 89440.	1	388.36	388.36
For your convenience we accept Electronic Funds Transfers, Visa, Master Card, and Discover				

Remit to: Burgarello Alarm, Inc.  
P.O. Box 2883  
Sparks, NV 89432

Subtotal	388.36
Sales Tax	0.00
Payments Applied	-388.36
Invoice Balance	0.00



50 Snider Way  
Sparks, NV 89431  
(775) 359-9415  
(775) 359-9214 Fax  
(775) 359-1233 Dispatch  
(800) 848-8646

923 Incline Way, Unit #2  
Incline Village, NV 89452  
(775) 832-7177  
(775) 832-5160 Fax  
NV Cont. Lic.# 0018093  
CA Cont. Lic # 682092

# INVOICE

DATE	INVOICE NO.
11/23/2009	164789

GOLD HILL RAILROAD  
C/O STOREY COUNTY  
PO BOX 483  
VIRGINIA CITY NV 89440

Please write your Customer Number on your check.

Customer No.	P.O. Number	Terms	Due Date
18809		NET 20	12/13/2009

----- Please return the top stub with your payment. -----

Service Period	Description	Qty.	Unit Price	Ext. Amount
	CONTRACT # 13411  GOLD HILL RAILROAD 1420 MAIN STREET Install (Lease) DEPOSIT NOW DUE ON CONTRACT # 13411 / FIRE SYSTEM. BALANCE DUE ON COMPLETION. PAYMENT RECEIVED THIS INVOICE PAID IN FULL.			
		1	237.50	237.50

For your convenience we accept Electronic Funds Transfers, Visa, Master Card, and Discover

Remit to: Burgarello Alarm, Inc.  
P.O. Box 2883  
Sparks, NV 89432

Subtotal	237.50
Sales Tax	0.00
Payments Applied	-237.50
Invoice Balance	0.00

**JAMES J. RANKL**  
**ATTORNEY AT LAW, P.C.**  
300 WEST SECOND STREET  
CARSON CITY, NEVADA 89703  
(775) 882-6450  
FAX (775) 883-1987

March 31, 2014

# Paid  
1905

Kim Fegert, President  
Gold Hill Historical Society  
P. O. Box 1052  
Virginia City, NV 89440

**INVOICE FOR SERVICES**

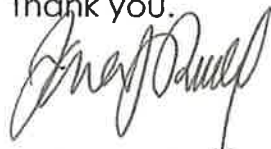
2/6/14	Telephone conversation with Kim Fegert; Draft letters to County and Public Utilities Commission.	.5
2/14/14	Draft letter to Kim Fegert.	.1
2/19/14	Draft letter to Maddox.	.6
2/24/14	Telephone conversation with general counsel re rail.	.2

Total Hours: 1.4

Fee: .8 work \$350.00

Amount Due: on county \$350.00  
issue

Thank you.



James J. Rankl  
JJR:djh





50 Snider Way  
Sparks, NV 89431  
(775) 359-9415  
(775) 359-9214 Fax  
(775) 359-1233 Dispatch  
(800) 848-8646

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Incline Village, NV 89452  
(775) 832-7177  
(775) 832-5160 Fax  
NV Cont. Lic.# 0018093  
CA Cont. Lic # 682092

# INVOICE

DATE	INVOICE NO.
4/11/2012	262848

GOLD HILL HISTORICAL SOCIETY  
P O BOX 1052  
VIRGINIA CITY NV 89440

Please write your Customer Number on your check.

Customer No.	P.O. Number	Terms	Due Date
18809		NET 20	5/1/2012

Please return the top stub with your payment.

Service Period	Description	Qty.	Unit Price	Ext. Amount
5/1/12-7/31/12	GOLD HILL RAILROAD DEPOT 1420 MAIN STREET Lease	3	32.14	96.42
5/1/12-7/31/12	FIRE SYSTEM EQUIPMENT LEASE Alarm Monitoring	3	25.95	77.85
5/1/12-7/31/12	Fire Test Agreement	3	20.00	60.00

For your convenience we accept Electronic Funds Transfers, Visa, Master Card, and Discover

Remit to: Burgarello Alarm, Inc.  
P.O. Box 2883  
Sparks, NV 89432

Subtotal 234.27

Sales Tax 0.00

Invoice Total 234.27



## Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 2, 2014

Estimate of time required: 5 minutes

Agenda: Consent [ ] Regular agenda [x] Public hearing required [x]

