



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, OCTOBER 21ST, 2014 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

AGENDA

MARSHALL MCBRIDE
CHAIRMAN

BILL MADDOX
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

BILL SJOVANGEN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

1. CALL TO ORDER AT 10:00 A.M.
2. PLEDGE OF ALLEGIANCE
3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for October 21, 2014

CONSENT AGENDA

(All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. The Commission Chair reserves the right to limit the time allotted for each individual to speak.)

4. For possible action approval of Payroll Checks date 9/15/14 for \$441,777.31, 9/21/14 for \$302,568.33 and 10/10/14 for \$421,681.12.
5. For possible action approval of September 2014 Treasurer Report
6. For possible action approval of Assessor's Recommended Correction to the Tax Roll for Exemptions
7. For possible action approval of resolution 14-413, a resolution to direct the County Assessor to prepare a list of all the taxpayers on the secured roll in the County pursuant to NRS 361.300 (3)

8. For possible action approval of rescheduling the November Board of County Commission Meetings to November 12, 2014 at 12:00pm. The meetings of November 4 and 18 will be canceled.
9. For possible action approval and signature by the Chairman of the USDA Loan Resolution Form, OMB No. 0575-0015-RD1942-47 (Rev. 12-97). This is required to close the USDA loan in order to release funding three structural fire engines, new ambulance chassis and ambulance chassis change over which was heard and approved on September 2, 2014.
10. For possible action approval of Business License First Readings -
 - a. PERFORMANCE CONTRACTING, INC. - Contractor / 16400 College Blvd ~ Lenexa, KS (specialty contracting)
 - b. MNW CONSTRUCTION - Contractor / 1123 Northfield Drive ~ Carson City (contractor)
 - c. STORM5, LLC - Contractor / 299 South Arlington, Reno (contractor)
 - d. BRAND ENERGY & INFRASTRUCTURE - Contractor / 1325 Cobb Int'l ~ Henderson (scaffolding)
 - e. KC CUSTOM CONCEPTS - Contractor / 5084 Washoe Circle ~ Stagecoach (mfg housing contractor)
 - f. SIERRA ELECTRONICS - Contractor / 690 East Glendale Avenue ~ Sparks (wireless contractor)

END OF CONSENT AGENDA

11. **DISCUSSION ONLY (No Action):** Presentation of potential application for Community Development Block Grant Funding for 2015
12. **DISCUSSION ONLY (No Action - No Public Comment):** Committee/Staff Reports
13. **DISCUSSION ONLY (No Action - No Public Comment):** Quarterly financial updates for fiscal year 2014/2015
14. **BOARD COMMENT (No Action - No Public Comment)**

RECESS TO CONVENE AS THE STOREY COUNTY FIRE PROTECTION DISTRICT BOARD

15. **DISCUSSION/POSSIBLE ACTION:** Approval of resolution 14-414 establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the Storey County Fire Protection District for services provided and/or rendered.
16. **DISCUSSION/POSSIBLE ACTION:** Approve Storey County Fire Protection District to contract with revenue Recovery for insurance billing services associated with specialized responses, rescue and mitigation services.

ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COUNTY COMMISSIONER

17. **DISCUSSION/POSSIBLE ACTION:** Second reading of business/liquor license for Bonanza

18. DISCUSSION/POSSIBLE ACTION: Second reading of business/liquor license for Delta

19. DISCUSSION/POSSIBLE ACTION: Approval of accounts payable checks dated 10/03/2014 for \$274,679.28

COMMUNITY DEVELOPMENT AND PLANNING

20. DISCUSSION/POSSIBLE ACTION: Special Use Permit Amendment 2009-034-A-1-2014. By Fulcrum Sierra Biofuels, LLC and a property at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (APN: 005-071-29). The Applicant requests an amendment to existing Special Use Permit 2009-034 to construct and operate a biofuels facility to include current design and technologies utilized in a waste-to-fuels facility. Further, the Applicant requests an amendment to reflect the recent acquisition of an additional 2.59 acres of real property.

21. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

- a. PEPS EQUIPMENT - Contractor / 1953 N Warren Road ~ San Jacinto, CA (equipment rental)
- b. ZULILY, INC. - General / 3200 USA Parkway (ecommerce) TRI
- c. T & T ELECTRIC, INC. - Contractor / PO Box 7377 ~ Reno (electrical contractor)
- d. ARH ARCHAEOLOGY - Home Business / PO Box 784 ~ Virginia City (archaeological consultant)
- e. HARRIS INDUSTRIAL GASES - General / 236 East Sydney (welding equip supply) TRI
- f. LEE'S PEST CONTROL - Contractor / 21 Van Fleet Drive ~ Yerington (pest control)
- g. AMERICAN EQUIPMENT, INC. - Contractor / 1315 Greg Street #114 ~ Sparks (crane manufacturer)
- h. PROFICIENT HEATING & AIR - Contractor / 385 Freeport Blvd. #9 ~ Sparks (hvac contractor)
- i. SUNTEC CONCRETE, INC. - Contractor / 2221 West Shangri La Road ~ Phoenix, AZ (concrete cont.)
- j. WOODSTOVE DISTRIBUTORS - Contractor / 881 Tahoe Blvd ~ Incline Village (fireplace sales/install)
- k. WWC LICENSE, LLC - General / One Verizon Way ~ Basking Ridge, NJ (internet provider)
- l. ARDAGH METAL PACKAGING USA, INC. - General / 900 Waltham Way (can mfg) TRI

22. PUBLIC COMMENT (No Action)

23. CORRESPONDENCE

- a. Denied agenda item request from Bunchie Tyler and Dennis Bowen regarding Deputy and Manager break-in at two residents in Lockwood

24. ADJOURNMENT

NOTICE:

- Anyone interested may request personal notice of the meetings.
- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.

- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners' Office in writing at PO Box 176, Virginia City, Nevada 89440.

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 202-6382 (TDD). USDA is an equal opportunity provider, employer, and lender. The TTY, VCO voice carry over) or HCO hearing carry over) number is 800-326-6868; voice only 800-326-6868. Check the customer Guide section of your telephone book under Services for Individuals with a Hearing or Speech Disability.

CERTIFICATION OF POSTING

I, Vanessa Stephens, Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before October 14, 2014; Virginia City Post Office, Storey County Courthouse, Virginia City Fire Department, Virginia City Highlands Fire Department and Lockwood Fire Department.

By Vanessa Stephens
Vanessa Stephens, Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approval of Treasurer Report for September 2014

2. **Recommended motion:** Approval of report as submitted

3. **Prepared by:** Vanessa Stephens

Department: Clerk & Treasurer

Telephone: 847-0969

4. **Staff summary:** Report is attached.

5. **Supporting materials:**

6. **Fiscal impact:**

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:**

_____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Clerk & Treasurer

_____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

Tp	Check #	Bank	Seq	Person #	Vendor/Employee Name	From	Check#	Amount
						0/00/00 -	1 Through	
						From	9/30/14	
						Check Date		
CK	59139	195	00	402939	GBS PARTNERS LLC	12/18/07		17.85
CK	59820	195	00	401195	COUNTRYWIDE HOME LOANS	3/18/08		247.00
CK	60433	195	00	402995	KEVIN T DALEY	5/19/08		25.00
CK	60831	195	00	403053	BUCKWALTER, ERICH	7/01/08		5.98
CK	60895	195	00	403065	PUTT, KRISTINA	7/01/08		7.33
CK	62635	195	00	401478	UEHLING, CLARK	1/16/09		25.94
CK	65338	195	00	403429	LUDWIG, DESIREE	11/20/09		48.46
CK	66214	195	00	402945	FULPER, GRUNDY, BEAD, PTR	3/12/10		180.93
CK	69427	195	00	403681	DECARTERET, BRUCE	4/21/11		20.00
CK	70963	195	00	101269	NEVADA LEGAL SERVICE INC	11/04/11		32.00
CK	72998	195	00	403949	AMERIGAS PROPANE LP	8/10/12		9.99
CK	74064	195	00	404067	HAFNER, DORIS	11/30/12		3.85
CK	74282	195	00	99898	BI STATE PROPANE (CC)	1/03/13		237.22
CK	74515	195	00	403928	CRESTA, OCTAVIO A	1/25/13		33.00
CK	75663	195	00	403959	BENDER, DEBORAH	6/14/13		180.00
CK	75822	195	00	100670	CFOA	6/28/13		150.00
CK	76292	195	00	403753	HOT SPOT BROADBAND INC	8/09/13		79.00
CK	76601	195	00	404279	SMILEY, EUGENE PATRICK	9/06/13		358.20
CK	76645	195	00	100335	C & W LOCK, GLASS & SAFE	9/20/13		27.50
CK	76870	195	00	404294	NEV DHCFP	10/04/13		282.49
CK	76973	195	00	404302	GEIGER, MARY HELEN	10/18/13		12.10
CK	77078	195	00	403959	BENDER, DEBORAH	11/01/13		30.00
CK	78123	195	00	404235	CARSON VALLEY CHAMBER OF	3/07/14		561.66
CK	78132	195	00	403677	CORELOGIC INC	3/07/14		1,168.00
CK	78215	195	00	103061	ASSESSOR'S ASSOC OF NEV	3/21/14		60.00
CK	78710	195	00	403677	CORELOGIC INC	5/16/14		76.00
CK	78984	195	00	404450	MCCALL, DELBART R	6/13/14		5.45
CK	78988	195	00	403889	MURPHY, MARGO	6/13/14		40.00
CK	79155	195	00	403889	MURPHY, MARGO	6/27/14		40.00
CK	79175	195	00	404471	PUBLIC AGENCY TRAINING	6/27/14		295.00
VP	65511	195	00	100383	FIRST AMERICAN TITLE	12/14/09		40.10
					Bank Total:			4,300.05
					Total:			4,300.05

STOREY COUNTY TREASURER
TREASURER'S ACCOUNTING
MONTHLY BALANCING SHEET
FOR 09/2014

ACT DESCRIPTION	BAL. FORWARD	RECEIPTS	DISBURSEMENTS	PAYROLLS	JOURN VOUCHERS	TRANSFERS IN	TRANSFERS OUT	ENDING BALANCE
192 HEALTH INSURANCE	1,924.90-	.00	.00	.00	.00	.00	.00	1,924.90-
193 WELLS FARGO USDA CASH	2,990,200.00	.00	.00	.00	.00	.00	.00	2,990,200.00
194 DISTRICT COURT HOLDING	6,931.87	.00	.00	.00	.00	.00	.00	6,931.87
195 CASH IN BANK	749,379.88	.00	.00	.00	.00	.00	.00	749,379.88
197 BUSINESS BANK CARDS	.00	.00	.00	.00	.00	.00	.00	.00
198 B OF A PROPERTY SALES	.00	.00	.00	.00	.00	.00	.00	.00
199 WELLS FARGO CC ACCOUNT	5,314,890.12	1,759,571.71	1,738,872.65-	886,745.24-	256,143.52	.00	.00	4,704,987.46
191 WELLS FARGO MONEY MARKET	7,159,202.50	.00	.00	.00	.00	.00	.00	7,159,202.50
196 STATE LGIP ACCOUNT	8,178,894.70	.00	.00	.00	.00	.00	.00	8,178,894.70
901 OLD COINS	439.30	.00	.00	.00	.00	.00	.00	439.30
903 PETTY CASH	1,100.00	.00	.00	.00	.00	.00	.00	1,100.00
904 PETTY CASH SHERIFF	2,000.00	.00	.00	.00	.00	.00	.00	2,000.00
905 PETTY CASH ASSESSOR	200.00	.00	.00	.00	.00	.00	.00	200.00
001 GENERAL	7,298,002.30-	721,061.55-	164,745.89	515,470.09	652,334.27	.00	.00	6,686,513.60-
010 INDIGENT MEDICAL	511,855.93-	2,588.43-	7,889.89	.00	.00	.00	.00	506,554.47-
015 INDIGENT ASSISTANCE -TAX	14.00-	.00	.00	.00	.00	.00	.00	14.00-
020 ROADS	1,426,552.00-	34,641.27-	16,466.50	34,904.57	100,804.75-	.00	.00	1,510,626.95-
024 RESTITUTION	100.00-	50.00-	.00	.00	.00	.00	.00	150.00-
030 FIRE	385,355.56	.00	.00	.00	.00	.00	.00	385,355.56
035 FIRE EMERGENCY	204,336.90-	.00	.00	.00	.00	.00	.00	204,336.90-
040 FIRE DISTRICT	725,664.66-	.00	.00	.00	.00	.00	.00	725,664.66-
045 MUTUAL AID	88,750.43-	.00	.00	.00	.00	.00	.00	88,750.43-
050 SERVICE	100,000.00-	.00	.00	.00	.00	.00	.00	100,000.00-
060 EQUIPMENT ACQUISITION	194,432.28-	12,965.44-	.00	.00	22,500.00	.00	.00	184,897.72-
070 CAPITAL PROJECTS	38,734.62-	.00	33,007.09	.00	625,000.00-	.00	.00	630,727.53-
080 INFRASTRUCTURE FUND	2,157,822.53-	21,312.73-	.00	.00	.00	.00	.00	2,179,135.26-
090 WATER SYSTEM	1,222,922.82-	46,108.67-	20,753.80	14,214.70	4,467.86-	.00	.00	1,238,530.85-
100 STABILIZATION	1,000,000.00-	.00	.00	.00	.00	.00	.00	1,000,000.00-
110 TOWN OF GOLD HILL	660.00-	.00	.00	.00	.00	.00	.00	660.00-
120 TOWN OF VIRGINIA CITY	.00	.00	.00	.00	.00	.00	.00	.00
130 VIRGINIA DIVIDE SEWER	167,069.07-	27,613.80-	6,875.88	7,955.41	2,200.57-	.00	.00	182,052.15-
135 USDA BOND WELLS FARGO	5,165,575.02-	.00	397,514.03	.00	.00	.00	.00	4,768,160.99-
140 DRUG COURT	550.00-	40.00-	.00	.00	.00	.00	.00	590.00-
150 SCHOOL	750,393.24-	199,297.79-	757,779.89	.00	.00	.00	.00	191,911.14-
160 SCHOOL DEBT	145,753.40-	38,331.24-	147,177.95	.00	.00	.00	.00	36,906.69-
165 TECHNOLOGY FUND	101,552.53-	4,557.12-	20,860.15	.00	.00	.00	.00	85,249.50-
170 STATE	266,684.17-	77,201.50-	3,520.50	.00	.00	.00	.00	340,365.17-
175 FAIR & RECREATION BOARD	.00	.00	.00	.00	.00	.00	.00	.00
180 DISTRICT COURT	33,492.66-	564.00-	.00	.00	.00	.00	.00	34,056.66-
185 INDIGENT ACCIDENT	23,547.66-	3,878.26-	.00	.00	.00	.00	.00	27,425.92-
187 JUSTICE COURT FUND	38,167.22-	648.87-	.00	.00	.00	.00	.00	38,816.09-
189 TRI NET	.00	.00	.00	.00	.00	.00	.00	.00
190 PARK FUND	7,784.96-	250.00-	10,889.00	.00	.00	.00	.00	2,854.04
200 TRI PAYBACK	1,157,028.71-	138.62-	.00	.00	142,000.00-	.00	.00	1,299,167.33-
206 FEDERAL GRANTS	241,211.00-	21,387.08-	52,088.53	.00	.00	.00	.00	210,509.55-
210 SHERIFF'S JAIL BLDG FUND	91,946.09	.00	.00	.00	.00	.00	.00	91,946.09
220 VC RAIL PROJECT	1,224,784.85-	.00	.00	.00	.00	.00	.00	1,224,784.85-
230 VC TOURISM COMMISSION	531,684.86-	221,744.78-	69,649.04	26,342.26	7,398.39-	.00	.00	664,836.73-
250 FIRE DISTRICT	168,837.53-	231,418.66-	15,634.61	242,030.80	31,921.09-	.00	.00	174,511.87-
260 FIRE EMERGENCY	.00	.00	.00	.00	.00	.00	.00	.00
270 MUTUAL AID	115,450.23	93,771.90-	14,019.90	45,827.41	17,185.13-	.00	.00	64,340.51
800 UNSECURED TAXES HOLDING	.00	.00	.00	.00	.00	.00	.00	.00
900 SECURED TAXES HOLDING	.00	.00	.00	.00	.00	.00	.00	.00
TOTAL ALL FUNDS	.00	.00	.00	.00	.00	.00	.00	.00