1. **Title: Discussion/Possible Action: Special Use Permit Extension & Amendment 2012-014-A-1-2014.** By Robert MacLachlan on behalf of Vista Towers, for a property located at 21485 Saddleback Road, Virginia City Highlands, Storey County, Nevada (APN: 003-101-66). The applicant requests an amendment to Special Use Permit 2012-014 in order to modify a condition of the existing permit requiring a contract with one or more cellular carriers before construction of the "mono-pine" wireless communications tower may commence. The Applicant is also requesting an extension to Special Use Permit 2012-014 which, due to inactivity, will expire.

2. **Recommended motion:** Continuation: Pursuant to the Applicant providing the Planning Department additional in the submitted application, I [Commissioner] move to continue the request for special use permit amendment and continuation (SUP No. 2012-014-A-1-2014) to the September 16, 2014 regular session of the Board of County Commissioners.

3. **Prepared by:** Dessie Redmond, Planner

**Department:** Planning Department

**Telephone:** 847-1144

4. **Staff summary:** The applicant requests an amendment to Special Use Permit 2012-014 in order to modify a condition of the existing SUP requiring a contract with one or more cellular carriers before construction of the "mono-pine" wireless communications tower may commence. The Applicant is also requesting an extension to Special Use Permit 2012-014 which, due to inactivity, will expire.

5. **Supporting materials:** None

6. **Fiscal impact:** None on local government.  
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. 26



## Storey County Board of County Commissioners Agenda Action Report

**Meeting date:** September 2, 2014

**Estimate of time required:** 15 minutes

**Agenda:** Consent [ ] Regular agenda [x] Public hearing required [x]

---

1. **Title: Discussion/Possible Action: Parcel Map 2014-012.** By Vincent Griffith on behalf of Western 102/Western 102 LTD c/o Annette Mansfield, for a property located at 2633 Waltham Way, McCarran, Storey County, Nevada (APN: 004-092-76). A Parcel Map to create two separate parcels of land from one existing parcel of land.
2. **Recommended motion:** In accordance with the recommendation by the Storey County Planning Commission and Staff, the Findings under Section 5.1 of the Staff Report, and other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I [Commissioner] move to approve with conditions Parcel Map Application Number 2014-014 for the division of one existing parcel into two parcels.
3. **Prepared by:** Dessie Redmond, Planner  
**Department:** Planning Department **Telephone:** 847-1144
4. **Staff summary:** The Applicant requests a Parcel Map dividing one existing parcel into two parcels. The subject parcel is located in McCarran, Nevada and not in the Tahoe-Reno Industrial Center (TRI) Center.
5. **Supporting materials:** Staff report, exhibits and appendices.
6. **Fiscal impact:** None on local government.  
Funds Available: \_\_\_\_\_ Fund: \_\_\_\_\_ Comptroller
7. **Legal review required:**  
\_\_\_\_\_ District Attorney
8. **Reviewed by:**  
\_\_\_\_\_  
Department Head Department Name:  
\_\_\_\_\_  
County Manager Other agency review: \_\_\_\_\_
9. **Board action:**  

<input type="checkbox"/>	Approved	<input type="checkbox"/>	Approved with Modifications
<input type="checkbox"/>	Denied	<input type="checkbox"/>	Continued

Agenda Item No. 27

**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:** Storey County Board of County Commissioners

**From:** Storey County Planning Department

**Meeting Date:** September 2, 2014 at 10am

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

**Staff Contact:** Dessie Redmond, Planner

**File:** 2014-012

**Applicant:** Vincent Griffith

**Property Owner:** Western 102/Western 102 Limited c/o Annette Mansfield

**Property Location:** 2633 Waltham Way, Storey County, Nevada (APN: 004-092-76)

**Figures:** Figure 1-Vicinity Map; Figure 2-Zoning Map; Figures 3 & 4-Site Photos; Figures 5-Abutting Parcels

**Appendix:** Appendix 1-Proposed Parcel Map

**Guiding Documents:** Storey County Code-Sections 17.35 I-2 Heavy Industrial Zone, the Storey County Master Plan and Nevada Revised Statutes 278.461 through 278.469

**Request:** A Parcel Map dividing one parcel into two parcels. The subject property located in McCarran, Nevada but not in the Tahoe-Reno Industrial Center.

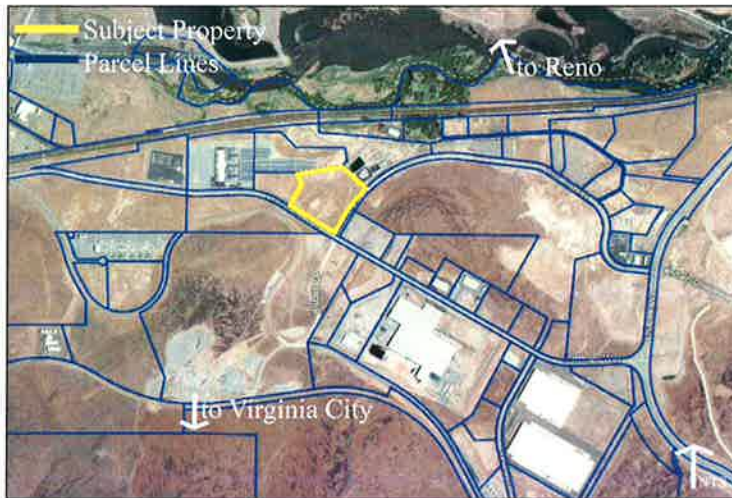


Figure 1 - Vicinity Map



Figure 2 - Zoning Map

# 1. BACKGROUND & ANALYSIS

## 1.1 Site Location and Characteristics

The subject property is located at 2633 Waltham Way in Storey County, Nevada (Assessor Parcel Number (APN) 004-092-76). The property is approximately 12.83 acres and is owned by the Western 102/Western 102 Limited c/o Annette Mansfield. Lockwood is approximately 12 miles to the west, and USA Parkway is approximately one-half mile to the east (Figure 1 - Vicinity Map). The subject property is zoned Industrial Two (I-2) Heavy Industrial (Figure 2 - Zoning Map). The subject property is currently vacant. (Figures 3 and 4: Site Photos). The subject property is not within the Tahoe-Reno Industrial Center (TRI Center).

The subject property is accessed off Interstate 80, via USA Parkway and off of Britain Way. Britain Way runs along the east side of the subject property boundary and Waltham Way runs along the south side of the property boundary.

## 1.2 Proposed Parcel Map

Appendix 1 - Proposed Parcel Map shows that the existing parcel will be split into two parcels. Parcel 2014-20 to the north and Parcel 2014-21 to the south. There is no proposed use for this Application.

## 1.3 Application for a Parcel Map

NRS 278.461 defines a "Parcel Map" as a division of land into four or





Figure 3 - Site Photo looking south through site.



Figure 4 - Site Photo looking east through site.