AD VAL FOR THE MONTH OF SEPTEMBER 2014

	001 GENERAL	001-500 INDUST GID	150 SCH OP	160 SCH DB	060 CAP AQU	170 STATE	010 IND MED	185 IND ACC	001 YOUTH	250 FIRE/EMER	200 TRI Payback	001 PENALTIES	001-34104 A/R 6%	001-36506 OVRPMT	165 A/R 2%	TOTAL
TRASURER																
2007/2008	\$ 3.15	\$	\$ 1.34	\$ 0.25	\$ 0.09	\$ 0.31	\$ 0.01	\$ 0.03	\$ 0.01	\$ 0.98		\$ 9.87				\$ 16.04
2008/2009	\$ 378.45	\$	\$ 162.03	\$ 31.26	\$ 10.80	\$ 36.74	\$ 6.48	\$ 3.25	\$ 0.98	\$ 117.46		\$ 97.09				\$ 844.54
2009/2010	\$ 110.41	\$	\$ 47.26	\$ 9.12	\$ 3.15	\$ 10.71	\$ 1.89	\$ 0.94	\$ 0.28	\$ 34.32		\$ 1.82				\$ 219.90
2010/2011	\$ 111.62	\$	\$ 51.05	\$ 9.85	\$ 3.15	\$ 11.57	\$ 0.68	\$ 1.02	\$ 0.31	\$ 34.30	\$ 11.99	\$ 1.96				\$ 237.50
2011-2012	\$ 130.25	\$	\$ 55.14	\$ 10.63	\$ 3.67	\$ 12.49	\$ 0.73	\$ 1.11	\$ 0.33	\$ 40.03		\$ 2.12				
Special Assess																
Total 2011-2012	\$ 130.25	\$	\$ 55.14	\$ 10.63	\$ 3.67	\$ 12.49	\$ 0.73	\$ 1.11	\$ 0.33	\$ 40.03		\$ 2.12				\$ 256.50
2012-2013	\$ 1,329.72	\$	\$ 562.83	\$ 108.52	\$ 37.52	\$ 127.57	\$ 7.21	\$ 10.73	\$ 3.37	\$ 408.69		\$ 695.55				
Special Assess																
Total 2012-2013	\$ 1,329.72	\$	\$ 562.83	\$ 108.52	\$ 37.52	\$ 127.57	\$ 7.21	\$ 10.73	\$ 3.37	\$ 408.69		\$ 695.55				\$ 3,291.71
Subtotal	\$ 2,063.60	\$	\$ 879.65	\$ 169.63	\$ 58.38	\$ 199.39	\$ 17.00	\$ 17.08	\$ 5.28	\$ 635.78	\$ 11.99	\$ 808.41				\$ 4,866.19
2013-2014	\$ 2,399.93	\$	\$ 1,015.47	\$ 195.48	\$ 67.40	\$ 230.00	\$ 13.56	\$ 18.22	\$ 6.12	\$ 737.64		\$ 740.43				
Special Assess	\$ 0.60	\$	\$ 0.25	\$ 0.05	\$ 0.02	\$ 0.06	\$ 0.01	\$ 0.01	\$ 0.01	\$ 0.19						
Total 2013/2014	\$ 2,400.53	\$	\$ 1,015.72	\$ 195.53	\$ 67.42	\$ 230.06	\$ 13.56	\$ 18.23	\$ 6.12	\$ 737.83	\$ -	\$ 740.43				\$ 5,425.43
TOTAL PRIOR	\$ 4,464.13	\$	\$ 1,895.37	\$ 365.16	\$ 125.80	\$ 429.45	\$ 30.56	\$ 35.31	\$ 11.40	\$ 1,373.61	\$ 11.99	\$ 1,548.84				\$ 10,291.62
2014/2015	\$ 118,813.80	\$	\$ 158,275.44	\$ 30,513.70	\$ 10,263.70	\$ 34,963.12	\$ 2,043.34	\$ 3,070.86	\$ 915.80	\$ 112,018.70		\$ 1,595.78				\$ 718,160.13
Special Assess	\$ 252.84	\$	\$ 107.03	\$ 20.65	\$ 7.14	\$ 24.26	\$ 1.43	\$ 2.14	\$ 0.64	\$ 77.72						
TOTAL 14/15	\$ 119,066.64	\$ 245,685.89	\$ 158,382.47	\$ 30,534.35	\$ 10,270.84	\$ 34,987.38	\$ 2,044.77	\$ 3,073.00	\$ 916.44	\$ 112,096.42		\$ 1,595.78				\$ 718,653.98
TOTAL SECURED	\$ 123,530.77	\$ 245,685.89	\$ 160,277.84	\$ 30,899.51	\$ 10,396.64	\$ 35,416.83	\$ 2,075.33	\$ 3,108.31	\$ 927.84	\$ 113,470.03	\$ 11.99	\$ 3,144.62		\$ 3.40		\$ 728,949.00
Refund Secured																\$ -
REPORT TOTALS	\$ 123,530.77	\$ 245,685.89	\$ 160,277.84	\$ 30,899.51	\$ 10,396.64	\$ 35,416.83	\$ 2,075.33	\$ 3,108.31	\$ 927.84	\$ 113,470.03	\$ 11.99	\$ 3,144.62		\$ 3.40		\$ 728,949.00
ASSESSOR																
2007/2008	\$ 21.36	\$	\$ 9.15	\$ 1.78	\$ 0.62	\$ 2.09		\$ 0.15	\$ 0.05	\$ 6.63		\$ 4.54	\$ 2.72		\$ 0.91	\$ 50.00
2008/2009		\$														\$ -
2009/2010		\$	\$ 539.01	\$ 103.99	\$ 35.93	\$ 122.18	\$ 7.19	\$ 10.78	\$ 3.23	\$ 391.40	\$ 126.63	\$ 284.10	\$ 170.45		\$ 56.82	\$ 3,125.15
2010/2011		\$														\$ -
2011/2012	\$ 9.02	\$ 205.04	\$ 90.61	\$ 17.50	\$ 6.05	\$ 20.54	\$ 1.22	\$ 1.82	\$ 0.56	\$ 65.80		\$ 45.46	\$ 27.28		\$ 9.10	\$ 500.00
2012/2013	\$ 1,303.82	\$ 205.04	\$ 638.77	\$ 123.27	\$ 42.60	\$ 144.81	\$ 8.41	\$ 12.75	\$ 3.84	\$ 463.83	\$ 126.63	\$ 334.10	\$ 200.45		\$ 66.83	\$ 3,675.15
Subtotal	\$ 10.82	\$ 246.39	\$ 108.86	\$ 21.00	\$ 7.26	\$ 24.67	\$ 1.44	\$ 2.18	\$ 0.65	\$ 79.05		\$ 32.78			\$ 10.93	\$ 546.03
2013/2014	\$ 1,314.64	\$ 451.43	\$ 747.63	\$ 144.27	\$ 49.86	\$ 169.48	\$ 9.85	\$ 14.93	\$ 4.49	\$ 542.88	\$ 126.63	\$ 334.10	\$ 233.23		\$ 77.76	\$ 4,221.18
TOTAL PRIOR	\$	\$	\$ 37,777.32	\$ 7,287.46	\$ 2,518.94	\$ 8,560.74	\$ 503.25	\$ 755.02	\$ 226.66	\$ 27,431.26		\$ 48.39	\$ 11,368.06		\$ 3,789.36	\$ 189,516.47
2014/2015	\$ 751.60	\$ 88,498.41	\$													
Overpayment																
TOTAL UNSEC	\$ 2,066.24	\$ 88,949.84	\$ 38,524.95	\$ 7,431.73	\$ 2,568.80	\$ 8,730.22	\$ 513.10	\$ 769.95	\$ 231.15	\$ 27,974.14	\$ 126.63	\$ 382.49	\$ 11,601.29		\$ 3,867.12	\$ 193,737.65
MISC																
PX DIST																\$ -
PX DIST																\$ -
PC Dist																\$ -
GRAND TOTAL	\$ 175,597.01	\$ 334,635.73	\$ 198,802.79	\$ 38,331.24	\$ 12,965.44	\$ 44,147.05	\$ 2,568.43	\$ 3,878.26	\$ 1,158.99	\$ 141,444.17	\$ 138.62	\$ 3,527.11	\$ 11,601.29	\$ 3.40	\$ 3,867.12	\$ 922,686.65



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 0 min

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** For possible action approval of Payroll Checks date 9/15/14 for \$441,777.31, 9/21/14 for \$302,568.33 and 10/10/14 for \$421,681.12.

2. **Recommended motion:** Approval of claims as submitted as part of the Consent Agenda

3. **Prepared by:** Hugh Gallagher

Department: Comptroller

Telephone: 775 847-1006

4. **Staff summary:** Please find attached the claims

5. **Supporting materials:** Attached

6. **Fiscal impact:**

Funds Available: NA

Fund: NA

__NA__ Comptroller

7. **Legal review required:**

__NA__ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: Comptroller

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Payroll Type: Regular Check Date: 09/12/14 Period-end Date: 09/07/14
Payroll Groups: 1 2 3 4 5 6 7 8

Check/ DD #	Emp #/ Ded #	Payee	Amount
----------------	-----------------	-------	--------

Total User Transfer for EFTPS:			62,036.02
Total Deductor Checks:			103,399.46
Total Employee Checks:			1,011.25
Total Employee Direct Deposit:			262,284.93
Total Employee Deds Xferd on Dir Dep File:			6,921.50
Total User Transfer to Deductor:			6,124.15
Total Disbursed:			441,777.31

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

Payroll Type: Regular Check Date: 09/26/14 Period-end Date: 09/21/14
Payroll Groups: 1 2 3 4 5 6 7 8

Check/ DD #	Emp #/ Ded #	Payee	Amount
----------------	-----------------	-------	--------

Total User Transfer for EFTPs:			50,595.88
Total Deductor Checks:			6,083.95
Total Employee Checks:			1,011.25
Total Employee Direct Deposit:			234,101.03
Total Employee Deds Xferd on Dir Dep File:			6,921.50
Total User Transfer to Deductor:			3,854.72
Total Disbursed:			302,568.33

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

Payroll Type: Regular Check Date: 10/10/14 Period-end Date: 10/05/14
Payroll Groups: 1 2 3 4 5 6 7 8

Check/ DD #	Emp #/ Ded #	Payee	Amount
----------------	-----------------	-------	--------

Total User Transfer for EFTPS:			54,502.86
Total Deductor Checks:			106,944.06
Total Employee Checks:			1,011.25
Total Employee Direct Deposit:			248,016.86
Total Employee Deds Xferd on Dir Dep File:			6,921.50
Total User Transfer to Deductor:			4,284.59
Total Disbursed:			421,681.12

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
_____	_____	_____
COMPTROLLER	_____	_____
_____	_____	_____
TREASURER	_____	_____



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 0-5 mins

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** For Possible Action – Approval – Assessor's Recommended Corrections to Tax Roll for Exemptions

2. **Recommended motion:** Approval

3. **Prepared by:** Tobi Whitten

Department: Assessor's Office

Telephone: 847-0961

4. **Staff summary:** Exemption applications and renewals are typically due to our office on or before June 15th of each fiscal year, but circumstances beyond a taxpayer's control may cause a delay and, as a result, an exemption not being applied to the tax bill. In cases where the Assessor's Office feels that the taxpayer could not have reasonably filed their exemption or application or renewal by the deadline, the tax bill may be amended by the Clerk-Treasurer at the direction of the Board and a new tax bill or a refund be mailed to the affected taxpayer.

5. **Supporting materials:** Please see attached letters with adjusted assessed values.

6. **Fiscal impact:** Unknown

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Assessor's Office

☐ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Jana Seddon
STOREY COUNTY ASSESSOR

STOREY COUNTY COURTHOUSE
26 South B Street
P.O. Box 494
Virginia City, NV 89440

(775) 847-0961 Phone
(775) 847-0904 Fax
Assessor@StoreyCounty.org

October 8, 2014

Memo to: Storey County Commissioners

Re: 003-044-18, Estelle Jorgensen


The above property owner has applied for a Surviving Spouse Exemption to be applied to their property located at 21870 Adobe Rd, VC Highlands. Ms. Jorgensen did not receive her renewal card in 2013, and was not able to verify her eligibility for the exemption until after the close of the 2014/15 re-opened roll. Therefore, we were unable to apply the exemption prior to the printing of their tax bill.

The corrected **assessed** values should be:

Land	\$ 5,250
Imp	\$ 45,661
Vet Exempt	<u>\$(1,250)</u>
Net Assessed	\$ 49,661

Please approve this correction, and advise the Treasurer to make the changes and send a new tax bill or refund as necessary.

Thank You,



Jana Seddon
Storey County Assessor

Jana Seddon
STOREY COUNTY ASSESSOR

STOREY COUNTY COURTHOUSE
26 South B Street
P.O. Box 494
Virginia City, NV 89440

(775) 847-0961 Phone
(775) 847-0904 Fax
Assessor@StoreyCounty.org

October 8, 2014

Memo to: Storey County Commissioners

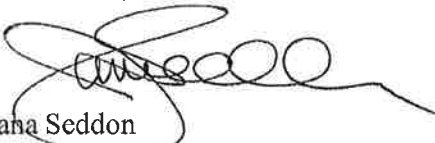
Re: 003-284-14, Gregory D. Goodwill

The above property owner has applied for a Surviving Spouse Exemption to be applied to their property located at 176 Martin Lane, Mark Twain Estates. Mr. Goodwill became aware of his eligibility for this exemption after the close of the 2014/15 re-opened roll. Therefore, we were unable to apply the exemption prior to the printing of their tax bill. The new **assessed** value should be:

Land	\$ 6,623
Imp	\$ 54,212
Vet Exempt	\$ (<u>2,500</u>)
Net Assessed	\$ 58,335

Please approve this correction, and advise the Treasurer to make the changes and send a new tax bill or refund as necessary.

Thank You,



Jana Seddon
Storey County Assessor



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 5 minutes

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Approval of Resolution 14-413, a resolution to direct the County Assessor to prepare a list of all the taxpayers on the secured roll in the County pursuant to NRS 361.300 (3)

2. **Recommended motion - Approval**

3. **Prepared by:** Tobi Whitten

Department: Assessor's Office

Telephone: 847-0961

4. **Staff summary:** Please see attached proposed resolution. There have been significant cost savings in providing the tax roll per NRS 361.300(3) via mailing vs. publication in local newspaper.

5. **Supporting materials:** Quote from Silver State Industries – printing, folding, sealing & addressing of complete tax rolls for mailing.

6. **Fiscal impact:**

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:**

_____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Assessor's Office

☐ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.



SILVER STATE INDUSTRIES

Print Shop & Book Bindery
1721 East Snyder Ave.
Post Office Box 7000
Carson City, Nevada 89702
Phone (775)887-3428 Fax (775)888-8519
mbyington@doc.nv.gov

MANUFACTURING
QUALITY:

OFFICE FURNITURE
AND CHAIRS

GARMENTS

METAL
FABRICATION

INSTITUTIONAL
FURNITURE

AUTO
RESTORATION

PRINTING
SCREEN PRINTING

BOOKBINDERY

MATTRESSES

DRAPERIES

DAIRY PRODUCTS

MOTORCYCLES

UTILITY TRAILERS

EMBROIDERY

Customer: Storey County Assessor, Jana Seddon, jseddon@storeycounty.org

Quote No. **14-1007K**

Date Quoted: **October 7, 2014**

Dear Ms. Seddon:

Thank you for your interest in our quality products and services. I am pleased to submit the following quote for your review and approval. Approximate lead time: One week from receipt of purchase order and approval of graphics.

QTY	DESCRIPTION	UNIT PRICE	EXT. PRICE	APPROVED (YES OR NO)
1600	Printing of Assessment Rolls, 8-11" x 17" Pgs., Digital Print Black, 20# White Paper, Fold and Staple "Magazine Style", Seal edges with white label of approximately 1/2" x 2", Print and affix address labels (Approx. 1600, Customer Supplied data)	\$1.10 ea	\$1,760.00	
	Total:		\$1,760.00	

Once work is in progress on your original quoted bid and alterations or changes are requested on your behalf, additional charges will result depending on the modifications requested.

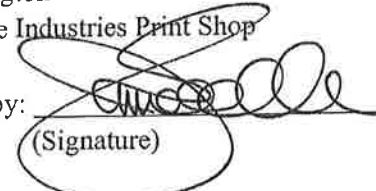
This quote good for only 30 days. All quotes are F.O.B. Carson City, Nevada.

If this quote meets your approval, please sign and fax or email it to me at (775) 888-8519 or mbyington@doc.nv.gov.

If you have any questions concerning this matter please feel free to contact me.

Mary Byington

Mary Byington
Silver State Industries Print Shop

Accepted by: 

(Signature)

Date: 10/7/14

Cc: Central Accounting / File

RESOLUTION 14-413

A RESOLUTION REQUIRING THE COUNTY ASSESSOR TO PREPARE A LIST OF ALL TAXPAYERS ON THE SECURED ROLL IN STOREY COUNTY AND THE TOTAL VALUATION OF PROPERTY ON WHICH THEY SEVERALLY PAY TAXES

WHEREAS, pursuant to NRS 361.300, each board of County Commissioners shall, by resolution, require the County Assessor to prepare a list of all taxpayers on the secured roll in the County and the total valuation of property on which they severally pay taxes and direct the County Assessor to cause such list and valuations to be printed and delivered by the County Assessor or mailed by him or her on or before January 1 of the fiscal year in which assessment is made to each taxpayer in the County; or published once on or before January 1 of the fiscal year in which assessment is made in a newspaper of general circulation in the County; and to cause such list and valuations to be posted in a public area of the public libraries and branch libraries located in the county, at the office of the County Assessor; and published on an internet website that is maintained by the County Assessor or, if the County Assessor does not maintain an internet website, on an internet website that is maintained by the County. Each board of County Commissioners may authorize the County Assessor not to deliver or mail the list to taxpayers whose property is assessed at \$1,000 or less and direct the County Assessor to mail each such taxpayer a statement of the amount of his or her assessment.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Storey County as follows: That the County Assessor prepare a list of all taxpayers on the secured roll in the County and the total valuation of property on which they severally pay taxes and cause such list and valuations to be printed and delivered by the County Assessor or mailed by her on or before January 1, 2015, to each taxpayer in the County; or published once on or before January 1, 2015, in a newspaper of general circulation in the County; and to cause such list to be posted at the office of the County Assessor and published on the Storey County website.

ADOPTED this _____ day of _____, 2014

BOARD OF COMMISSIONERS OF STOREY COUNTY

By: _____
Marshall McBride, Chairman

ATTEST:

Vanessa Stephens, County Clerk/Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: If moved from consent then 5 Minutes

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Discussion/Possible Action: Approval and signature by the Chairman of the USDA Loan Resolution Form, OMB NO. 0575-0015 – RD1942-47 (Rev. 12-97). This is required to close the USDA loan in order to release funding for three structural fire engines, new ambulance chassis and ambulance chassis change over which was heard and approved on September 2, 2014.

2. **Recommended motion:** (If moved from consent agenda) *I move to approve the Chairman to sign and close the USDA Loan Resolution form in order to release funding for three fire apparatus, new ambulance chassis and ambulance chassis change over.*

3. **Prepared by:** Gary Hames

Department: Equipment Acquisition

Telephone: (775) 847-0954

4. **Staff summary:** This form is necessary to close the loan which will enable the USDA to release funding for the three fire apparatus, new ambulance chassis and ambulance chassis change over. The loan was approved at the September 2, 2014 Commissioners meeting. These funds have been reviewed and approved in the current budget and are contained within the Equipment Acquisition Fund.

5. **Supporting materials:** USDA Loan Resolution Form OMB NO. 0575-0015 – RD 1942-47 (Rev. 12-97)

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.

Position 5
LOAN RESOLUTION
(Public Bodies)

FORM APPROVED
OMB NO. 0575-0015

A RESOLUTION OF THE Board of Commissioners
OF THE County of Storey
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING
A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS
Fire Protection District
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Storey County
(Public Body)
(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of
\$2,000,000.00

pursuant to the provisions of Nevada Revised Statutes 243.335; and
WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U. S. C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:
 - (a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.
 - (b) Repairing or replacing short-lived assets.
 - (c) Making extensions or improvements to the facility.Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ 0

under the terms offered by the Government; that the N/A
and N/A of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee

The vote was: Yeas _____ Nays _____ Absent _____.

IN WITNESS WHEREOF, the _____ of the
_____ has duly adopted this resolution and caused it
to be executed by the officers below in duplicate on this _____ day of _____, 2014.

(SEAL.)

By Marshall McBride

Attest:

Title Chairman, Board of Commissioners

Vanessa Stephens, County Clerk

Title

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as _____ of the _____
hereby certify that the _____ of such Association is composed of
_____ members, of whom _____, constituting a quorum, were present at a meeting thereof duly called and
held on the _____ day of _____, _____; and that the foregoing resolution was adopted at such meeting
by the vote shown above. I further certify that as of _____, the date of closing of the loan from the Government, said resolution
remains in effect and has not been rescinded or amended in any way.

Dated, this _____ day of _____, 2014 .

Title Vanessa Stephens, County Clerk



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 10/21/14

Estimate of time required: 0 - 5

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Business License First Readings

2. **Recommended motion:** None required (if approved as part of the Consent Agenda)
I move to approve all first readings (if removed from consent agenda by request)

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** First readings of submitted business license applications are normally approved on the consent agenda. The applications are then submitted at the next Commissioners' meeting for approval.