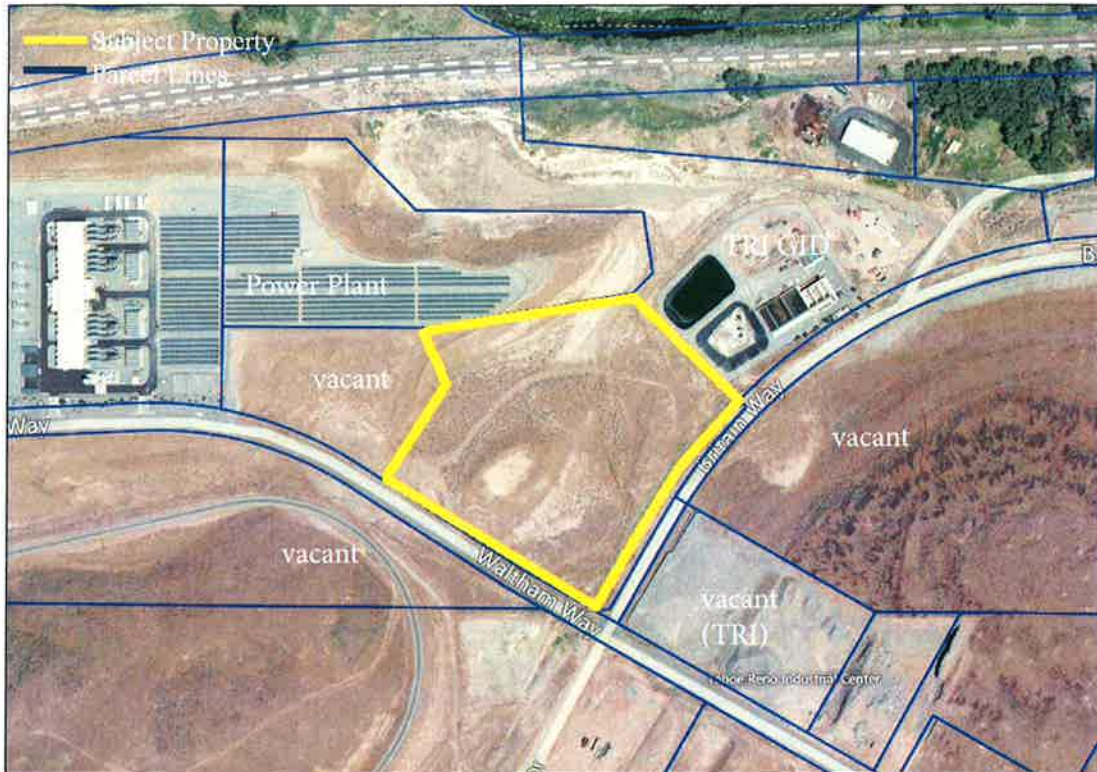


Figure 5 - Abutting Parcels

less parcels. The Parcel Map and conditions of approval comply with NRS 278.461 through 278.469 regulating the division of land into four or less parcels.

Storey County Code (SCC) does not specifically require an Application for a Parcel Map. However, Nevada Revised Statutes (NRS) does require a Parcel Map to go through the Application process.

**NRS 278.464 Action on a Parcel Map by the Planning Commission to the governing body.**

The Planning Commission shall:

In a county whose population is less than 700,000, within 60 days, after accepting as a complete application for a Parcel Map, recommend approval, conditional approval or disapproval of the map in a written report. The Planning Commission shall submit the Parcel Map and the written report to the governing body.

The Planning Commission shall file its written decision with the governing body. The governing body shall review and approve, conditionally approve or disapprove the Parcel Map.

An Applicant or other person aggrieved by a decision of the Board may appeal the decision in accordance with the ordinance adopted pursuant to NRS 278.3195.

If a parcel map and the associated division of land are approved or deemed approved pursuant to this section, the approval must be noted on the map in the form of a certificate attached thereto and executed by the clerk of the governing body and the Board.

### 1.4 Adjacent Properties Existing Land Uses

The abutting properties to the west, south, southeast and east of the are vacant. The abutting property to the northeast is the TRI Center's waste water treatment plant owned by the TRI Center General Improvement District (GID) and the land to the northwest is the Western 102 Power Plant which is owned by Barrick Goldstrike (Figure 5 - Abutting Land Uses).

The abutting lands to the northeast and southeast are within the TRI Center. The other lands, including the subject property, are not.

### 1.5 Abutting Properties Zoning

All of the abutting properties are zoned I-2 Heavy Industrial (Figure 2 - Zoning Map).

## 2. GENERAL COMPLIANCE WITH STOREY COUNTY'S GUIDING DOCUMENTS

### 2.1 Table 1: Land Use Compatibility

The following table shows land uses, Storey County Master Plan (Master Plan) designations and zoning for the land surrounding the proposed residence. There are no evident conflicts between the proposal and SCC Title 17 Zoning or the Master Plan. The proposed Parcel Map is also consistent with the surrounding industrial uses and vacant parcels.

Land Use Compatibility			
Land	Land Use	Master Plan	Zoning
Applicant's Land	Vacant	Industrial	I-2
Land to the northeast	TRI GID	Industrial - TRI	I-2
Land to the northwest	Power Plant	Industrial	I-2
Land to the west	Vacant	Industrial	I-2
Land to the south	Vacant	Industrial	I-2
Land to the southeast	Vacant	Industrial - TRI	I-2
Land to the east	Vacant	Industrial	I-2

intentionally left blank



### **3. COMPLIANCE WITH THE STOREY COUNTY CODE**

#### **3.1 Storey County Code 17.35 I-2 Heavy Industrial Zone**

The following provisions apply to the I-2 Zone:

##### **A. 17.35.050 Minimum Parcel Area.**

The minimum parcel areas required in the I-2 zone is three acres, except for commercial uses in a heavy industrial zone area for which there is a 15,000 square foot minimum.

The subject property and proposal does conform with this standard. The new parcel created to the north will be approximately 4.6 acres and the new parcel created to the south will be approximately 8.23 acres.

##### **B. 17.35.060 Setback Requirements.**

Buildings may not be located closer than 50 feet to any property line.

There are no proposed buildings with this application; therefore, the Application conforms with this standard. Further, the proposed parcels will provide sufficient space to accommodate allowed uses within necessary setbacks.

##### **C. 17.35.070 Loading Area.**

Loading area must have adequate room for vehicular circulation and staging. All truck parking and docking areas must be designed so that right-of-ways (ROW) and travelled ways are not impacted.

There is no proposed loading area with this Application; therefore, the Application conforms with this standard.

### **4. PUBLIC COMMENT**

Staff has not received any public comment for this file as of posting date.

### **5. FINDINGS**

#### **5.1 Motion for Approval**

The following Findings are evident with regard to the requested Parcel Map when the recommended conditions of approval in Section 6 - Recommended Conditions of Approval are applied. The approval, approval with conditions, or denial of Parcel Map must be based on findings that indicate that the proposed Application is appropriate in the location for which it is approved. The Findings listed in this subsection are the minimum to be cited in an approval; the body may include additional Findings in their decision. The Board and Planning Commission must cite Findings in the motion for approval, approval with conditions, or denial. At a minimum, the approval must be based on the following Findings:

5.1.1 The Parcel Map must comply with NRS 278.461 through 278.469 relating to the division of land into 4 or less parcels; and

5.1.2 The Parcel Map complies with all Federal, Nevada State, and County regulations pertaining to Parcel Maps and permitted land uses; and

5.1.3 The Parcel Map will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity; and

5.1.4 The conditions under this Parcel Map do not conflict with the minimum requirements in SCC Chapters 17.35 I-2 Heavy Industrial Zone or any other Federal, Nevada State, or County regulations.

## **5.2 Motion for Denial**

Should a motion be made to deny the Parcel Map request, the following Findings with explanation of why should be included in that motion.

5.2.1 Substantial evidence shows that the Parcel Map conflicts with the purpose, intent, and other specific requirement of SCC Chapter 17.35 I-2 Heavy Industrial Zone or any other Federal, Nevada State, or County regulations; or

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

## **6. RECOMMENDED CONDITIONS OF APPROVAL**

All conditions must be met to the satisfaction of each applicable Storey County Department.

1. **General requirements.** The Parcel Map must comply with NRS 278.461 through 278.469 relating to the division of land into four or less parcels. The Parcel Map must comply with Federal, State, and County regulations pertaining to Parcel Maps and permitted land uses.
2. **Record of Survey.** The Applicant must submit to the Planning Department a Record of Survey (ROS) with the Building Permit application. The ROS must show existing parcel boundaries, easements, and ROWs, as applicable. No building may be constructed over an easement or ROW, or within a building setback area.
3. **Required Setbacks.** The Parcel Map must maintain required I-2 Heavy Industrial Zone setback distances for any future proposed buildings on the subject property.
4. **Access and Easements.** All existing streets, easements, and utility easements, whether public or private, must remain in effect and be delineated clearly on the final map. No existing easements will be affected by the approval of this Parcel Map.
5. **Taxes Paid.** Before obtaining a Building Permit, the Applicant must show the Planning Department valid evidence that all property taxes on the land are paid to-date.
6. **Minimum Parcel Area.** No parcel created will be less than three acres in size.
7. **Final Map.** The final map must be recorded with the Storey County Recorder's Office within 12 months of the Board approval. If the final map is not recorded by that time, this approval will become null and void.
8. **Lot Improvements.** The Building Department may require street grading, drainage provisions, and lot designs as are reasonably necessary to abate potential impacts on abutting parcels.

9. ***\*Certificate.** The approval of the Parcel Map must be noted on the new recorded Map in the form of a certificate attached thereto and executed by the Storey County Clerk and the Chairman of the Board.*

\*This condition was added after the August 21, 2014 Planning Commission meeting and per NRS.

## **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 Parcel Map is advisory only to the Board of County Commissioners and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

## **8. AUGUST 21, 2014: PLANNING COMMISSION MEETING**

On the August 21, 2014, in accordance with the recommendation by Staff, the Findings under 5.1 of this Staff Report and in compliance with all conditions of approval (1-8), the Storey County Planning Commission voted unanimously to recommend approval for Parcel Map 2014-012 (yes = 7, nay = 0, absent = 0).