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

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** None
____ District Attorney

8. **Reviewed by:**
 x Department Head
____ County Manager

Department Name: Community Development

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Storey County Community Development

Business Licensing

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

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

October 13, 2014
Via email

Fr: Stacey Bucchianeri

Please add the following item(s) to the **October 21, 2014**, COMMISSIONERS Consent Agenda:

LICENSING BOARD FIRST READINGS:

- A. PERFORMANCE CONTRACTING, INC.** – Contractor / 16400 College Blvd ~ Lenexa, KS (specialty contracting)
- B. MNW CONSTRUCTION** – Contractor / 1123 Northfield Drive ~ Carson City (contractor)
- C. STORM5, LLC** – Contractor / 299 South Arlington, Reno (contractor)
- D. BRAND ENERGY & INFRASTRUCTURE** – Contractor / 1325 Cobb Int'l ~ Henderson (scaffolding)
- E. KC CUSTOM CONCEPTS** – Contractor / 5084 Washoe Circle ~ Stagecoach (mfg housing contractor)
- F. SIERRA ELECTRONICS** – Contractor / 690 East Glendale Avenue ~ Sparks (wireless contractor)

Inspection Required

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

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Fritz Klingler, Fire Dept.

Sheriff's Office
Assessor's Office



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 15-20 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Presentation of potential applications for Community Development Block Grant Funding for 2015.

2. **Recommended motion:** *NONE AS THIS IS AN ITEM FOR DISCUSSION ONLY*

3. **Prepared by:** Cherie Nevin

Department: Community Services

Telephone: 847-0986

4. **Staff summary:** This agenda item discusses potential applications for funding under next fiscal year's (July 1, 2015 to June 30, 2016) State Community Development Block Grant (CDBG) Program and seeks additional citizen input on possible activities to be included in an application. Proposed projects and estimated funding are listed below. Only projects listed here and proposed at this meeting will be forwarded to the Commissioners for final approval at the first meeting in December.

- Type 1 Ambulance Chassis Changeover this ambulance would be stationed at Fire Station 74 in the Lockwood Community. Estimated project cost is \$115,000 to \$120,000
- Storey County Master Plan Update. Estimated Project Cost is \$56,700
- Tahoe Reno Industrial Center General Improvement District Utility GIS system. Estimated Project Cost is \$150,000

A final hearing will be held to discuss, approve and rank applications prior to submittal to the State. We can apply for two projects.

5. **Supporting materials:**

6. **Fiscal impact:** NONE

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.

2015 Storey County CDBG Grant Ideas

Public Facilities Project

- Project Name: Type 1 Ambulance Chassis Changeover for the Lockwood Fire Department
- Estimated Project Cost: \$115,000 - \$120,000.
- Project Summary: Eligibility based on LMI per 2012 Income Survey. The Storey County Fire Protection District services the Lockwood area out of our Fire Station #74. This station is located between the Rainbow Bend subdivision and Lockwood Trailer Park area. We serve these residents for all hazards, fire and EMS based services. This is a great community composed of predominantly senior citizens with a small mix of younger residents. Most of these younger residents have children who go to school at Hillside Elementary. The bulk of our calls in this area are medical emergencies associated with geriatric patients. Therefore, this ambulance service is extremely important.

Planning Set Aside Project

- Project Name: Master Plan Update- Countywide Project
- Estimated Project Cost: \$56,700
- Project Summary: Hiring a consult to assist with updating the Economy, Transportation and Housing Elements of the County Master Plan and provide input on the Land Use Element as needed. The existing Master Plan has not been updated since 1994 and with all the changes the County has experienced; the need for this update is extremely important and urgent. This particular project may not need to meet any of the HUD national objectives.

Economic Development or Planning Set Aside Project

- Project Name: Tahoe Reno Industrial Center Utility Plan.
- Estimated Project Cost: \$150,000 plus
- Project Summary: This plan would be specific to Tahoe-Reno Industrial (TRI) Center only and we would sub-grant to the TRI General Improvements District (GID). This particular project may not need to meet any of the HUD national objectives. The GID is in need of a fully developed utility GIS system that accurately depicts all existing water, sewer and storm drain infrastructure. The GIS would include as-built drawings for everything we can find. This project would also include a utility master plan that would provide the roadmap for expanding water and wastewater facilities for new development (infrastructure, water rights, water resources, etc.). This project would allow us to show job creation based on the new industry coming in TRI.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 5 Minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approval of Resolution #14-~~414~~ establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the Storey County Fire Protection District for services provided and/or rendered.

2. **Recommended motion:** *I move to approve Resolution #14-~~414~~ establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the Storey County Fire Protection District for services provided and/or rendered.*

3. **Prepared by:** Gary Hames

Department: Fire District

Telephone: (775) 847-0954

4. **Staff summary:** Please see page two.

5. **Supporting materials:** Resolution #14-____

6. **Fiscal impact:**

Funds Available: N/A

Fund: N/A

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

____ County Manager

Department Name: Fire District

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Denied

☐

Approved with Modifications

☐

Continued

Agenda Item No. _____

Staff Summary:

Over the past decade (plus) the fire district has either voluntarily expanded services or has been directed through state and/or federal laws to provide specific services. Some of which include hazardous materials responses; motor vehicle collisions; arson fires; and, a myriad of complex technical rescue situations (confined rescue, trench rescue, mechanical equipment extrication, etc.). Generally speaking state and federal laws are equal to unfunded mandates, especially in consideration of hazardous materials incidents.

It has recently come to the attention of many fire districts and fire departments that individuals and companies have insurance for these types of incidents. Fire districts and/or departments nationally are now adopting identical resolutions in order to cover costs associated with these types of incidents. These resolutions allow us to charge actual costs to an individual or companies insurance provider. In a subsequent staff recommendation we will be asking you to approve a contract for services with Fire Recovery. This company has established relationships with all major insurance providers and have already established and mutually agreed upon rates for invoicing.

Without this resolution we may be in a situation of expending tens of thousands of dollars at a single hazardous materials incident with no means to recover our actual costs. This will allow us the discretion to recover costs directly from an insurance provider. Within in our region Carson City, East Fork Fire District, Central Lyon Fire District, North Lyon Fire District, City of Reno, Sparks Fire, North Lake Tahoe Fire District and Tahoe Douglas Fire District all have this in place already. It would be nothing new to the region.

RESOLUTION NO: 14-414

A RESOLUTION ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE STOREY COUNTY FIRE PROTECTION DISTRICT FOR SERVICES PROVIDED AND/OR RENDERED.

BE IT HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS,
STOREY COUNTY, NEVADA

WHEREAS, the need for emergency services continues to increase each year creating additional demands on all operational aspects of the Storey County Fire Protection District services; and

WHEREAS environmental protection requirements which require additional equipment and training continues to increase each year creating additional demands on all operational aspects of the Storey County Fire Protection District services; and

WHEREAS implementation of homeland security regulations requires additional equipment and training, creating additional demands on all operational aspects of the Storey County Fire Protection District services; and

WHEREAS, the Storey County Fire Protection District has investigated different methods to maintain a high level of quality of emergency and non-emergency services throughout times of constantly increasing service demands; and

WHEREAS maintaining an effective response by the Storey County Fire Protection District decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations which saves lives and reduces property and environmental damage; and

WHEREAS, raising real property taxes to meet the increase in service demands would not be fair when it would be more fair to charge persons who directly receive the services; and

WHEREAS, the Board of the Storey County Fire Protection District desires to implement a fair and equitable procedure by which to mitigation rates can be collected and establish a billing system in accordance with applicable laws, regulations and guidelines.

NOW THEREFORE, BE IT RESOLVED that the Storey County Fire Protection District shall initiate mitigation rates for the delivery of emergency and non-emergency services by the Storey County Fire Protection District for personnel, supplies and equipment used at the scene of emergency and non-emergency incidents as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may

include any services, personnel, supplies, and equipment and with baselines established by an addendum to this document.

BE IT FURTHER RESOLVED, that a claim for reimbursement for services performed and/or rendered shall be submitted to the responsible party who has received services through their insurance carrier. In some circumstances, the responsible party will be billed directly. In all cases the Fire Chief shall have the ability to waive any invoices as deemed necessary and appropriate.

BE IT FURTHER RESOLVED, that the Storey County Fire Protection District Board may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not inconsistent with this Resolution, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

BE IT FURTHER RESOLVED, that this resolution shall be effective upon the date of adoption.

PROPOSED AND ADOPTED this _____ day of _____ 2014.

THOSE VOTING AYE

THOSE VOTING NAY

ADOPTED this _____ day of _____ 2014.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
Marshall McBride, Chairman

Attest:

Vanessa Stephens, Clerk and Treasurer

EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

The mitigation rates below are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

MOTOR VEHICLE INCIDENTS

Level 1 - \$435.00

Provide hazardous materials assessment and scene stabilization. This will be the most common “billing level”. This occurs almost every time the Storey County Fire Protection District responds to an accident/incident.

Level 2 - \$495.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the Storey County Fire Protection District has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – CAR FIRE - \$605.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 4 - \$1,800.00

Includes Level 1 & 2 services as well as extrication (heavy rescue tools, ropes, airbags, cribbing etc.). We will bill at this level if the Storey County Fire Protection District has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and Storey County Fire Protection District is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Level 5 - \$2,200.00

Includes Levels 1, 2, & 4 services as well as Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter is utilized to transport the patient(s).

Level 6

Itemized Response: The Storey County Fire Protection District has the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

ADDITIONAL TIME ON-SCENE

Apparatus Type	Rate	Mileage
Type I Engine – Structure Engine	\$125/hour	\$1.55 per mile
Type III Engine – Brush Engine	\$100/hour	\$1.55 per mile
Type IV, VI Engine – Brush Patrol	\$75/hour	\$1.55 per mile
Type I Water Tender	\$75/hour	\$1.55 per mile
Heavy Rescue/Squad	\$125/hour	\$1.55 per mile
Overhaul Trailer	\$100/hour	\$1.55 per mile and cost of expendable items
Command Vehicle	\$50.00/daily	.55 Per Mile for Travel and Fuel Cost at Incident Only
Utility	\$50.00/daily	.55 Per Mile for Travel and Fuel Cost at Incident Only
Transport/Lowboy	\$95/hour	\$1.75 per mile
Type IV Dozer Chase Truck	\$75.00/hour	\$1.55 per mile
Type II Dozer	\$115/hour	Incident pays for fuel costs or \$44.00 per hour
Ambulance	\$125/hour	\$23.37 Per Mile for Travel and Transports (Billed to Patient)
Fuel Trailer	\$75/day	No mileage charges
Special Event Staffing	\$560/day	Includes one unit with two personnel
ALS Durable Medical Equipment	\$250.00/day	N/A
ILS Durable Medical Equipment	\$200.00/day	N/A
BLS Durable Medical Equipment	\$150.00/day	N/A

HAZMAT

Level 1 - \$700.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,500.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decontamination center.

Level 3 – \$5,900.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decontamination center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$300.00 per HAZMAT team.**

FALSE ALARM BILLING RATES

- (a) The first two false alarms within twelve (12) months in a calendar year is free of charge
- (b) The second (2nd) and beyond false alarm in a twelve (12) month calendar year is billed at \$150.00 per hour

PIPELINE INCIDENTS/POWER LINE INCIDENTS

(Includes, but not limited to: Gas, Sewer, Septic to Sewer, and Water Pipelines)

Level 1 - \$400.00

Basic Response: Claim will include engine response and first responder assignment, perimeter establishment, evacuations, first responder set-up and command. Includes inspection without damage or breakage.

Level 2 - \$1,000

Intermediate Response: Claim will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair.

Level 3 – Itemized Claim Charge

Advanced Response: Claim will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair of intermediate to major pipeline damage. May include set-up and removal of decon center, detection, recovery and identification of material. Disposal and environment clean-up. This category may involve use of the overhaul trailer as well as defined within hourly rate chart.

FIRE INVESTIGATION

Fire Investigation Team - \$275.00 per hour.

The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.

FIRES

Assignment - \$400.00 per hour, per engine / \$500.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common “billing level”. This occurs almost every time the Storey County Fire Protection District responds to an incident.

The Storey County Fire Protection District has the option to bill each fire as an independent event with custom mitigation rates. None of these costs are intended to include any wildland fire incident response as covered within a superseding interlocal agreement.

Itemized, per person, at various pay levels and for itemized products use.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common “billing level”. This occurs almost every time the Storey County Fire Protection District responds to a water incident.

Billed at \$400 plus \$50 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the Storey County Fire Protection District has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$800 plus \$50 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,000 plus \$50 per hour per rescue person, plus \$100 per hour per HAZMAT team member.

Level 4

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$400 for the first response vehicle plus \$50 per rescue person. Additional rates of \$400 per hour per response vehicle and \$50 per hour per rescue person.

MITIGATION RATE NOTES

The mitigation rates above are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department’s “actual personnel expense” and not just a firefighter’s basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

LATE FEES

If the invoice is not paid within 90 days, a Late Charge of 10% of the invoice, as well as 1.5% per month, as well as the actual cost of the collections, will be assessed to the responsible party.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 5 Minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approve Fire District to contract with Revenue Recovery for insurance billing services associated with specialized responses, rescue and mitigation services.
2. **Recommended motion:** *I move to approve the Fire District to contract with Revenue Recovery for insurance billing services associated with specialized responses, rescue and mitigation services*

3. **Prepared by:** Gary Hames

Department: Fire District

Telephone: (775) 847-0954

4. **Staff summary:** Please see page two.

5. **Supporting materials:** Revenue Recovery Service Contract

6. **Fiscal impact:**

Funds Available: Yes

Fund: 250

____ Comptroller

NOTE: This will be "pass through" funding. There will be no costs unless they are used and then the cost will be paid from the invoice revenue.

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head
☐ County Manager

Department Name: Fire District

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. _____

Staff Summary:

This request is part and parcel with Resolution #14-~~44~~4. Revenue Recovery is a national company that works with fire districts/departments to recover actual costs associated with specialized responses. These responses include traffic accidents that involve extrication and/or hazardous materials mitigation; hazardous materials incident response, recovery and mitigation hard costs; malicious false alarm responses; fire investigation; illegal fires; water rescue incidents; and, arson fire billings.

We have reviewed other companies and this company has the lowest costs in percentage values, best recovery records and allows the district to submit which incidents should be charged. They only receive information which we choose to share with them and request that they assist us for services. This is unique and important as it allows us to retain local control.

SERVICES AGREEMENT

This Services Agreement ("Agreement") is made effective as of _____, 20____ ("Effective Date"), by and between **FIRE RECOVERY USA, LLC**, a California limited liability company ("Company"), and **Storey County Fire Protection District**, ("Fire Department"). The Company and Fire Department are referred to herein individually as a "party" and collectively as the "parties."

RECITALS

WHEREAS, Company engages in the business of performing billing services ("Company Services") for United States Fire Departments in connection with the motor vehicle incidents and other emergency incidents at which the fire departments provide emergency services; and

WHEREAS, Fire Department seeks the services of Company to assist with the billing for services that Fire Department provides in connection with motor vehicle incidents and other emergency incidents; and

WHEREAS, Company and Fire Department desire to enter into this Agreement to memorialize their agreements regarding the Company Services to be provided to Fire Department.

NOW, THEREFORE, in consideration of the mutual representations, warranties and covenants set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Company and Fire Department agree as follows:

ARTICLE 1 ENGAGEMENT

1.1. Engagement: Fire Department hereby engages Company to provide the Company Services described in Article 4 herein, and Fire Department hereby accepts such engagement, all on the terms and conditions set forth herein. Company will determine the method, detail and means of performing the services detailed below.

ARTICLE 2 REPRESENTATIONS AND WARRANTIES

2.1. Representations and Warranties of Company: Company hereby represents and warrants to Fire Department that, at all times during the term of this Agreement, Company is a limited liability company duly organized, validly existing and in good standing under the laws of the State of California.

2.2. Representations and Warranties of Fire Department: Fire Department hereby represents and warrants to Company that, at all times during the term of this Agreement, Fire Department is a organized fire department established pursuant to the laws and ordinances of the state in which Fire Department is located.

ARTICLE 3 COMPANY STATUS AND QUALIFICATIONS

3.1. Independent Contractor: Company enters into this Agreement, and will remain throughout the term of the Agreement, as an independent contractor. Company agrees that it will not become an employee, partner, agent or principal of Fire Department while this Agreement is in effect.

3.2. Payment of Income Taxes: Company is responsible for paying when due all income taxes, including estimated taxes, incurred as a result of the compensation paid by Fire Department to Company for services rendered under this Agreement. On request, Company will provide Fire Department with proof of timely payment. Company agrees to indemnify fire Department for any claims, costs, losses, fees, penalties, interest, or damages suffered by Fire Department resulting from Company's failure to comply with this provision.

3.3. Use of Employees or Subcontractors: Company may, at Company's own expense, use any employees or subcontractors as Company deems necessary to perform the services required of Company by this Agreement. Fire Department may not control, direct, or supervise Company's employees or subcontractors in the performance of those services.

3.4. Qualifications: Company represents that it is qualified and has the skills necessary to perform the services under this Agreement in a competent and professional manner, without the advice or direction of Fire Department.

3.5. Ownership Interest: Company will have no ownership interest in Fire Department.

3.6. No Benefit Contributions: Company shall have no obligation under this Agreement to compensate or pay applicable taxes or provide employee benefits of any kind to any person employed or retained by Fire Department.

3.7. Attorney-in-Fact: Fire Department appoints Company as Fire Department's attorney-in-fact for the following purposes:

- (a) Billing and Collections: To bill and collect ("Collections") all revenue earned by and due to Fire Department, in connection with Fire Department's provision of emergency services provided/rendered at the sites of motor vehicle incidents and other emergency incidents, and to receive all Collections on Fire Department's behalf and to sue for and give satisfaction for monies due on account and to withdraw any claims, suits, or proceedings pertaining to or arising out of Company's or Fire Department's right to collect such amounts; and
- (b) Endorsement: To take possession of and endorse in Fire Department's name any notes, checks, money orders, and any other instruments received as Collections.

ARTICLE 4 GENERAL RESPONSIBILITIES OF COMPANY

4.1. Minimum Amount of Service: Company agrees to devote as much time and attention to the performance of the Company Services under this Agreement as may be, in

Company's sole discretion, required to accomplish the tasks described herein to accomplish the results for which the Company is responsible under this Agreement.

4.2. Company Services: Company agrees to perform the Company Services as set forth in the "List of Company Services" attached hereto as Schedule "A" and incorporated herein by reference; including those additional services requested by Fire Department and accepted in writing by the Company during the term of this Agreement.

4.3. Non-Exclusive Relationship: Company may represent, perform services for, and contract with as many additional clients, persons, or companies as Company, in Company's sole discretion, sees fit.

4.4. Time and Place of Performing Work: Company may perform the services under this Agreement at any suitable time and location Company chooses.

4.5. Materials and Equipment: Company will supply all materials and equipment required to perform the services under this Agreement.

4.6. Workers' Compensation: Company agrees to provide workers' compensation insurance for Company and Company's employees and agents and agrees to hold harmless and indemnify Fire Department for any and all claims arising out of any injury, disability, or death of any of Company's employees or agents.