## **9. PROPOSED MOTIONS**

This section contains two motions from which to choose. The motion for approval with Conditions of Approval 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. A motion for denial may be made and that motion should cite one or more of the Findings shown in section 5.2. Other Findings 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 under section 5.1 of this Staff Report and other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval (1-9), I [Commissioner] move to approve Parcel Map Application Number 2014-012 for the division of one existing parcel into two parcels.

### **9.2 Alternative Motion**

In accordance with the Findings under section 5.2 of this report and other Finding against the recommendation for approval by the Planning Commission and Staff, I [Commissioner] move to deny Parcel Map Application Number 2014-012 for the division of one existing parcel into two parcels.

Prepared by: Dessie Redmond  
Storey County Planner

## **APPENDIX 1: PROPOSED PARCEL MAP**

# PARCEL MAP FOR WESTERN 102 RANCH, LIMITED PARTNERSHIP AND WESTERN 102 RANCH, INC.

## OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, WESTERN 102 RANCH, LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP, AS TO AN UNDIVIDED 98% INTEREST, AND WESTERN 102 RANCH, INC., A NEVADA CORPORATION, ARE THE OWNERS OF THAT TRACT OF LAND REPRESENTED ON THIS PLAT AND HAVE CONSENTED TO ITS PREPARATION AND RECORDATION OF THIS PLAT, THAT THE SAME IS EXECUTED IN COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF N.R.S. CHAPTER 278.

WESTERN 102 RANCH LIMITED PARTNERSHIP  
A NEVADA LIMITED PARTNERSHIP

BY: ANNETTE MANSFIELD, TREASURER

WESTERN 102 RANCH, INC.  
A NEVADA CORPORATION

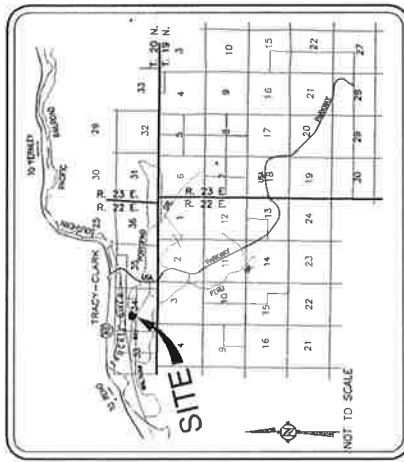
BY: ANNETTE MANSFIELD, TREASURER

## NOTARY'S CERTIFICATE

STATE OF NEVADA  
COUNTY OF WASHOE

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, 2014,  
BY ANNETTE MANSFIELD, TREASURER OF WESTERN 102 RANCH, LIMITED PARTNERSHIP, AND  
OF WESTERN 102 RANCH, INC.

NOTARY PUBLIC



VICINITY MAP

## BASIS OF BEARINGS

NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE GRID, NAD 83/94, AS DETERMINED FROM NGS STATION N339 AND STATION X148 (BEARING N65°20'45"E).  
THE COORDINATES SHOWN ON THIS MAP ARE GRID-BASED, DERIVED FROM A GRID-TO-GROUND FACTOR OF 1.000224928, TO OBTAIN GRID VALUES, DIVIDE THE COORDINATES SHOWN BY THE ABOVE-MENTIONED FACTOR.

## COUNTY COMMISSIONER'S CERTIFICATE

THIS MAP WAS APPROVED BY THE STOREY COUNTY COMMISSIONER ON THE \_\_\_\_ DAY  
OF \_\_\_\_\_, 2014.

BY: \_\_\_\_\_, CHAIRMAN, STOREY COUNTY COMMISSIONER

## SURVEYOR'S CERTIFICATE

I, JAMES D. BAILEY, JR., A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, HEREBY CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF WESTERN 102 RANCH.
2. THE LANDS SURVEYED LIE WITHIN A PORTION OF THE NW 1/4 OF SEC. 34, T20N, R22E, M.D.M., AND THE SURVEY WAS COMPLETED ON \_\_\_\_\_.
3. THIS PLAT COMPLES WITH THE APPLICABLE STATUTES OF THIS STATE AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THIS SURVEY WAS COMPLETED AND THE SURVEYOR HAS COMPLIED WITH THE REQUIREMENTS OF THE NEVADA PROFESSIONAL LAND SURVEYING ACT.
4. THE MONUMENTS SHOWN ON THE PLAT ARE OF THE CHARACTER, NUMBER, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.
5. THIS RECORD OF SURVEY IS NOT IN CONFLICT WITH IRS 625.346.

JAMES D. BAILEY, JR. P.L.S. 18368

## REFERENCES

1. PARCEL MAP FOR WESTERN 102 RANCH, INC. FILE NO. 85347, OFFICIAL RECORDS OF STOREY COUNTY, NEVADA.
2. PARCEL MAP FOR SERRA PACIFIC POWER CO. FILE NO. 87905, OFFICIAL RECORDS OF STOREY COUNTY, NEVADA.
3. PARCEL MAP FOR SERRA PACIFIC POWER CO. FILE NO. 91184, OFFICIAL RECORDS OF STOREY COUNTY, NEVADA.
4. PARCEL MAP FOR WESTERN 102 RANCH, INC. & WESTERN 102 RANCH, L.P. FILE NO. 87787, OFFICIAL RECORDS OF STOREY COUNTY, NEVADA.
5. PARCEL MAP FOR WESTERN 102 RANCH, INC. & WESTERN 102 RANCH, L.P. FILE NO. 103966, OFFICIAL RECORDS OF STOREY COUNTY, NEVADA.
6. PRELIMINARY TITLE REPORT BY TIGOR TITLE OF NEVADA, INC., ORDER NO. 0142049-00, DATED JUNE 15, 2014.

TOTAL PARCELS: 2  
TOTAL AREA = 12.83± ACRES

A.P.N.: 004-092-75

## COUNTY RECORDER'S CERTIFICATE

FILE NO. \_\_\_\_\_  
FILED FOR RECORD AT THE REQUEST OF \_\_\_\_\_  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, AT \_\_\_\_\_  
MINUTES PAST \_\_\_\_\_ O'CLOCK, \_\_\_\_\_  
OFFICIAL RECORDS, STOREY COUNTY, NEVADA

## COUNTY RECORDS

BY: \_\_\_\_\_  
DEPUTY  
FEE: \_\_\_\_\_

## PARCEL MAP

FOR  
WESTERN 102 RANCH, L.P. &  
WESTERN 102 RANCH, INC.  
A DIVISION OF PARCEL, 2017-5 OF B.O.S. 1096  
SITUATE WITHIN A PORTION OF THE NW 1/4 OF  
SEC. 34, T20N, R22E M.D.M.