4.7. Assignment: Neither this Agreement nor any duties or obligations under this Agreement may be assigned by Company without the prior written consent of Fire Department, which consent shall not be unreasonably withheld.

ARTICLE 5 COMPENSATION OF COMPANY

5.1. Compensation for Company Services: All Company Services provided pursuant to this Agreement will be provided in accordance with the terms, including compensation amounts and schedule of remittance, set forth in the "List of Company Services," attached hereto as Schedule A.

5.2. The provisions of Article 11 of this Agreement will govern any dispute associated with compensation.

ARTICLE 6 OBLIGATIONS OF FIRE DEPARTMENT

6.1. Cooperation of Fire Department: The Fire Department agrees to comply with all reasonable requests of Company and provide access to all documents reasonably necessary to the performance of Company's duties under this Agreement. The Fire Department shall be responsible for initially insuring, and continuing to review, local and state laws in the Fire Department's jurisdiction to assure adequate legal authority for Company to engage in the Services described herein on behalf of Fire Department.

6.2. Assignment: Neither this Agreement nor any duties or obligations under this Agreement may be assigned by Fire Department without the prior written consent of Company, which consent shall not be unreasonably withheld.

ARTICLE 7 FIRE DEPARTMENT AUTHORIZATION

7.1. Authorization: Notwithstanding other provisions of this Agreement, Company shall obtain authorization from Fire Department prior to performing any of the following:

- (a) The sale conveyance, transfer, pledge exchange, assignment, hypothecation, or encumbrance of Fire Department's interest in any sums owed to Fire Department; and
- (b) All other limitations as stated by the terms of this Agreement.

ARTICLE 8 TERMINATION OF AGREEMENT

8.1. Termination on Notice: Notwithstanding any other provision of this Agreement, either party may terminate this Agreement at any time by giving thirty days (30) written notice to the other party. Unless earlier terminated as set forth below, this Agreement shall be effective as of the date first set out above and shall continue for a period of one (1) year thereafter. This Agreement shall automatically renew for successive one (1) year periods, unless either party provides written notification to the other party of its decision not to renew this Agreement.

8.2. Termination on Occurrence of Stated Events: This Agreement will terminate automatically on the occurrence of any of the following events;

- (a) Bankruptcy or insolvency of either party;
- (b) The assignment of this Agreement by either party without the consent of the other party; the parties agree that neither party will unreasonably withhold consent to such an assignment.

8.3. Termination for Default: If either party defaults in the performance of this Agreement or materially breaches any of its provisions, the non-breaching party may terminate this Agreement by giving written notification to the breaching party. Termination will take effect immediately on receipt of notice by the breaching party or five days (5) after mailing of notice, whichever occurs first. For the purposes of this paragraph, material breach of this Agreement includes, but is not limited to, the following:

- (a) Company's failure to complete the services specified in the Description of Services;
- (b) Fire Department's material breach of any representation, warranty or agreement contained in this Agreement;
- (c) Company's material breach of any representation, warranty or agreement contained in this Agreement;

- (d) Fire Department's yearly billable run volume is at or below six runs (6).

ARTICLE 9 PROPRIETARY RIGHTS

9.1. Confidential Information: Any written, printed, graphic, or electronically or magnetically recorded information furnished by Fire Department for Company's use are the sole property of Fire Department. This proprietary information includes, but is not limited to, customer requirements, customer lists, marketing information, and information concerning the Fire Department's employees, products, services, prices, operations, and subsidiaries. Company will keep this confidential information in the strictest confidence, and will not disclose it by any means to any person except with the Fire Department's approval, and only to the extent necessary to perform the services under this Agreement. This prohibition also applies to Company's employees, agents, and subcontractors. On termination of this Agreement, Company will return any confidential information in Company's possession to Fire Department.

9.2 Confidential Information: Any written, printed, graphic, electronically or magnetically recorded information, computer-based hardware, software, applications, software scripts, or software links furnished by Company for Fire Department's use are the sole property of Company. This proprietary information includes, but is not limited to, customer requirements, customer lists, marketing information, and information concerning the Company's employees, products, services, prices, operations, and subsidiaries. Fire Department will keep this confidential information in the strictest confidence, and will not disclose it by any means to any person except with the Company's approval, and only to the extent necessary to perform the services under this Agreement. This prohibition also applies to Fire Department's employees, agents, and subcontractors. On termination of this Agreement, Fire Department will return any confidential information in Fire Department's possession to Company.

ARTICLE 10 INDEMNIFICATION

10.1. Indemnification: To the extent permitted by applicable law, the Company will indemnify and hold the Fire Department harmless from and against any and all loss, damage, liability, claims and/or injury resulting from all actions performed by the Company, or its agents on the Company's behalf, in connection with this Agreement. However, this indemnification shall not apply with respect to any legal cause, action or consequential liability or losses as a result from inaccurate or incomplete information or unfounded or unreasonable submissions furnished to the Company by the Fire Department nor shall it apply to any act, omission or negligence of the Fire Department.

ARTICLE 11 GENERAL PROVISIONS

11.1. Governing Law: This Agreement shall be governed in all respects by the laws of the State of California, without giving effect to any choice or conflict of law provision or rule (whether of the State of California or any other jurisdiction that would cause the application of the laws of any jurisdiction other than the State of California).

11.2. Entire Agreement: This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations, and understanding of the parties.

11.3. Successors and Assigns: Except as otherwise provided herein, the provisions hereof shall inure to the benefit of, and be binding upon, the successors, assigns, heirs, executors and administrators of the parties hereto. No party may assign any of its rights or obligations hereunder without the express written consent of the other party hereto, which consent may not be unreasonably withheld; provided, however, any party may assign any and all of its rights and interests hereunder to one or more of its affiliates and designate one or more of its affiliates to perform its obligations hereunder; provided, however, that such party remains liable for full and total performance of its obligations hereunder.

11.4. Notices: Any notices authorized to be given hereunder shall be in writing and deemed given, if delivered personally or by overnight courier, on the date of delivery, if a Business Day, or if not a business day, on the first Business Day following delivery, or if mailed, three days after mailing by registered or certified mail, return receipt requested, and in each case, addressed, as follows:

If to the Company to:

Fire Recovery USA, LLC
2271 Lava Ridge Court, Suite 120
Roseville CA 95661
Attention: Craig Nagler

with a copy to:

The Watkins Firm, APC
4275 Executive Square, Suite 1020
La Jolla, CA 92037
Attention: Chris Popov, Esq.

If to Fire Department to:

Attention: _____

with a copy to:

Attention: _____

Or, if delivered by telecopy, on a Business Day before 4:00 PM local time of addressee, on transmission confirmed electronically, or if at any other time or day on the first Business Day succeeding transmission confirmed electronically, to the facsimile numbers provided above, or to such other address or telecopy number as any party shall specify to the other, pursuant to the foregoing notice provisions. When used in this Agreement, the term "Business Day" shall mean a day other than a Saturday, Sunday or a Federal Holiday.

11.5. Waiver; Amendments: This Agreement, and the Transaction Documents, (i) set forth the entire agreement of the parties respecting the subject matter hereof, (ii) supersede any prior and contemporaneous understandings, agreements, or representations by or among the parties, written or oral, to the extent they related in any way to the subject matter hereof, and (iii) may not be amended orally, and no right or obligation of any party may be altered, except as expressly set forth in a writing signed by such party.

11.6. Counterparts: This Agreement may be signed in several counterparts.

11.7. Expenses: Each party shall bear its own expenses incurred with respect to the preparation of this Agreement and the consummation of the transactions contemplated hereby.

11.8. Arbitration:

(a) If at any time there shall be a dispute arising out of or relating to any provision of this Agreement, any Transaction Document or any agreement contemplated hereby or thereby, such dispute shall be submitted for binding and final determination by arbitration in accordance with the regulations then obtaining of the American Arbitration Association. Judgment upon the award rendered by the arbitrator(s) resulting from such arbitration shall be in writing, and shall be final and binding upon all involved parties. The site of any arbitration shall be at a site agreed to by the parties and the arbitration decision can be enforced in a "court of competent jurisdiction".

(b) This arbitration clause shall survive the termination of this Agreement, any Transaction Document and any agreement contemplated hereby or thereby.

11.9. Waiver of Jury Trial; Exemplary Damages: THE PARTIES HERETO HEREBY WAIVE THEIR RIGHTS TO TRIAL BY JURY WITH RESPECT TO ANY DISPUTE ARISING UNDER THIS AGREEMENT OR ANY TRANSACTION DOCUMENT. NO PARTY SHALL BE AWARDED PUNITIVE OR OTHER EXEMPLARY DAMAGES RESPECTING ANY DISPUTE ARISING UNDER THIS AGREEMENT OR ANY TRANSACTION DOCUMENT CONTEMPLATED HEREBY.

11.10 Cooperative Purchases: This Agreement may be used by other government agencies. Company has agreed to offer similar serves to other agencies under the same or similar terms and conditions as stated herein except that the revenue share percentage (Compensation) may be negotiated between the Company and other agencies based on the specific revenue expectations, agency reimbursed costs, and other agency requirements. The City/County/or Fire Department/Protection District will in no way whatsoever incur any liability in relation to specifications, delivery, payment, or any other aspect of purchase by other agencies.

Signatures on following page:

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first written above.

COMPANY:

FIRE RECOVERY USA, LLC.
a California limited liability company

By: _____

Name: M. Craig Nagler

Title: Manager

FIRE DEPARTMENT:

Storey County Fire Protection District

By: _____

Name: _____

Title: _____

SCHEDULE A

LIST OF COMPANY SERVICES

1. Fire Recovery USA agrees to bill the responsible party on the Fire Department's behalf for services provided/rendered during motor vehicle incidents and other emergency incidents. The billing rates (mitigation fees) are listed as EXHIBIT A, but may change over time. Fire Recovery USA will provide notice to Fire Department of changes in billing rates.
2. Fire Recovery USA will provide, as a normal matter of business; entry of claims and submission to the responsible party, collections of monies deemed due to the Fire Department, payments of the agreed upon percentage of said monies to Fire Department, and reporting of progress.
3. Fire Recovery agrees to bill to the best of its ability all claims provided to Fire Recovery USA by the Fire Department.
4. Fire Recovery USA will not begin litigation against a person, entity, or insurance carrier without prior written approval by the Fire Department.
5. Fire Recovery USA agrees to reimburse Fire Department a portion of the monies collected at a rate of 80 percent of the total monies collected on the Fire Department's claims.
6. Fire Recovery USA agrees to pay these monies collected to the Fire Department on a monthly or quarterly basis (at the option of the Fire Department), within seven (7) working days after the close and accounting of the monthly (or quarterly) billing cycle.
7. Fire Recovery USA agrees to make available reports via a password protected website to the Fire Department which detail billable claims outstanding (which are claims submitted, but not yet completed) and claims completed in the prior billing cycle.
8. Fire Recovery USA will not be responsible for, nor accept any liability for, any erroneous, invalid, or illegal procedure codes or claims submitted to Fire Recovery USA by the Fire Department on the Run Sheets.

EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

The mitigation rates below are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

MOTOR VEHICLE INCIDENTS

Level 1 - \$435.00

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$495.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – CAR FIRE - \$605.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

ADD-ON SERVICES:

Extrication - \$1,305.00

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$400.00

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

ADDITIONAL TIME ON-SCENE

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.
Miscellaneous equipment billed at \$300.

HAZMAT

Level 1 - \$700.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,500.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 – \$5,900.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$300.00 per HAZMAT team.**

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$400 per hour.
Truck billed at \$500 per hour.
Miscellaneous equipment billed at \$300

FALSE ALARM BILLING RATES

- (a) The first false alarms within twelve (12) months in a calendar year is free of charge
- (b) The second (2nd) false alarm in a twelve (12) month calendar year is billed at \$100.00
- (c) The third (3rd) false alarm in a twelve (12) month calendar year is billed at \$200.00
- (d) The fourth (4th) through sixth (6th) false alarms in a twelve month (12) calendar year are billed at \$300.00 per event not exceed \$500.00 per calendar day.

FIRE INVESTIGATION

Fire Investigation Team - \$275.00 per hour.

Includes:

- Scene Safety

- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.

FIRES

Assignment - \$400.00 per hour, per engine / \$500.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common "billing level". This occurs almost every time the fire department responds to an incident.

OPTIONAL: A fire department has the option to bill each fire as an independent event with custom mitigation rates.

Itemized, per person, at various pay levels and for itemized products use.

ILLEGAL FIRES

Assignment - \$400.00 per hour, per engine / \$500.00 per hour, per truck

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

Billed at \$400 plus \$50 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$800 plus \$50 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,000 plus \$50 per hour per rescue person, plus \$100 per hour per HAZMAT team member.

Level 4

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$400 for the first response vehicle plus \$50 per rescue person. Additional rates of \$400 per hour per response vehicle and \$50 per hour per rescue person.

CHIEF RESPONSE

This includes the set-up of Command, and providing direction of the incident. This could include operations, safety, and administration of the incident.

Billed at \$250 per hour.

MISCELLANEOUS / ADDITIONAL TIME ON-SCENE

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300.

MITIGATION RATE NOTES

The mitigation rates above are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

LATE FEES

If the invoice is not paid within 90 days, a Late Charge of 10% of the invoice, as well as 1.5% per month, as well as the actual cost of the collections, will be accessed to the responsible party.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 09/22/14

Estimate of time required:

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Business/Liquor License for Bonanza

2. **Recommended motion** Approve

3. **Prepared by:** Melissa Field

Department: SCSO

Telephone: 775-847-0959

4. **Staff summary:** Fire and Building have given a 6 month period for conditions to be met before they give their final approval.

5. **Supporting materials:** See attached Conditions set forth by Fire and Building.

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Chief, Keener

A blue ink signature, likely of the Chief, Keener, is written over a horizontal line.

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

STOREY COUNTY BUSINESS LICENSE INSPECTION SHEET

BUSINESS NAME: Bonanza Saloon

BUSINESS PHYSICAL STREET ADDRESS: 27 North "C" St

The following departments must be contacted to schedule an appointment for on-site inspections. If applicable, plans must be submitted for review before your inspection.

BUILDING DEPARTMENT:

110 Toll Road, Virginia City
Phone No: (775) 847-0966

* Conditional Approval: ☒ YES ☐ NO

Correct deficiencies for re-inspection by: _____

(Inspector please attach copy of your inspection sheet with conditions)

Inspector Signature: [Signature]

Signature Date: 5 Sept 2014

Inspection Required
YES ☐ NO ☐

Final Approval Date: _____

Inspector Signature: _____

NOTES: Have 6 month to complete all correction

PLANNING DEPARTMENT:

110 Toll Road, Virginia City
Phone No: (775) 847-0966

* Conditional Approval: ☐ YES ☐ NO

Correct deficiencies for re-inspection by: _____

(Inspector please attach copy of your inspection sheet with conditions)

Inspector Signature: _____

Signature Date: _____

Inspection Required
YES ☐ NO ☐

Final Approval Date: _____

Inspector Signature: _____

NOTES: _____

FIRE DEPARTMENT:

Inspection Required
YES ☒ NO ☐

* Conditional Approval: ☒ YES ☐ NO

Correct deficiencies for re-inspection by: _____

(Inspector please attach copy of your inspection sheet with conditions)

Inspector Signature: [Signature]

Signature Date: 9/05/14

Final Approval Date: _____

Inspector Signature: _____

NOTES: _____

NV STATE HEALTH DEPT:

3427 Goni Rd, #108 Carson City
Phone No: (775) 687-7533

* Conditional Approval: ☐ YES ☐ NO

Correct deficiencies for re-inspection by: _____

(Inspector please attach copy of your inspection sheet with conditions)

Inspector Signature: _____

Signature Date: _____

Inspection Required
YES ☐ NO ☐

Final Approval Date: 9/05/14

Inspector Signature: [Signature]

NOTES: _____

Conditional Approval - Copy to the Sheriff's Office with Conditions (for consideration of a Temporary Business License). Retain the original until all required inspections are final. (Retain Original until all required inspections are final.)
Final Approval - Return the Original Inspection Sheet to the Sheriff's Business Office.

Storey County Building Department

P O Box 526 ~ VIRGINIA CITY, NV 89440 ~ (702) 847-0966

Permit #:

Requested:

Ready: 8/19/14

SPECIAL INSPECTION

Site Address: 27 N. C St. APN # 001-086-03		Area: VC	Lot / Blk
Owner: Angelo Petrini	Contractor: NA		

INSPECTION(s) REQUESTED:**Business License Inspection for Change of Ownership, Bonanza Casino & Cafe**

Construction type = Type V, 3-story, un-reinforced masonry and wood framed exterior walls, with wood framed floors, stairs, partitions, porch, and roof structure

Existing Use = Bottom floor – S1 Moderate Hazard Storage, and R-3 (two apartments), Main floor- A-2 Casino and Cafe, Top floor- S1 Moderate Hazard Storage.

STRUCTURAL:

Overall, there does not appear to be visible evidence of any immediate danger of structural failure during normal geological and atmospheric conditions. The building is not considered earthquake safe.

SEPARATION OF OCCUPANCIES:

- A-2 Occupancy at the main floor requires 2 hour fire rated construction separating the Storage areas at the bottom floor and top floor if the building remains non-sprinklered, and a 1 hour fire rated construction separation if the building is sprinklered. There is currently no separation.
- R-3 Occupancy apartments require 3 hour fire rated construction separating the Storage area at the bottom floor if the building remains non-sprinklered, and 2 hour fire rated construction if the building is sprinklered. The apartments did not appear to currently have fire rated construction.

EXITING:

- Exiting of the Assembly areas appears to be designed for the occupant load. The allowable occupant load needs to be calculated and max occupant signs are required to be posted in both the casino and café areas. Exit signs and emergency lighting were not functional in various locations and require repair.

ACCESSIBILITY:

- The main floor casino and café use areas are not equipped with wheelchair accessible restrooms. Any substantial alterations or change of use of the main floors would require the creation of fully compliant ADA accessible routes, facilities, and fixtures.

ELECTRICAL:

The building is equipped with separate 100 amp and 200 amp services, both located at the front northwest corner of the building. The building is equipped with several sub-panels. Overall visible conditions indicate that the electrical systems of this building are over-loaded. The following un-safe conditions and code violations were observed;

- Branch circuitry of residential romex type cable that is not approved for commercial use.
- Open junction boxes with exposed splices in numerous locations throughout the bottom floor and top floor.
- Open, exposed, live wires.

- Non-functional and non-existent emergency exit lighting.
- Portable space heaters were observed in various locations of the bottom floor, being used for freeze protection of the plumbing systems during the winter. Portable space heaters are not allowable for this use and must be used. Alternative freeze protection measures must be provided.

PLUMBING:

Domestic water supply piping for this building consists primarily of copper, with some galvanized steel still remaining. Drain, waste, and vent piping consists of ABS plastic and cast iron. The following deficiencies were observed in the plumbing systems;

- The electric water heater at the bottom floor is not equipped with seismic strapping. The water heater is labeled as having been installed in 2013, but no permit was issued and it was therefore not inspected.
- Copper supply piping is not properly supported at numerous locations where visible from the bottom floor. Supply piping is not insulated for freeze protection and needs to be.
- The drain piping of the 3 basin sink at the casino bar was leaking during inspection. The drain piping of the 3 basin sink in the café is not sloped properly. Drain piping is not properly supported at some locations where visible from the bottom floor.

MECHANICAL:

The casino floor and shared bathrooms are heated with an oil fired forced air heater. The unit is in old condition, but appeared to be functional. It is highly recommended that this unit be fully evaluated and serviced by a licensed HVAC contractor. The café area is heated with a LP gas unit, installed in 2007 with proper permitting and inspections. The café is equipped with a commercial kitchen hood and exhaust. The hood, fire suppression system, and exhaust duct and fan are required to be inspected and certified annually by a NV State licensed contractor. The shared bathrooms are equipped with exhaust fans. The following deficiencies were observed in the mechanical systems;

- Bathroom exhaust fans exhaust into the bottom floor basement. The fans are required to be ducted to exhaust to the exterior.

OTHER:

- There are two residential apartment units at the bottom floor. There is no record of these units at the Building Dept. These units were not inspected due to lack of written notice to the occupants. Full Code Evaluation inspection of these units is required, with proper written notice to the tenants in accordance with state law prior.
- There is reportedly an abandoned underground fuel oil tank on the property. This tank must be located, and the tank is required to be drained, scrubbed, and filled with inert material by a licensed contractor in accordance with Building Dept. requirements.
- The bottom floor basement area contains substantial combustible materials storage, and a room partitioned off with card-board and cloth. All non business essential storage and fixtures are required to be removed.

SUMMARY OF REQUIRED CORRECTIONS/REPAIRS FOR CHANGE OF OWNERSHIP;

1. Fire rated assemblies at walls, ceilings, and floors as needed to separate Occupancy Types.
2. Occupant load determination by Fire Dept., with posting of Occupant Load signs.
3. Repair to exit signs and emergency lighting.
4. Removal of all residential type romex cable, with replacement where needed with approved commercial grade conduit and cable.
5. Development of an accurate single line electrical diagram and load calculations by a licensed

electrical contractor to determine adequacy of the electrical service and systems.

6. Repair to all open electrical boxes, exposed splices, and exposed live wires.
7. Seismic strapping for the water heater.
8. Addition of proper pipe support to all water supply and drain piping.
9. Repair to drain piping at the bar sink and kitchen sink.
10. Ducting of the bathroom exhaust fans to the exterior with rigid duct.
11. Code Evaluation inspections of the residential apartment units.
12. Proper de-commissioning of the reported underground fuel oil tank.

Any structural, electrical, plumbing, or mechanical repairs or improvements must be permitted through the Storey County Building Dept., and are required to be performed by a NV State licensed contractor.

New building owner hereby agrees to obtain proper permits from Storey County Building Dept, and to complete the above specified repairs with required inspections within 180 days of signing this acknowledgement in order to maintain current business operations within the structure;

Printed Name: DR. VINCENT MAFITANO

Signature: 

Date: 9/02/2014

CERTIFICATION – I certify that I have inspected the above property and have reported herein all conditions observed at this time and date to be in variance with any Storey County Ordinances, the U.B.C., and the approved plans and specs.

8/19/14 1:00p.m.

Inspection Date/Time

Rev 01-06-04

Shannon Gardner, Inspector

Mileage:

Storey County Fire Protection District

P O Box 603 ~ VIRGINIA CITY, NV 89440 ~ (702) 847-0954



Site Address: Bonanza Casino	Area: Virginia City, NV.	Lot # 8/19
Owner:	Phone:	Contractor:
INSPECTION(s) REQUESTED: Initial business inspection for transfer of ownership		
Code Inspection		

EXITING:

- There are two main exits, one in the rear of the structure onto D Street and the other onto C Street. Both exits have clear exit travel paths.
- Several of the exit signs are non-operable throughout the structure and will need to be repaired or replaced.
- ALL exits shall be clearly identified with proper exit signs and emergency lighting.
- The main exit from the upper level is inaccessible due to combustible material in the stairwell.
- All exit signs and exit lighting shall be in good working order and comply with 2012 IFC International Fire Code and 2012 IBC International Building Code.

ACCESSIBILITY: (ALL occupiable floor levels shall comply with ADA compliance wheelchair and handicap access).

Lower Level / Basement

- The lower level consists of two apartments, and walk-in cooler, laundry area, public restrooms, janitorial storage closet(s).
- There is extensive clutter in the basement level blocking exit travel and no identifiable exit location(s) (no exit signs or lighting).
- Could not make access into the apartments on the lower level.

Street Level / Casino Floor

- This level consists of gaming, bar, and restaurant and has good accessibility throughout the floor level.

Upper Level

- The third level is not accessible due to combustible storage in the stairwell leading to the upper floor level. ALL items shall be removed to create a clear path of travel.
- The upper level has a significant fuel load that will need to be removed or at minimum cleaned up in an organized fashion.
- Combustible storage shelving in front room (south room) is restricting the door from opening. This will need to be removed or reduced in size to allow the door to have full swing.
- Unable to access the south west room due to a locked door (owner could not locate the key).

ELECTRICAL: (refer to building department report for extensive electrical report)

Storey County Fire Protection District

P O BOX 603 ~ VIRGINIA CITY, NV 89440 ~ (702) 847-0954



- There is extensive repair needed throughout the structure. (it is recommended that a licensed contractor evaluate the current system as well as conduct a load test).
- All extension cords shall be removed. There are several extension cords that are in of permanent wiring and will need to be removed and replaced with permanent electrical work.
- Several of the junction boxes have been tapped into and many of them do not have covers on them.
- Located a junction box on the south end of the structure in the basement that appeared to have arced out at one point and recently been replaced. There is notable charring on the wood beam that this box attaches to and appears that a small fire may have even been started due to the electrical wires arcing out.

FIRE HAZARDS:

Lower Level (Basement)

- ALL combustible material needs to be removed (there is a significant heavy combustible fuel load in the lower basement level). This area shall not be designated for storage and ALL combustible material shall be removed.
- Cardboard has been stapled to the support beams to create a wall / room next to the laundry area. ALL combustible cardboard shall be removed.
- The two portable heaters need to be removed from the lower level.
- Extension cords are in place of permanent wiring and need to be removed and replaced with permanent wiring.
- Many of the electrical junction boxes are missing covers.

Street level / Casino floor

- Heavy timber throughout the structure.

Upper level / Apartment

- Combustible material located in the stairwell blocking exit travel will need to be removed to create a clear path of travel.
- Combustible storage shelving in front room.
- Combustible material located in rear (north room).
- Unable to access the south west room due to a locked door (owner could not locate the key).

Storey County Fire Protection District

P O Box 603 ~ VIRGINIA CITY, NV 89440 ~ (702) 847-0954



FIRE SUPPRESSION:

- Current structure has been stubbed in from C Street and will require full coverage of ALL areas including the board walk, rear deck above and below, apartments on the lower level, basement area(s), janitorial storage rooms, restrooms, casino area, bar, restaurant, kitchen, upper level. All sprinkler systems shall be required to meet or exceed IFC International Fire Code requirements as well as current NFPA Standards.
- All fire extinguishers shall be required to meet or exceed IFC 906 requirements.
- Kitchen range shall be inspected and updated as needed. Shall have class-K fire extinguisher within 30 feet of kitchen.

OTHER:

- **Owner shall have six months to install full coverage fire suppression system into the business.**
- **ALL combustibile material in the basement shall be removed. Basement level shall not be designated for storage. Owner shall have six months to remove ALL combustibile material from the basement.**
- **Apartments will need to be assessed for hazards.**
- **Upper room in on the third floor level will need to be assessed for hazards.**

Additional inspections are required and could reveal additional items that shall be added to the inspection report.

Any civil, fire alarm, fire suppression system installation, repairs or improvements must be permitted through the Storey County Fire Protection District, and are required to be performed by a NV State licensed contractor. All plans shall be submitted through Nevada Blue and permit and plan review fees paid to Storey County Fire Protection District.

Any structural, electrical, plumbing, or mechanical repairs or improvements must be permitted through the Storey County Building Dept., and are required to be performed by a NV State licensed contractor.

For questions regarding anything pertaining to this report, please contact Storey County Fire Inspector II, Fritz Klingler @ 775-847-0954



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 09/22/14

Estimate of time required:

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Business/Liquor License for Delta

2. **Recommended motion** Approve

3. **Prepared by:** Melissa Field

Department: SCSO

Telephone: 775-847-0959

4. **Staff summary:** Fire and Building have given a 6 month period for conditions to be met before they give their final approval.

5. **Supporting materials:** See attached Conditions set forth by Fire and Building.

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Chief, Keener

A blue ink signature, likely of the Chief, Keener, written over a horizontal line.

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

STOREY COUNTY BUSINESS LICENSE INSPECTION SHEET

BUSINESS NAME: Delta Saloon

BUSINESS PHYSICAL STREET ADDRESS: 18 South "C" St

The following departments must be contacted to schedule an appointment for on-site inspections. If applicable, plans must be submitted for review before your inspection.

BUILDING DEPARTMENT:

110 Toll Road, Virginia City
Phone No: (775) 847-0966

Inspection Required
YES ☒ NO ☐

* Conditional Approval: ☒ YES ☐ NO

Correct deficiencies for re-inspection by: _____

(Inspector please attach copy of your inspection sheet with conditions)

Inspector Signature: _____

Signature Date: 5 Sept 2014

Final Approval Date: _____

Inspector Signature: _____

NOTES: I have 6 months to complete all correction

PLANNING DEPARTMENT:

110 Toll Road, Virginia City
Phone No: (775) 847-0966

Inspection Required
YES ☐ NO ☐

* Conditional Approval: ☐ YES ☐ NO

Correct deficiencies for re-inspection by: _____

(Inspector please attach copy of your inspection sheet with conditions)

Inspector Signature: _____

Signature Date: _____

Final Approval Date: _____

Inspector Signature: _____

NOTES: _____

FIRE DEPARTMENT:

Inspection Required
YES ☒ NO ☐

* Conditional Approval: ☒ YES ☐ NO

Correct deficiencies for re-inspection by: _____

(Inspector please attach copy of your inspection sheet with conditions)

Inspector Signature: _____

Signature Date: 9/5/14

Final Approval Date: _____

Inspector Signature: _____

NOTES: _____

NV STATE HEALTH DEPT:

3427 Goni Rd, #108 Carson City
Phone No: (775) 687-7533

Inspection Required
YES ☐ NO ☐

* Conditional Approval: ☐ YES ☐ NO

Correct deficiencies for re-inspection by: _____

(Inspector please attach copy of your inspection sheet with conditions)

Inspector Signature: _____

Signature Date: _____

Final Approval Date: 9/05/14

Inspector Signature: Paul Col

NOTES: _____

Conditional Approval - Copy to the Sheriff's Office with Conditions (for consideration of a Temporary Business License). Retain the original until all required inspections are final. (Retain Original until all required inspections are final.)

Final Approval - Return the Original Inspection Sheet to the Sheriff's Business Office.

Storey County Building Department

P O Box 526 - VIRGINIA CITY, NV 89440 - (702) 847-0966

Permit #:

Requested:

SPECIAL INSPECTION

Ready: 8/19/14

Site Address: 2 and 18 S. C St. APN # 001-083-13&14		Area: VC	Lot / Blk
Owner: Delta Saloon Inc.	Contractor: NA		

INSPECTION(s) REQUESTED:**Business License Inspection for Change of Ownership, Delta Saloon, Casino, Café & Banquet**

Construction type = Type V, 2-story, wood framed exterior walls, with wood framed floors, stairs, partitions, porch, and roof structure. Sprinklered

Existing Use = Main floor- A-2 Casino and Cafe, Top floor- A-2 Banquet Rooms and Cafe

STRUCTURAL:

Overall, there does not appear to be visible evidence of any immediate danger of structural failure during normal geological and atmospheric conditions. The building is constructed to the 1990 Uniform Building Code and seismic requirements.

SEPARATION OF OCCUPANCIES:

No separation is required, all areas are Assembly use. The building is sprinklered.

EXITING:

- Exiting of the Assembly areas appears to be designed for the occupant load. The allowable occupant load needs to be calculated and max occupant signs are required to be posted in all areas. Exit signs and emergency lighting were not functional in various locations and require repair.

ACCESSIBILITY:

- The casino, café, and banquet areas are constructed to the ADA requirements that existed in 1990. No changes are required unless the building is subject to remodeling, alterations, or additions.

ELECTRICAL:

The building is equipped with what appears to be 4 separate 400 amp services, both located at the rear of the building, with shunt trips at the rear of the building. The building is equipped with several sub-panels. Overall visible conditions appeared satisfactory. The following items requiring corrections were observed;

- A portable space heater was observed in the crawlspace, being used for freeze protection of the fire sprinkler system during the winter. Portable space heaters are not allowable for this use and must be used. Alternative freeze protection measures must be provided.
- Heat tape on sprinkler piping in the crawlspace is required to be GFCI protected with approved devices.

PLUMBING:

Domestic water supply piping for this building consists primarily of copper and pex. Drain, waste, and vent piping consists of ABS plastic and cast iron. There were no deficiencies observed in the visible plumbing systems at the time of inspection.

The kitchens are equipped with at least two grease interceptor traps. It is a Storey County requirement that these units be cleaned no less than every two weeks. A log of cleaning is required to be kept on the premises.

MECHANICAL:

The building is equipped with several roof top heating and cooling units. One older unit appeared to be abandoned, except for use as an evaporative cooler. Overall, the HVAC units appeared to be in satisfactory condition at the time of inspection. It is always recommended to have all HVAC systems inspected and serviced annually by a licensed HVAC contractor.

The kitchens at the main and second floors are equipped with commercial range hoods and exhaust systems. It is required that these systems be cleaned, serviced, and certified annually.

OTHER:**SUMMARY OF REQUIRED CORRECTIONS/REPAIRS FOR CHANGE OF OWNERSHIP;**

1. Repair of exit signs and emergency lighting as required.
2. Occupant load determination by Fire Dept., with posting of Occupant Load signs in all assembly areas.
3. Remove portable space heater from crawlspace and provide an approved alternative to prevent fire sprinkler supply piping from freezing.
4. Provide GFCI protection with approved devices for heat tape used on piping within the crawlspace.

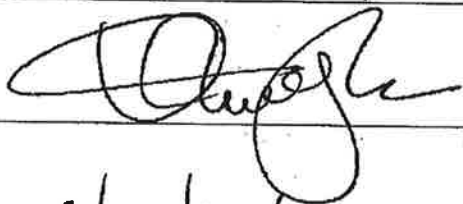
Any structural, electrical, plumbing, or mechanical repairs or improvements must be permitted through the Storey County Building Dept., and are required to be performed by a NV State licensed contractor.

New building owner hereby agrees to obtain proper permits from Storey County Building Dept, and to complete the above specified repairs with required inspections within 180 days of signing this acknowledgement in order to maintain current business operations within the structure;

Printed Name:

Dr. Vincent Muscatello

Signature:



Date:

09/02/2014

CERTIFICATION – I certify that I have inspected the above property and have reported herein all conditions observed at this time and date to be in variance with any Storey County Ordinances, the U.B.C., and the approved plans and specs.

8/19/14 3:30 p.m.

Inspection Date/Time

Rev 01-06-04

Shannon Gardner, Inspector

Mileage:

Storey County Fire Protection District

P O Box 603 ~ VIRGINIA CITY, NV 89440 ~ (702) 847-0954



Site Address: Delta Saloon	Area: Virginia City, NV.	Lot #
Owner:	Phone:	Contractor:
INSPECTION(s) REQUESTED: Initial business inspection for transfer of ownership		
Code Inspection		

EXITING:

- There are two main exits, one in the rear of the structure onto B Street and the other onto C Street. Both exits have clear exit travel paths.
- Several of the exit signs and exit lighting are non-operable throughout the structure and will need to be repaired or replaced.
- All exit signs and exit lighting shall be in good working order and comply with 2012 IFC International Fire Code and 2012 IBC International Building Code.

ACCESSIBILITY: (ALL occupiable floor levels shall comply with ADA compliance wheelchair and handicap access).

Lower Level / Basement / Crawl Space

- Lower level is accessible through a small hatch in the floor near the front of the casino floor.

Street Level / Casino Floor

- This level consists of gaming, bar, and restaurant and has good accessibility throughout the floor level.

Upper Level

- The third level is accessible from the stairwell on the casino floor near the bar as well as the stairwell on the south end of the structure by the "newspaper stand", a side door on Union Street, and a man door located on B Street. All areas have adequate travel paths.

ELECTRICAL: (refer to building department report for extensive electrical report)

Lower Level / Basement / Crawl Space

- There are extension cords in place of permanent wiring that will need to be removed and replaced with permanent wiring with GFI protection.

Street Level / Casino Floor

- Missing plate covers on several junction boxes were noted and will need to be replaced.
- Clear space around electrical boxes needs to be made and all electrical panels need proper signage and labeling inside of each electrical panel.
- ALL electrical extension cords shall be removed and replaced with permanent wiring.

Storey County Fire Protection District

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Upper Level

- ALL electrical extension cords shall be removed and replaced with permanent wiring.
- Clear space around electrical boxes needs to be made and all electrical panels need proper signage and labeling inside of each electrical panel.

FIRE HAZARDS:

Lower Level (Basement)

- Space heater shall be removed
- ALL combustibile material needs to be removed
- Kitchen area has grease build up and shall be cleaned

Street level / Casino floor

- Heavy timber throughout the structure.
- Artwork and decorative items shall not exceed 20% of the overall wall space.

Upper level

- Kitchen area has grease build up and shall be cleaned

FIRE SUPPRESSION:

- Current structure has full coverage of ALL areas including the boardwalk. All sprinkler systems shall be required to meet or exceed IFC International Fire Code requirements as well as current NFPA Standards. Current system needs to be evaluated by a professional sprinkler contractor to identify any additional systems needed to meet current fire code.
- All fire extinguishers shall be required to meet or exceed IFC 906 requirements.
- Kitchen range(s) shall be inspected and updated as needed. Shall have class-K fire extinguisher within 30 feet of kitchen.

OTHER:

- **Owner shall have six months to have fire suppression system evaluated and updated if needed to meet current code standards.**
- **ALL combustibile material in the basement / crawl space shall be removed. Basement level / crawl space shall not be designated for storage.**

Additional inspections are required and could reveal additional items that shall be added to the inspection report.

Any civil, fire alarm, fire suppression system installation, repairs or improvements must be permitted through the Storey County Fire Protection District, and are required to be performed by a NV State

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licensed contractor. All plans shall be submitted through Nevada Blue and permit and plan review fees paid to Storey County Fire Protection District.

Any structural, electrical, plumbing, or mechanical repairs or improvements must be permitted through the Storey County Building Dept., and are required to be performed by a NV State licensed contractor.