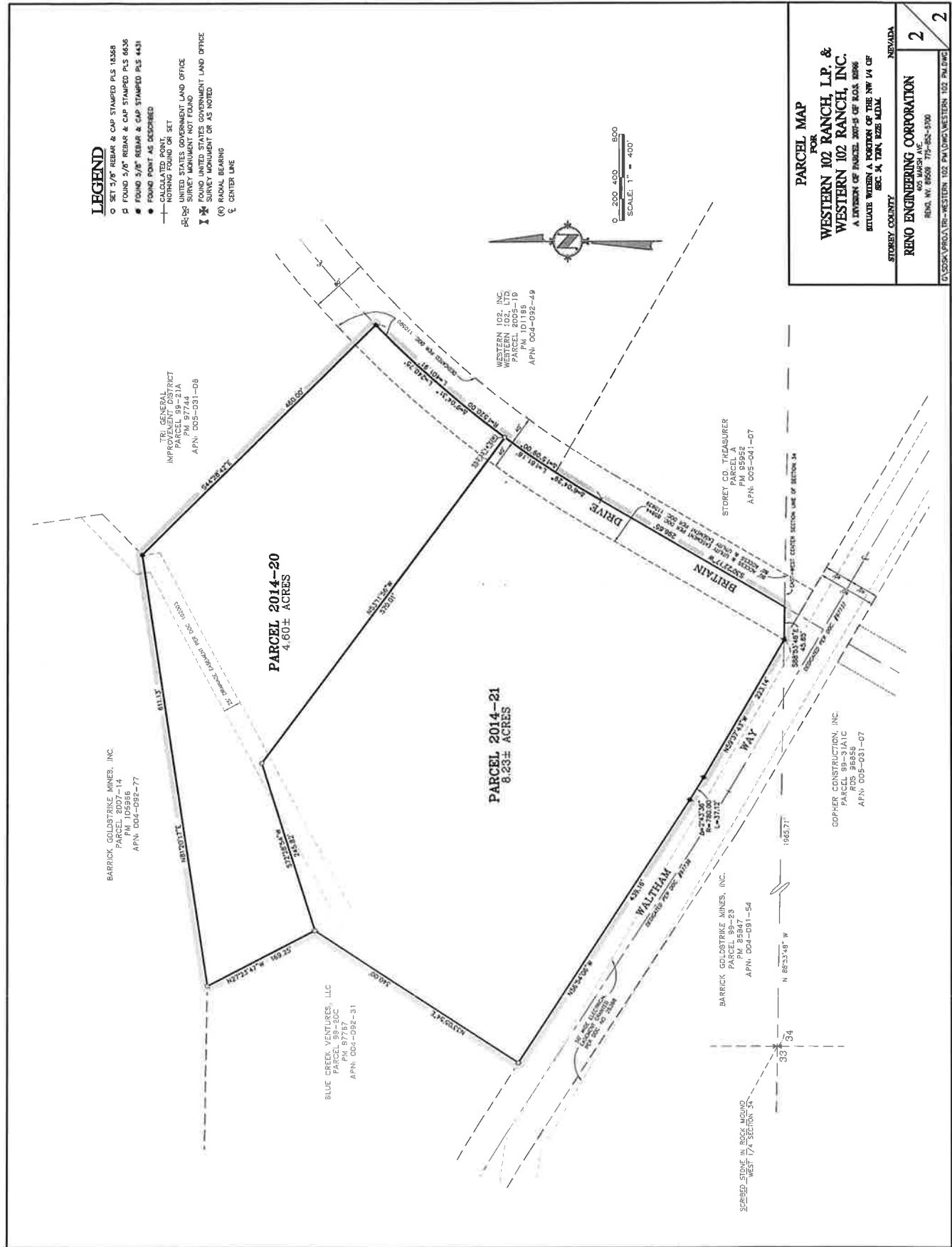
STOREY COUNTY NEVADA

## RENO ENGINEERING CORPORATION

405 MARSH AVE.  
RENO, NV 89509 775-864-5300

C:\GSDA\PROJECTS\WESTERN 102 RANCH\WESTERN 102 PLAT.DWG

1  
2





## Storey County Board of County Commissioners Agenda Action Report

Meeting date: 9-2-14

Estimate of time required: 0 - 5

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

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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:**

☒ Department Head

Department Name: Community Development

 County Manager

Other agency review: \_\_\_\_\_

9. **Board action:**

☐ Approved  
☐ Denied

☐ Approved with Modifications  
☐ Continued

Agenda Item No. 28



# 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

August 25, 2014  
Via email

Please add the following item(s) to the **September 2, 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

- |   |            |
|---|------------|
| <b>A. CHEWY.COM LLC – General / 700 Milan (ecommerce fulfillment ctr)</b>                         | <b>TRI</b> |
| <b>B. PEEK BROTHERS CONSTRUCTION INC. – Contractor / 400 Carroll Drive – Fernley (contractor)</b> |            |
| <b>C. A &amp; J PAVING – Contractor / 1490 Cherokee Trail ~ Reno (contractor)</b>                 |            |
| <b>D. dba RED ROCK SPRING WATER / General – 1145 Icehouse Avenue ~ Sparks (water delivery)</b>    |            |
| <b>E. MARTINEZ TREXLER REAL ESTATE GROUP / Home Business – 92 West Taylor (real estate) VC</b>    |            |
| <b>F. ARDAGH METAL PACKAGING USA, INC. – General / 900 Waltham Way (can mfg)</b>                  | <b>TRI</b> |
| <b>G. W G YATES &amp; SONS CONST CO – Contractor / 2641 Portofino Drive (contractor)</b>          | <b>TRI</b> |
| <b>H. A-Z WELDING &amp; FABRICATION, LLC – General / 1215 Alexandria (welding fab)</b>            | <b>TRI</b> |
| <b>I. ROSSCO ENT., dba AP STAINLESS MFG – General / 1215 Alexandria (manufacturing)</b>           | <b>TRI</b> |
| <b>J. RITCHIE BROS AUCTIONEERS – General / 20202 East Highway 80</b>                              | <b>MCC</b> |

**Inspection Required**

ec: 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