For questions regarding anything pertaining to this report, please contact Storey County Fire Inspector II, Fritz Klingler @ 775-847-0954



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 0 min

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approval of accounts payable checks dated 10/03/2014 for \$274,679.28

2. **Recommended motion:** Approval of claims as submitted.

3. **Prepared by:** Hugh Gallagher

Department: Comptroller

Telephone: 775 847-1006

4. **Staff summary:** Please find attached the claims. Note that claims include a payment to the Bucket of Blood.

5. **Supporting materials:** Attached

6. **Fiscal impact:**

Funds Available: NA

Fund: NA

__NA__ Comptroller

7. **Legal review required:**

__NA__ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: Comptroller

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80326	ALSCO INC	ST 71 LAUNDRY		10/03/14	70626	13.88	
		ST 72 LAUNDRY		10/03/14	70626	8.77	
		ST 74 LAUNDRY		10/03/14	70626	10.52	
		SHOP		10/03/14	70562	41.79	
		SHOP		10/03/14	70562	36.69	
		SHOP		10/03/14	70562	41.79	
		CH		10/03/14	70562	27.20	180.64
80327	AMERIGAS PROPANE LP	201039552		10/03/14	70668	18.89	18.89
80328	ARC HEALTH AND WELLNESS	HAMMOND		10/03/14	70633	225.00	
		HAMMOND		10/03/14	70633	32.98	
		SENKO		10/03/14	70633	225.00	482.98
80329	ASEM DISTRIBUTING INC	ST. 72 FURNACE CAPACITOR		10/03/14	70573	3.40	3.40
80330	AT&T MOBILITY II LLC	DSL LINE CHARGES		10/03/14	70682	70.00	70.00
80331	AVS DEVELOPMENT LTD	EMS SUPPLIES		10/03/14	70627	86.75	86.75
80332	BERRY ENTERPRISES	STOCK- CRIMPS		10/03/14	70595	30.00	30.00
80333	BLACK ROCK SOLAR INC	MATERIAL FOR SOLAR ARRAY		10/03/14	70625	3,250.00	3,250.00
80334	BOARD OF REGENTS (COMPT)	NV AG COOP MELODY 7844848		10/03/14	70602	3,750.00	3,750.00
80335	BUCKET OF BLOOD SALOON	LEASE 2014-2015		10/03/14	70610	4,500.00	4,500.00
80336	BURRELL, SCOTT LEWIS	SEPT 11-24, 2014		10/03/14	70670	12.00	
		E173 REPAIRS		10/03/14	70670	210.00	222.00
80337	BURTON'S FIRE INC	E173 REPAIRS		10/03/14	70628	39.64	
		PW-CAT LOADER-FILTERS		10/03/14	70567	187.60	227.24
80338	CAPITAL CITY AUTO PARTS	PLANS4294-GAS CAP		10/03/14	70567	205.72	
		STOCK FILTERS		10/03/14	70567	21.28	
		PW-CATLOADER-FILTR FRATE		10/03/14	70567	84.64	
		SR CNTR-PULLEY & BELT		10/03/14	70567	9.00	
		SO-COOLANT		10/03/14	70567	79.59	
		FIRE-COOLANT		10/03/14	70567	50.97	
		SO56306-BOLT,SENSOR		10/03/14	70567	50.97	
		STOCK FILTER		10/03/14	70567	53.45	
		SR CNTR-PULLEY		10/03/14	70567	13.19	
		SO58905-WHEEL NUT		10/03/14	70567	78.18-	
		FR62657-ACCUFIT		10/03/14	70567	14.15	
		STOCK- SPLIT LOOM		10/03/14	70567	31.47	
		STOCK-FILTER		10/03/14	70567	12.50	
		STOCK FILTERS		10/03/14	70567	47.07	
		SHOP-ACCUFIT		10/03/14	70567	51.82	
		BUILD48248-HALOGENCAPS		10/03/14	70567	12.80-	
		STOCK-FILTER		10/03/14	70567	26.74	
		FR4255SPARK PLUG		10/03/14	70567	14.99	
		TRIMMER BLADE SHARPEN		10/03/14	70564	8.28	684.85
80339	CARSON SMALL ENGINES					66.04	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80340	CARSON VALLEY OIL CO INC	TRIMMER BLADE SHARPEN		10/03/14	70564	64.14	130.18
		PW-UNL & DYED DIESEL		10/03/14	70565	1,703.26	
		PW-UNL & DYED DIESEL		10/03/14	70565	2,907.53	
		PW-UNL & DYED DIESEL		10/03/14	70565	2,761.38	7,372.17
80341	CELLCO PARTNERSHIP	ACCT#942043776 10/05		10/03/14	70710	40.01	
		PLANT		10/03/14	70566	20.08	
		772263062-0001 IPAD		10/03/14	70566	235.09	
		775-745-6020 JOHN		10/03/14	70566	50.86	
		FIRE DEPT IPAD		10/03/14	70629	40.01	
		IPAD DATA		10/03/14	70653	76.25	
		KEENER		10/03/14	70619	71.64	
		AIRCARD 972520095-00001		10/03/14	70558	5.02	538.96
80342	CHARTER COMMUNICATIONS	500 SAMCLEMENS 7758470968		10/03/14	70561	231.33	231.33
80343	CITY OF CARSON FIRE DEPTA	ARDAGH INCIDENT		10/03/14	70639	4,314.70	
		WHISKEY COMPLEX		10/03/14	70639	8,225.95	12,540.65
80344	COLLECTION SERVICE OF NEV	GARNISHMENT DISBURSE		10/03/14	70665	182.78	
		GARNISHMENT DISBURSE		10/03/14	70634	392.01	574.79
80345	COMMUNITY CHEST INC	YOUTH ACTIVITIES		10/03/14	70612	5,416.00	
		SUPPORT		10/03/14	70612	6,250.00	11,666.00
80346	COMSTOCK CHRONICLE (VC)	INFRASTRUCTURE TAX PLAN		10/03/14	70623	87.74	
		STATE QUESTIONS X 3		10/03/14	70623	26,812.50	
		CRS PUBLIC NOTICE		10/03/14	70659	222.74	
		SEPT 12 EDITION (1 OR 2)		10/03/14	70590	43.87	27,166.85
80347	COMSTOCK GOLD MILL LLC	SEPT 11-24, 2014		10/03/14	70673	32.00	32.00
80348	CONWAY COMMUNICATIONS	MOVE JC PHONE		10/03/14	70655	80.00	80.00
80349	COSTCO HSBC BUS SOLUTIONS	MERCHANT ID 99002511		10/03/14	70666	6.99	6.99
80350	CRESTA, OCTAVIO A	SEPT 11-24, 2014		10/03/14	70674	236.00	236.00
80351	CROP PRODUCTION SERV INC	USA PKWY-TURF TRAX		10/03/14	70606	104.00	104.00
80352	DAAN EGGENBERGER FAMILY	201-205 S C STREET BLDG		10/03/14	70647	7,250.00	
		201-205 S C DA/SO BLDG		10/03/14	70647	17,750.00	25,000.00
80353	DAIOHS USA INC	SEPTEMBER EQUIPMENT RENTL		10/03/14	70624	25.95	
		ST 74 WATER		10/03/14	70660	25.95	
		ST 71 WATER		10/03/14	70654	73.95	
		ST 72 WATER		10/03/14	70654	30.95	
		OCTOBER EQUIPMENT RENTAL		10/03/14	70654	36.95	
		MAINTENANCE ON WATER		10/03/14	70660	25.95	
				10/03/14	70662	82.85	302.55
80354	DEAN, RANDALL & KAY	APN 335106		10/03/14	70646	1,167.03	1,167.03
80355	DELAHAY, ANN	BOFA BUILDING APPRAISAL		10/03/14	70703	2,000.00	2,000.00
80356	DOS DOGS LLC						

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80357	DOUGLAS CO SHERIFF OFFICE	ADVERTISING		10/03/14	70688	1,294.00	1,294.00
80358	DYNAMIC DIESEL, INC	TRAINING DOUGLAS YOUNG		10/03/14	70702	100.00	100.00
80359	FARMER BROS CO	R75 REPAIRS		10/03/14	70640	941.88	941.88
80360	FAST GLASS INC	COFFEE- LCKWD SENIORCNTR		10/03/14	70605	98.36	98.36
80361	FATE, GEORGE STEVE	U74 REPAIRS		10/03/14	70657	149.00	
80362	GCO CARPET OUTLET	ASS JEEP-WINDSHIELD		10/03/14	70569	215.00	364.00
80363	GRAINGER	REIMB CDL		10/03/14	70568	57.25	
		DOT PHYSICAL REIMB		10/03/14	70568	90.00	147.25
		1705 PERU CARPET		10/03/14	70589	848.00	848.00
80364	HENRY SCHEIN	SCREWS FOR USA MARKERS		10/03/14	70571	55.82	
		SCREWS FOR USA MARKERS		10/03/14	70571	30.90	
		DIAG CUTTER FOR PLUMBER		10/03/14	70571	25.72	112.44
		CREDIT MEMO		10/03/14	70641	33.33	
		CREDIT MEMO		10/03/14	70641	24.40	
		EMS SUPPLIES		10/03/14	70641	115.00	
		EMS SUPPLIES		10/03/14	70641	636.70	
		EMS SUPPLIES		10/03/14	70641	231.46	
		EMS SUPPLIES		10/03/14	70641	13.98	
		EMS SUPPLIES		10/03/14	70641	38.40	977.81
80365	HIGH DESERT MICROIMAGING	IMG-FILM R/UNR 120569-893		10/03/14	70700	338.20	338.20
80366	HISTORIC FOURTH WARD SCHO	2014-2015		10/03/14	70677	2.00	
		SEPT 11-24, 2014		10/03/14	70604	15,200.00	
				10/03/14	70677	133.00	15,335.00
80367	HOME DEPOT CREDIT SERVICE	LW PARK-SPRINKLER		10/03/14	70570	10.67	
		LW PARK-STAIN SUPPLIES		10/03/14	70570	143.31	
		1705 PERU- FIRE CAULK		10/03/14	70570	130.76	
		1705 PERU SNIPS		10/03/14	70570	12.97	
		1705 PERU DUCT MASTER		10/03/14	70570	23.90	
		1705 PERU-DUCT SEALANT		10/03/14	70570	9.47	
		LW PARK- CLANK, SPRINKLER		10/03/14	70570	31.66	
		1705 PERU-HVAC		10/03/14	70570	72.11	434.85
80368	HOSE & FITTINGS ETC	GRADER EL & HOSE		10/03/14	70572	90.92	
		GRADER F471TC-US		10/03/14	70572	52.55	143.47
80369	IT1 SOURCE LLC	ADOBE PRO 11		10/03/14	70681	367.74	
		EVOLYS RIBBON		10/03/14	70630	71.77	
		OFFICE 2013 PRO ASSESSOR		10/03/14	70681	370.57	
		POWER SUPPLY DELL SPARE		10/03/14	70681	35.88	
		TONER CLERK		10/03/14	70681	157.02	
		TONER ASSESSOR		10/03/14	70681	78.75	1,081.73
80370	JEP LLC	FR42553-ABSORBER		10/03/14	70586	105.50	105.50
80371	KIECHLER, CHRISTIAN A	SEPT 11-24, 2014		10/03/14	70678	936.00	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80372	LABOR READY SOUTHWEST INC	000758787 GHD LABOR		10/03/14	70678	7.50	943.50
80373	LABSOURCE INC			10/03/14	70679	314.40	314.40
80374	LEE JOSEPH INC	EMS SUPPLIES		10/03/14	70656	234.00	234.00
80375	LIFE-ASSIST INC	ALGECIDE,STAINS,DISPENSER		10/03/14	70574	675.70	675.70
80376	LOWTHER, MARGARET	EMS SUPPLIES		10/03/14	70649	302.14	302.14
80377	LYON CO COMPTROLLER	FEE		10/03/14	70613	1,500.00	1,500.00
80378	MCGIFFORD, DELORES	2014-2015		10/03/14	70609	4,094.00	4,094.00
80379	METRO OFFICE SOLUTIONS IN	09/20/2014 RENTAL		10/03/14	70680	100.00	100.00
80380	MICHAEL HOHL MOTOR CO	STAMP		10/03/14	70707	150.74	1,229.60
80381	MICROSOFT LICENSING GP	ROLL FOR OUTSIDE BULLETIN		10/03/14	70631	24.70	11.85
80382	MORGAN TIRE OF SACRAMENTO	OFFICE SUPPLIES		10/03/14	70594	10.29	2,894.85
		NEW KEY BOARDS		10/03/14	70661	87.55	
		OFFICE SUPPLIES		10/03/14	70652	118.07	
		3 CHAIRS		10/03/14	70575	66.51	
		OFC SUPPLIES		10/03/14	70620	697.14	
				10/03/14	70650	74.60	
80380	MICHAEL HOHL MOTOR CO	BLDG48248-BEZEL		10/03/14	70576	11.85	11.85
80381	MICROSOFT LICENSING GP	REFUND SPNSR/PAID SQ UP		10/03/14	70683	2,894.85	2,894.85
80382	MORGAN TIRE OF SACRAMENTO	WATER TENDER-REPAIR		10/03/14	70577	240.00	
		FR62657-TIRES		10/03/14	70577	520.88	760.88
80383	MSM SHEET METAL & STEEL	1705 PERU-ROLLUP TRIM		10/03/14	70578	89.09	89.09
80384	MURPHY, MARGO	SEPT 11-24, 2014		10/03/14	70684	80.00	80.00
80385	NAPA AUTO & TRUCK PARTS	WEEDSPRYR TRI-PTX		10/03/14	70579	24.99	
		SHOP-CHUCK,ADAPTER		10/03/14	70579	52.85	77.84
80386	NC AUTO PARTS	FR173-FUEL STABILIZER		10/03/14	70580	6.95	
		SO58905- DISC PARKING		10/03/14	70580	16.49	
		FR51842-PARTS		10/03/14	70580	502.34	
		FR42553- CRC HVY DUTY		10/03/14	70580	6.30	
		SO56312-MAINT PARTS		10/03/14	70580	326.66	
		42 304392 CR		10/03/14	70580	75.00-	783.74
80387	NEV ADMIN BLDG & GROUNDS	DIFF FOR SHORT INVOICE		10/03/14	70581	27.00	27.00
80388	NEV DEPT HUMAN RESOURCES	AUGUST COUNTY MATCH		10/03/14	70588	2,606.31	2,606.31
80389	NEV DIV OF FORESTRY	INTERLOCAL AGREEMENT		10/03/14	70642	37,500.00	37,500.00
80390	NEV DIV OF HEALTH	WTR FLNT PERMIT		10/03/14	70583	250.00	
		WATER SYSTEM PERMIT		10/03/14	70583	790.50	1,040.50
80391	NEV DIV OF HEALTH-HUMAN	CONSUMER HEALTH PROTECTION		10/03/14	70592	5,246.06	

Report No: PB1315
Run Date : 10/01/14

STOREY COUNTY
CHECK REGISTER 10/03/14

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80392	NEV HUMAN RESOURCES	SFY15-RCW-SC-Q2		10/03/14	70593	4,796.25	5,246.06
80393	NEV PUBLIC AGENCY INS PL	SFY15-YAP-MC-Q2 STOREY		10/03/14	70593	1,671.75	
80394	NEV RURAL REGIONAL CENTER	RETALIATION		10/03/14	70645	1,496.60	1,607.60
80395	NEVADA JOHNS LLC	ENVIRONMENT		10/03/14	70645	111.00	
80396	NEVADA RURAL COUNTY RSVP	MONTH MEDICAID PMORRISON		10/03/14	70600	5.17	173.00
80397	NORTON CONSULTING LLC	MT PARK-OCT-PORTA POTTY		10/03/14	70582	94.00	
80398	OCCUPATIONAL HEALTH CENTE	VCH PARK-OCT-PORTA POTTY		10/03/14	70582	79.00	3,726.08
80399	PARRISH, JOHN S	JULY 2014 CDBG		10/03/14	70559	3,726.08	
80400	PETRINI, ANGELO D	NO PARKING ANY TIME		10/03/14	70585	192.48	596.73
80401	PITNEY BOWES INC	SIGN CAP FLAT		10/03/14	70585	404.25	
80402	PROFESSIONAL FINANCE CO I	OSGOOD DOT & VACCINE		10/03/14	70643	150.00	150.00
80403	PROTECTION DEVICES INC	MIN SURVEY TERRAMODEL SFT		10/03/14	70701	350.00	
80404	PUBLIC AGENCY COMPENSATIO	SEPT 11-24, 2014		10/03/14	70685	140.00	140.00
80405	PURCHASE POWER	21197681865		10/03/14	70686	117.00	
80406	RADFORD, SANDRA M	GARNISHMENT DISBURSE		10/03/14	70636	214.60	311.86
80407	RELIANCE STANDARD LIFE IN	GARNISHMENT DISBURSE		10/03/14	70635	97.26	
80408	RENO LUMBER	MONITORING		10/03/14	70632	75.00	75.00
80409	RENO PAINT MART	2014-2015		10/03/14	70607	1,250.00	
80410	SAINT MARYS ARTCENTER INC	ACCT 16016693		10/03/14	70622	1,900.00	1,900.00
80411	SAINT MARYS PREFERRED HEA	SEPT 11-24, 2014		10/03/14	70687	6.50	
80412	SALVO, BILL	RETIREE LIFE INSURANCE		10/03/14	70687	29.75	36.25
80413	SIERRA CHEMICAL COMPANY	MATERIALS ST.MARYS PORCH		10/03/14	70597	5.10	
80414	SIERRA PACIFIC POWER CO	1705 PERU PAINT SUPPLIES		10/03/14	70608	1,017.99	1,017.99
		1705 PERU -PITT TECH		10/03/14	70584	47.25	
		1705 PERU-SPRAYER PARTS		10/03/14	70584	208.05	330.45
		1705 PERU-LACQUER THINNR		10/03/14	70584	63.34	
		2014-2015		10/03/14	70603	11.81	6,950.00
		RETIREE MEDICAL INSURANCE		10/03/14	70596	6,950.00	
		1705 PERU-CARPET INSTALL		10/03/14	70667	350.00	9,182.02
		PRCHL 4		10/03/14	70587	682.29	
		CALCIUM HYPOCHL- POOL		10/03/14	70587	272.50	954.79
		2610 CARTWRIGHT PUMPHSE		10/03/14	70709	32.67	

CHECK
NUMBER

VENDOR

INVOICE DESCRIPTION

P/O #

DATE

TRANS#

AMOUNT

CHECK
TOTAL

80415	SIERRA PEST CONTROL INC	431 CANYON WAY ST 4		10/03/14	70709	281.53	
		2612 CARTWRIGHT RD RES		10/03/14	70709	132.50	
		145 N C ST UNIT		10/03/14	70709	114.26	
		381 N C ST RESTSTOP		10/03/14	70709	46.07	
		130 TOLL RD BLDG		10/03/14	70709	46.32	
		110 TOLL RD BLDG		10/03/14	70709	122.87	
		100 TOLL RD SHOP 1/2		10/03/14	70709	235.35	
		201 S C ST DA		10/03/14	70709	131.69	
		203 S C ST SO		10/03/14	70709	122.51	
		205 S C ST SO		10/03/14	70709	130.34	
		911 US HWY 341 JAIL		10/03/14	70709	1,006.56	
		500 SAM CLEMENS CCTR		10/03/14	70709	262.47	
		490 SAM CLEMENS PARK		10/03/14	70709	21.53	
		100 W SOUTH ST WTR PLNT		10/03/14	70709	784.79	
		21 S C ST GASLMP		10/03/14	70709	185.13	
		500 SPANIAL RAVINE RD "V"		10/03/14	70709	77.52	
		205 N E ST VC PARK		10/03/14	70709	36.72	
		SUTTON ST		10/03/14	70709	34.72	
		104 S B ST GARAGE		10/03/14	70709	58.18	
		S C ST UNIT VC		10/03/14	70709	44.27	
		S C ST OUTDOOR/PAL LIGHT		10/03/14	70709	36.35	
		S C ST UNIT VC		10/03/14	70709	199.42	
		CARSON ST BALLPARK		10/03/14	70709	32.32	
		N C ST FIREHS		10/03/14	70709	422.39	
		141 N C ST (TRAINING)		10/03/14	70709	399.04	
		MAIN ST UNIT GH		10/03/14	70709	43.11	
		26 S B ST COURTHOUSE		10/03/14	70709	1,066.16	
		2220 SIX MILE CANYON		10/03/14	70709	912.71	
		176 N C ST LIGHTS		10/03/14	70709	77.43	
		342 S C ST LIGHTS		10/03/14	70709	110.21	
		531 S C ST LIGHTS		10/03/14	70709	125.12	
		800 PERI RANCH RD		10/03/14	70709	200.04	
		1705 PERU DR		10/03/14	70709	460.86	
		185 N C ST		10/03/14	70709	65.83	
		420 CANYON WAY UNIT B		10/03/14	70709	99.16	
		420 CANYON WY UNIT A		10/03/14	70709	155.13	
		2141 EMPIRE RD VCH PARK		10/03/14	70709	32.32	
		1000 PERI RANCH RD PARK		10/03/14	70709	33.86	
		2610 CARTWRIGHT FIREHSE		10/03/14	70709	288.96	8,668.42
		LOCKWOOD		10/03/14	70663	50.00	
		JAIL/SO		10/03/14	70663	100.00	150.00
		SEPT 11-24, 2014		10/03/14	70689	66.50	66.50
80416	SILVER STATE NATIONAL PEA	PLAQUE FOR D.CRAIG CDBG		10/03/14	70560	25.00	
80417	SLICK INDUSTRIES LLC DBA	MASQUERADE BALL EXPENSE		10/03/14	70691	560.00	585.00
80418	SLOAN S VENABLES	1/2 CABLE INSTALL CAMERA		10/03/14	70675	559.45	
		IT CONSULTING		10/03/14	70692	1,879.70	2,439.15
80419	SPALLOONE, DOMINIC J III	CLEANING SUPPLIES		10/03/14	70658	553.10	553.10
80420	ST CO PUBLIC WORKS	PARKING LOT		10/03/14	70648	1,564.70	1,564.70
80421	ST CO SCHOOL DISTRICT	SEPT 11-24, 2014		10/03/14	70693	44.00	

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VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
80422 ST CO SENIOR CENTER(VC)	SUPPORT		10/03/14	70617	12,833.00	
80423 STOREY COUNTY JEEP POSSE	CDBG KITCHEN EQUIPMENT		10/03/14	70669	8,416.95	21,249.95
80424 SUN PEAK ENTERPRISES	LEASE 2014-2015		10/03/14	70601	2,500.00	2,500.00
	SEPT 11-24, 2014		10/03/14	70694	25.00	
			10/03/14	70694	800.00	
			10/03/14	70694	10.50	835.50
80425 THE TOMBSTONE COWBOYS	SEPT 11-24, 2014		10/03/14	70696	835.00	
			10/03/14	70696	51.00	886.00
80426 TRUCKEE MEADOWS WATER SYS	ST 72 H2O SYS REPAIRS		10/03/14	70644	756.25	756.25
80427 UNIFORMITY OF NEVADA LLC	JEWKES		10/03/14	70664	174.97	174.97
80428 UNIVERSITY OF CHICAGO	SHORT HISTORY OF VC		10/03/14	70672	496.43	496.43
80429 US BANCORP EQUIPMENT FINA	COPIER LEASE ACCT-842499		10/03/14	70671	3,671.01	3,671.01
80430 USA CASH SERVICES MGT INC	GARNISHMENT DISBURSE		10/03/14	70637	10.67	10.67
80431 VCTC	DIMARZO 9/26 & 10/3, 2014		10/03/14	70699	328.00	
	OUTHOUSE RACES		10/03/14	70699	23.95	
			10/03/14	70699	10.00	361.95
80432 VIRGINIA & TRUCKEE RR CO	SEPT 11-24, 2014		10/03/14	70697	103.50	
			10/03/14	70697	3,096.00	3,199.50
80433 VIRGINIA CITY FLORAL DESI	SEPT 11-24, 2014		10/03/14	70698	1,772.00	
80434 VIRGINIA CITY TOURS INC			10/03/14	70698	14.00	1,786.00
80435 VISION SERVICE PLAN, INC	RETIREE		10/03/14	70598	167.60	167.60
80436 WALKER, ROBERT B ESQ	PER ORDER 09-17-2014		10/03/14	70621	460.00	460.00
80437 WESTERN ENVIRONMENTAL LAB	ALK,COLIF,ORG CARBON		10/03/14	70614	145.00	
	TOTAL COLIFORM		10/03/14	70614	20.00	
	O2DEMAND,FECAL,PH,SOLIDS		10/03/14	70614	206.00	
	O2DEMAND,FECAL,PH,SOLIDS		10/03/14	70614	206.00	
	ALK,COLI,ORG CARBON		10/03/14	70614	145.00	
	TOT COLIFORM		10/03/14	70614	20.00	742.00
80438 WESTERN NEVADA SUPPLY CO	1705 P-SPIRAL 18-TTEE,CAP		10/03/14	70615	317.12	
	WTR PLNT-A910 KIT,AL910		10/03/14	70615	535.57	
	1705 PERU HNGR STRAP HVAC		10/03/14	70615	17.56	
	MATERIALS-ST.MARYS PORCH		10/03/14	70611	68.52	938.77
80439 WESTNET NEVADA LLC	10X10 INTERNET PIPE		10/03/14	70676	899.00	899.00
80440 3D CONCRETE INC	ST.MARYS ART-DRAIN ROCK		10/03/14	70618	105.57	105.57
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ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

CHECKS TOTAL 274,679.28 CHECK DATE 10/03/14

CONTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 21, 2014

Estimate of time required: 20 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/Possible Action: Special Use Permit Amendment 2009-034-A-1-2014.** By Fulcrum Sierra Biofuels, LLC and a property at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (APN: 005-071-29). The Applicant requests an amendment to existing Special Use Permit 2009-034 to construct and operate a biofuels facility to include current design and technologies utilized in a waste-to-fuels facility. Further, the Applicant requests an amendment to reflect the recent acquisition of an additional 2.59 acres of real property.

2. **Recommended motion:** In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of the Staff Report and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, I [Commissioner] hereby move to approve Special Use Permit amendment 2009-034-A-1-2014 to construct and operate a biofuels facility to include current design and technologies utilized in a waste-to-fuels facility. The amendment also reflects the recent acquisition of an additional 2.59 acres of real property for a total subject property of approximately 19.4 acres (APN: 005-071-29).

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

Department: Planning Department

Telephone: 847-1144

4. **Staff summary:** The Applicant requests an amendment to existing Special Use Permit 2009-034 to construct and operate a biofuels facility to include current design and technologies utilized in a waste-to-fuels facility. Further, the Applicant requests an amendment to reflect the recent acquisition of an additional 2.59 acres of real property.

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:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

STOREY COUNTY PLANNING DEPARTMENT

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



To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: October 21, 2014 at 10am

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

File Number: 2009-034-A-1-2014

Applicant: Jeanne Benedetti on behalf of Fulcrum Sierra BioFuels, LLC

Property Owner: Fulcrum Sierra BioFuels, LLC

Property Location: 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada, at approximately Section 11, Township 19 North, Range 22 East (Assessor Parcel Number: 005-071-29).

Staff Contact: Dessie Redmond, Planner

Figures: Figure 1: Vicinity Map; Figure 2: Zoning Map; Figure 3: 2007 Project Site; Figure 4: Current Project Site; Figure 5-7: Site Photos; Figure 8: Abutting Land Uses

Appendixes: Appendix 1: SCC 1999 Zoning Ordinance; Appendix 2: SUP 2007-062 Approval Letter; Appendix 3: 2009 SUP Permit (current) Staff Report; Appendix 4: BLA Documents; Appendix 5: Application Submittals; Appendix 6: Condition Fulfilled Letter

Guiding Documents: *1999 Official Zoning Ordinance of Storey County, Section 17.12.018 Uses Permitted Subject to a Special Use Permit, Section 17.37 I-2 Heavy Industrial Zone, Section 17.62 Special Uses, 17.60 Variances and the Storey County Master Plan

Request: The Applicant requests an amendment to existing Special Use Permit 2009-034 to construct and operate a biofuels facility to include current design and technologies utilized in a waste-to-fuels facility. Further, the Applicant requests an amendment to reflect the recent acquisition of an additional 2.59 acres of real property.

Refer to SCC 1999 Zoning Ordinance (Appendix 1: SCC 1999 Zoning Ordinance), beginning on page 15 of this Staff Report. Note: Only the applicable sections of SCC 1999 Zoning Ordinance are Appendix 1. The entire ordinance is available in the Planning Department for review.

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Appendix 3: 2009 SUP Permit (current) Staff Report.....35-44

Appendix 4: BLA Documents.....45-54

Appendix 5: Application Submittals.....55-59

Appendix 6: Condition Fulfilled Letter.....60-61

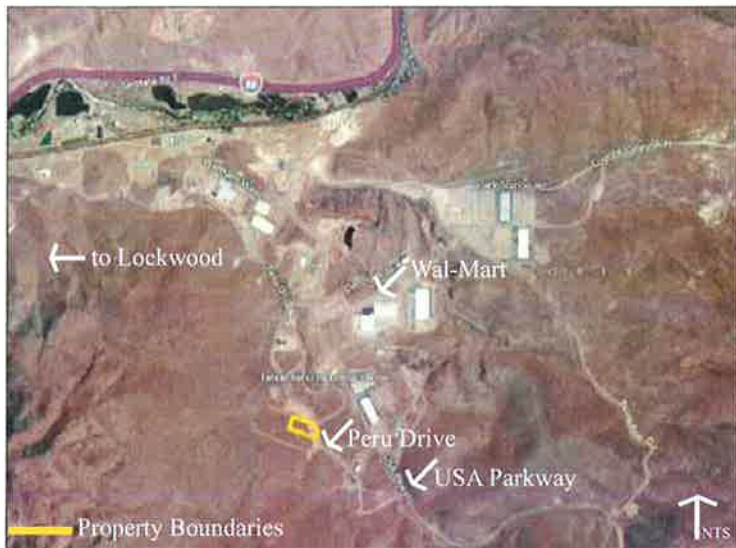


Figure 1: Vicinity Map



Figure 2: Zoning Map

1. BACKGROUND & ANALYSIS

1.1 Site Location and Characteristics

The subject property is located in the Tahoe-Reno Industrial (TRI) Center. Lockwood is approximately 14 miles to the west. The property is accessed from Interstate 80, onto USA Parkway and off of Peru Drive (Figure 1 - Vicinity Map). The subject property is zoned Heavy Industrial (I-2) (Figure 2 - Zoning Map).

1.2 Relationship between the Tahoe-Reno Industrial Center and Storey County Code 1999 Title 17 Zoning Ordinance

TRI Center is generally located in the north portion of Storey County. The TRI Center operates under Storey County Code (SCC) 1999 Zoning Ordinance Title 17 (Appendix 1: SCC 1999 Zoning Ordinance). The remaining portion of the County operates under the updated SCC 2012 Zoning Ordinance Title 17.

The subject property is located within the TRI Center. Therefore, SCC 1999 Zoning Ordinance is the governing document when considering the requested SUP amendment, along with other development applications within the TRI Center.

1.3 Background

Staff has been working with the Fulcrum Sierra BioFuels, LLC (Fulcrum) team since 2007. In June of 2007, Fulcrum (at that time, known as IMS Nevada, LLC) was granted approval for Special Use Permit (SUP) Number 2007-062 (Appendix 2: SUP 2007-062), to construct and operate a biofuels facility, by the Storey County Planning Commission (the Planning Commission) and the Storey County Board of County Commissioners (the Board). This project site was located at 3501 Peru Drive (Figure 3: 2007 Project Site) and was approximately 11.38 acres. In 2008, Fulcrum received approval for a one-year extension period for their SUP.

In 2009, Fulcrum determined that their project site, located at 3501 Peru Drive, was insufficient in size to construct and operate their proposed facility. Therefore, Fulcrum purchased another parcel located at 3600 Peru Drive, within the TRI Center that consisted of approximately 16.77 acres. They were granted SUP 2009-034 to build and operate a biofuels production facility at this location (Appendix 3: 2009 SUP Permit(current) Staff Report). In 2010, Fulcrum received approval for a one-year extension period for their SUP.

Since 2011, Fulcrum has continued to make improvements to the project site (3600 Peru Drive), including grading (Figure 4: Current Project Site) and signage (Figures 5 - 7: Site Photos). These improvements commenced SUP 2009-034 and have continued to maintain the validity of the permit per SCC 1999 Zoning Ordinance Section 17.60.090 Time Limit for Permit.

In the summer of 2014, Fulcrum and TRI Center, LLC (owner of the adjacent property to the west) agreed to a boundary line adjustment (BLA). This adjustment moved the shared parcel line to the west which in turn, increased the Fulcrum site to 19.36 acres from the original 16.77 acres. Thus, providing sufficient land area for Fulcrum to construct their proposed facility (Appendix 4: BLA Documents).

The Applicant is now requesting an amendment to existing SUP 2009-034 to construct and operate a biofuels facility to include current design and technologies utilized in a waste-to-fuels facility. Further, the Applicant requests an amendment to reflect the recent acquisition of an additional 2.59 acres of real property that was acquired from the BLA. The proposed facility will be provided municipal water and sewer by the TRI Center General Improvement District (GID).



Figure 3: 2007 Project Site



Figure 4: Current Project Site



Figure 5: Site Photo showing signage.



Figure 6: Site Photo showing grading improvements.

1.4 Purpose and Intent of the Heavy Industrial Zone

SCC 1999 Zoning Ordinance Section 17.37.020 the Purpose and Intent of the I-2 zone is intended to provide areas for the development and operation of industrial and manufacturing uses which, by nature of their intensity, may be incompatible with other types of land use activities (Appendix 1: SCC 1999 Zoning Ordinance).

1.5 Uses Subject to Special Use Permit in the Heavy Industrial Zone

SCC 1999 Zoning Ordinance Section 17.37.040 explains additional uses may be permitted subject to securing a SUP. Uses such as petroleum products manufacture, petroleum refining, storage fields and reclaiming plants, recycling facilities and operations involving use, recovery or residue of hazardous materials or wastes, and other uses, require securing a SUP when located within the I-2 Zone (Appendix 1: SCC 1999 Zoning Ordinance). Further in SCC 1999 Zoning Ordinance Section 17.37.040 (Z) it states that other uses similar to the above uses also require a SUP.

1.6 Summary of Proposed Project

The proposed facility will use steam-reforming gasification, Fischer-Tropsch (FT) and fuels upgrading technologies to produce renewable transportation fuel (e.g. jet fuel, diesel) from processed feedstock.

The feedstock will be comprised of municipal solid waste (MSW), prepared off-site at Sierra BioFuels' Feedstock Processing Facility located close to the Lockwood Regional Landfill. Sierra BioFuels will construct, own, and operate the Feedstock Processing Facility, which will be permitted separately. The prepared feedstock will be packaged into approximately 1.5 ton polyethylene wrapped bales and transported to the proposed facility (3600 Peru Drive) on flatbed trucks.

The feedstock bales will be temporarily stored at the proposed facility before being fed into the gasification system. The feedstock bales would be stored outside on a concrete pad sized to accommodate approximately 2,300 tons of feedstock, equal to approximately four days of feed to the biorefinery. Baled feedstock would be delivered to the biorefinery by flatbed trucks with approximately 26 bales per truckload. Approximately 770 tons of feedstock would be delivered to the biorefinery daily, typically five days per week (sometimes seven days per week). This equates to 20 truckloads each day.

The MSW bales will then be fed to the steam reforming gasifier feeder system using a system of conveyors and shredders (installed in a building on the southern end of the bale storage area). The shredders are designed to shred the baled MSW to a one-cubic-inch and smaller size to meet the requirements of the gasification process. A magnet removes ferrous metal from the feedstock as it drops into the feedstock receiving hopper.

The facility will then convert the feedstock into renewable fuel using a four-step process comprised of feedstock preparation, steam reforming gasification, FT liquids synthesis and hydroprocessing upgrading technologies. This four-step process is explained in Appendix 5: Application Submittals.

The estimated hours of operation are 24 hours a day and seven days a week. Fulcrum estimates the biorefinery will produce more than ten million gallons per year of advanced biofuels while diverting over 200,000 tons of garbage from landfills. A six foot high fence is proposed around the entire biorefinery plant, excluding the parking lot. On page 36, Appendix 3: 2009 SUP Permit (current) Staff Report) outlines the Key Issues regarding this file. These Key Issues include air emissions, noise and drainage and hazardous material spills.

1.7 Abutting Land Uses and Property Owners

The subject property is mostly surrounded by vacant land, except for the abutting property to the north. None of the vacant properties have improvements. The property to the north is owned by MDM Marketing, Incorporated (APN: 005-071-45) and is proposed to be a battery storage building. Construction to build a 200,000 square foot pre-engineered steel warehouse/distribution center is currently underway. Construction on this property began in August 2014 and is estimated to be complete in January 2015 (Figure 7: Site Photo and Figure 8: Abutting Land Uses). The use of this the battery storage building does not appear to conflict with the proposed use on the Fulcrum property.



Figure 7: Site Photo showing MDM Marketing construction

Property owners of the abutting vacant properties and other property owners in the surrounding area have been notified regarding the proposed SUP amendment.

1.8 Abutting Properties Zones

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

1.9 Fulcrum Awarded Federal Grants

On September 4, 2014, it was announced that Fulcrum would be awarded a United States Department of Agriculture (USDA) Loan Guarantee for \$105,000,000. On September 19, 2014 it was announced that Fulcrum would receive a Department of Defence (DOD) grant award for phase two of their project (a grant award for phase one was announce in May 2014).

1.10 Finding of No Significant Impact

Pursuant to the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA), the Air Force prepared an Environmental Assessment (EA) for determining and assessing potential natural and human environment impacts associated with developing commercial-scale Integrated Biofuel Production Enterprise (IBPE) capability in Storey County, Nevada.

On September 8, 2014 the Air Force Research Laboratory (AFRL) determined in the EA that the Fulcrum proposal for developing commercial-scale IBPE had a Finding of No Significant Impact (FONSI). This document is currently available for public review until October 10, 2014 (an electronic copy of the Fulcrum FONSI and Final EA is available for review in the Planning Department).

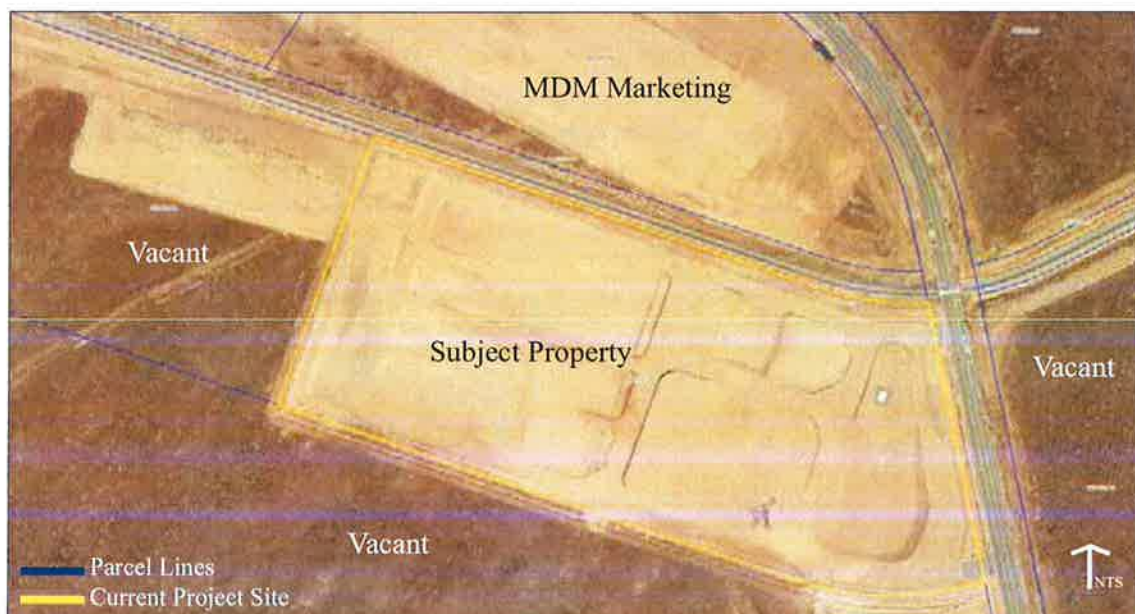


Figure 8: Abutting Land Uses. This Pictometry image does not depict the construction of MDM Marketing, Inc. because construction on the MDM Marketing, Inc. site is so recent.

2. GENERAL COMPLIANCE WITH STOREY COUNTY'S GUIDING DOCUMENTS

2.1 Summary Table.

The Land Use Compatibility table below shows existing land uses, Storey County Master Plan (Master Plan) designations and zoning for the Applicant's land and the abutting lands. There appears to be few to no evident conflicts between the proposed SUP amendment, the Master Plan or the existing abutting land uses. Further, the proposal does not appear to be incompatible with or detrimental to the surrounding area.

Land Use Compatibility			
Land	Land Use	Master Plan	Zoning
Applicant's Land	Vacant	Industrial - TRI	I-2
Land to north	Distribution Center	Industrial - TRI	I-2
Land to west	Vacant	Industrial - TRI	I-2
Land to south	Vacant	Industrial - TRI	I-2
Land to east	Vacant	Industrial - TRI	I-2

3. *COMPLIANCE WITH THE STOREY COUNTY CODE*

3.1 SCC 17.37.50 Minimum Parcel Area

The minimum parcel area in an I-2 zone is three acres.

The Applicant's property is in compliance with this standard.

3.2 SCC 17.37.060 Setbacks

In the I-2 zone, no building shall be located closer than 50 feet to any property line.

The Applicant's proposal is in compliance with this standard.

3.3 SCC 17.37.070 Loading Area

In the I-2 zone, loading areas shall have adequate room. All truck parking and docking areas shall be so designed that County streets shall not be impacted by the operation of the business.

The Applicant will consult with the Building Department on adequate loading areas when submitting building plans. Therefore, the Applicant's submittal is in compliance with this standard.

3.4 SCC 17.37.080 Building Height

In the I-2 zone, no building shall have a height greater than six stories or 75 feet, not including silos, stacks, or equipment. A SUP will be required if the facility exceeds these limits.

The original SUP 2007-062 and the current SUP 2009-034 included the proposed building to be approved for a height of up to 90 feet, excluding stacks. This proposed SUP amendment maintains the approval for the proposed building to be approved for a height of up to 90 feet, excluding stacks (Condition of Approval, number 35). Therefore, the Applicant's proposal is in compliance with this standard.

Refer to SCC 1999 Zoning Ordinance (Appendix 1: SCC 1999 Zoning Ordinance), beginning on page 15 of this Staff Report. Note: Only the applicable sections of SCC 1999 Zoning Ordinance are Appendix 1. The entire ordinance is available in the Planning Department for review.

4. COMPLIANCE WITH THE STOREY COUNTY MASTER PLAN

The Master Plan was updated in 1994 from the original 1975 Virginia City/Gold Hill Land Use Plan. In 1994, the TRI Center had not yet been developed and so our current 1994 Master Plan does not specifically reference the TRI Center. However, it does reference development of a industrial park where the TRI Center is now located.

In Section 3.2 Economic Development, the Master Plan explains that Planning Officials should give serious consideration to development and zoning for an industrial park in the River District area. The Master Plan further explains, that are several benefits to the community offered by industrial park development over land development. One of these benefits includes diversification of the economy through attraction of several industries. This negates the economic dependency often create by relying on one large industry.

Staff believes Fulcrum is furthering the diversification of the economy within the TRI Center and the County by adding an industry that is unique to the industrial park. As the Master Plan states, diversification of the economy negates economic dependency of relying on one large industry. Therefore, the proposed SUP amendment supports the goals, objectives and recommendations of the Master Plan.

5. PUBLIC COMMENT

5.1 Public Comment

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

6. FINDINGS

6.1 Motion for Approval

The following Findings are evident with regard to the requested SUP amendment when the recommended Conditions of Approval in Section 7 - Recommended Conditions of Approval are applied:

6.1.1 The proposed SUP amendment complies with all Federal, Nevada State, and Storey County regulations; and

6.1.2 The proposed SUP amendment will not be incompatible with or detrimental to the existing abutting uses and surrounding area; and

6.1.3 The Conditions of Approval of the SUP amendment do not conflict with the minimum requirements in the 1999 Official Zoning Ordinance of Storey County (as applicable to the TRI Center pursuant to the Development Agreement), Section 17.12.018 Uses Permitted Subject to a Special Use Permit, Section 17.37 I-2 Heavy Industrial Zone, Section 17.62 Special Uses or Section 17.60 Variances; and

6.1.4 The proposed SUP amendment will further the diversification of the local economy and is in substantial compliance with and supports the goals, objectives and recommendations of the Master Plan; and

6.1.5 The proposed SUP amendment will not cause uses that will negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare of the surrounding area; and

6.1.6 The proposed SUP amendment will not create any non-conforming conditions, except where allowed by the Conditions of Approval for this SUP amendment.

6.2 Motion for Denial

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

6.2.1 Substantial evidence shows that the SUP amendment may conflict with the purpose, intent, and other specific requirements of 1999 Official Zoning Ordinance of Storey County (as applicable to the TRI Center pursuant to the Development Agreement), Section 17.12.018 Uses Permitted Subject to a Special Use Permit, Section 17.37 I-2 Heavy Industrial Zone, Section 17.62 Special Uses and Section 17.60 Variances; or

6.2.2 The Conditions of Approval under the SUP amendment do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for the surrounding area; or

6.2.3 The proposed SUP amendment is not in substantial compliance with and does not support the goals, objectives and recommendations of the Master Plan; or

6.2.4 The proposed SUP amendment will be incompatible with and will be detrimental to the existing surrounding area; or

6.2.5 The proposed SUP amendment will negatively impact existing or planned public services or facilities and will adversely impact the public health, safety and welfare.

7. RECOMMENDED CONDITIONS OF APPROVAL

The following Conditions of Approval are the same Conditions of Approval from SUP 2009-034 (Appendix 2: 2009 SUP Permit) except where identified. The *blue italicized* text is newly added text and will be part of the amendment for SUP 2009-034-1-A-2014. The ~~red strikethrough~~ text will be deleted from the SUP. All conditions must be met to the satisfaction of each applicable County Department.

A. *Standard Conditions:*

1. The intent of this Special Use Permit (*SUP*) is to ensure compliance with county regulations and to provide a ~~new~~ technology of *gasification Plasma Enhanced Melter (PEM™)* system to gasify feedstock *into syngas* and recycle it into useful products (e.g., methanol, ethanol, synthetic *crude*, diesel, *jet fuel*, hydrogen, and others *similar products*) and energy.
2. ~~That~~ The construction and operation of the project comply with all State, Federal and *County local* ~~agency~~ regulations.
3. The Commission finds that the capacity of the subject site to be of adequate size and physical suitability to accommodate the proposed use, including areas of expansion, and this *SUP* ~~special use permit~~ authorizes expansions that are consistent with the use described in this permit and that comply with all otherwise applicable laws and regulations as long as Storey County Departments have the capacity for oversight and control of expansion.
4. This *SUP* ~~special use permit~~ covers the entire “subject property” shown on the *Tahoe-Reno Industrial* (TRI) Center map (Lot ~~2014-22~~ *2008-13*) for the purpose of constructing a facility to recycle feedstock into syngas and using the syngas to produce products or as fuel.
5. This *SUP* ~~special use permit~~ shall not be construed to be a permit for design or construction. A separate Storey County plan review, fire safety review, and building permit will be required. A Nevada Division of Environmental Protection (*NDEP*) - *Bureau of Air Pollution Control (BAPC)* air quality control permit must be obtained for the project. A copy of the NDEP air quality permit shall be forwarded to Storey County Planning *Department (Planning Department)* for inclusion with SUP 2009-034-~~A-1-201428~~. If there is a violation of the NDEP-BAPC permit, *the Planning Department* ~~Storey County~~ shall be notified of the violation, corrective action to be taken and date to be completed.

6. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.
7. This permit shall inure to the record owner of the subject property and to the *SUP* permit applicant (Fulcrum Sierra BioFuels, LLC) and shall run with the land. This *SUP* permit, subject to its terms and conditions, may be transferred by the permit holder, its successors, heirs or assigns. The record owner may lease the land; however, the record owner is ultimately responsible for compliance with *the SUP* permit regulations. Any/all transfers of SUP 2009-034-A-1-2014-028 shall be advised in writing by certified mail to ~~Storey County Community Development~~ *Planning* Department, P.O. Box 176 526, Virginia City, NV 89440, 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 2009-034-A-1-2014-028.
8. This permit incorporates by reference the standards, objectives, conditions, terms and requirements of the operating plan, safety plan, training plan, waste management plan, and closure plan, to be submitted separately from this permit. The requirements of all submitted plans become part of this *SUP special use permit* as ongoing, updateable working documents.
9. The permit holder warrants that the future use of land will conform to the requirements of the County of Storey, State of Nevada, and applicable Federal regulatory and legal requirements for a *waste-to-fuels Plasma Enhanced Melter* facility; further, the permit holder warrants that continued and future use of the land shall so conform. The permit holder, its assigns, heirs or successors, agrees to hold the county, its officers, and representatives harmless from the costs associated with any environmental damage, environmental liability, and any/all other claims now existing or which may occur as a result of this special use permit.
10. The permit holder, as well as its assigns, heirs or successors, shall provide proof of insurance to Storey County and maintain a satisfactory liability insurance for all aspects of this operation under *SUP 2009-034-A-1-2014 Special Use Permit # 2009-028* for a minimum amount of \$5,000,000.00 (five million dollars).
11. That aesthetically acceptable screening of a minimum ~~six eight~~ foot *high* fence *with an advised height of eight feet as approved by the Storey County Building Department* (chain-link with slats or solid) plus, three-strand barbed wire enclosing all developed property. A screening plan, including plants and trees, shall be submitted to the *Planning Storey County Community Development* Department for approval and must be maintained and sustained.
12. Lighting plan shall be designed to provide necessary operation, but not be over obtrusive to avoid safety hazard(s) for Peru Drive traffic and/or light pollution.
13. Whenever Nevada law requires the payment of a sales and/or use tax, all materials and equipment purchased or rented for this project ~~shall should~~ be received in Storey County and the value reported as 'county-of-delivery' on the Nevada *Department* of Taxation form TXR-01.01 'Sales/Use Tax Return'. Proof of appropriate reporting is required prior to a Certificate of Occupancy being issued.
14. The Commission considered the review of its Staff, comments, submittals and reports of the *SUP* permit applicant and parties of interest, and the general public in the preparation of and approval of this *SUP* permit.
15. *SUP 2009-034-A-1-2014 Special Use Permit 2009-028* incorporates by reference all the documents submitted as support information and such information becomes part of *SUP 2009-034-A-1-2014 SUP 2009-028 (see List of Enclosures)*.
16. This permit is subject to terms and conditions that are necessary to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within this jurisdiction and certain equipment specifically regulated herein.

17. For the purposes of this ~~SUP special use permit~~, the term “subject property” means Parcel ~~2014-22 2008-13~~, which is approximately ~~19.4~~ ~~16.7~~ acres located in the I-2 Heavy Industrial Zone on the west side of Peru Drive, with an address of 3600 Peru Drive, McCarran, Nevada 89434.
18. The permit holder shall provide and/or pay for any special training for ~~the~~ Storey County Fire ~~District Department~~(SCFD), if any, that is required due to the operation of the ~~waste-to-fuels~~ ~~PEM™~~ facility, including training to combat ~~hydrocarbon methanol and ethanol~~ type fires.
19. *The permit holder shall ~~participate in either install a foam suppression system or shall become a member of a the TRI Respiratory Consortium and contribute \$68,000 local foam trailer coalition by purchasing or providing funding for the purchase of a mobile breathing air system tow vehicle for use by the SCFD, and such funding County’s use that is dedicated exclusively to pulling the foam trailer (the tow vehicle shall be a 2-½ ton Top Kick GMC or similar capacity vehicle (approximate cost \$60,000.00), and shall be funded or provided~~ ~~made~~ prior to, and this obligation is contingent on, startup of the facility authorized by this SUP.

The permit holder fully satisfied this condition in June 2011 (Appendix 6: Fulfilled Condition Letter).
20. The permit holder shall construct and provide ~~a~~ stand-alone response ~~facilities~~ ~~shed~~ for the ~~SCFD Fire Department~~ on site as specified by the ~~SCFD Storey County Fire Department~~.
21. The permit holder shall provide a cache of ARAFF type foam on-site ~~(in a quantity amount must be approved as required by the SCFD Storey County Fire Department).~~
22. The permit holder shall submit an emergency response plan with engineering from an approved Fire ~~Protection Prevention~~ Engineer with chemical engineering background.
23. The permit holder shall submit Material Safety Data Sheets (MSDS) and pertinent safety information for further review.
24. Buildings shall be equipped with ~~an Early Suppression Fast Response (ESFR) type sprinkler system, unless required otherwise by the SCFD.~~
25. The permit holder will be subject to all further requirements established by Storey County ordinance and any other applicable codes or regulations after further review of project plans.
26. The permit holder shall construct containment systems in areas where waste is being stored or processed to prevent spills, if any, from entering the environment.
27. No radioactive waste may be located on the premises or processed in the ~~equipment installed~~ ~~PEM™ systems located~~ on the subject property.
28. In the event that the use authorized by this special use permit is abandoned for a period of more than twenty-four (24) calendar months from the date of last producing operations, this permit shall become null and void and a new special use permit shall be required. In the event of a force ~~majeure majeure~~ such as and not limited to a flood, damage or destruction of the access to the site, earthquake, or other events beyond the control of the county or permit holder, the period of abandonment shall not be deemed to commence until such time as the permit holder may be found to once again have reasonable access to the site. In this connection, the permit holder shall reasonably attempt to establish access to the site.
29. This permit shall remain valid as long as the permit holder, its heirs, assigns, or successors remain in compliance with the terms of this permit and County, State and Federal regulations.
30. In the event that the permit lapses or the use is discontinued or abandoned, the permit holder, its heirs, assigns or successors shall remain responsible for environmental monitoring and post-closure maintenance.
31. The permit holder shall be responsible for the cost for the closure of this facility as permitted under ~~SUP 2009-034-A-1-2014 Special Use Permit number 2009-028~~. Complete closure shall consist of providing reclamation that would eliminate any hazardous or environmental damage to the existing site or adjacent areas contaminated by operations.

32. Should any prehistoric or historic remains/artifacts be discovered during development or excavation, work shall temporarily be halted at the specific site of the discovery, and the ~~Storey County Board of Commissioners~~ shall be notified in order to evaluate said site and, if deemed necessary, to record and photograph the site in question. The period of temporary delay shall be limited to a maximum 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. Please call 847-0968.
33. The permit holder shall provide a 'Will Serve' letter from ~~the TRI Tahoe-Reno Industrial Center General Improvement District (GID)~~ to ~~the Planning Storey County Community Development~~ Department for the necessary water and sewer to operate the facility.
34. There shall be no obnoxious odors released into the air that are a nuisance to abutting properties.
35. ~~The proposed building has~~ ~~Building has~~ been approved for a height of up to 90 feet ~~and pursuant to SC 1999 Zoning Ordinance Section 17.37.080 height limitation does not apply to silos, excluding the stacks or equipment.~~

B. Environmental Monitoring and Public Health and Safety Conditions:

1. The permit holder shall continuously conform to the requirements of this special use permit and the submitted plans that are incorporated as part of this permit.
2. Before the operation of ~~a PEM™~~ ~~the facility~~ commences, the permit holder shall submit to ~~the Planning and Building Departments Storey County~~ a copy of the environmental monitoring requirements applicable to the facility under the environmental permits issued for the facility. The permit holder shall include storm water management measures on its site plan which shall be submitted to ~~Building and Planning Storey County Community Development~~ Departments for approval.
3. Air emissions from the facility shall meet the ~~NEPA-BAPC air quality Nevada Division of Environmental Protection~~ permit requirements. Copies of the annual reports of environmental quality, necessary to comply with the requirements of the permit issued by the ~~NDEP-BAPC Bureau of Air Pollution Control, Nevada Division of Environmental Protection~~ shall be submitted to ~~the Planning Storey County Community Development~~ Department. In the event that there is an air discharge in excess of the standards approved by NDEP-BAPC under the construction or operating permit, the permit holder shall provide ~~the Planning Storey County Community Development~~ Department a copy of any notice of the event or plan to remediate the event submitted to NDEP. If the permit holder is required by the ~~NEPA-BAPC Bureau of Air Pollution Control, Nevada Division of Environmental Protection~~ to prepare a report on the event, the permit holder shall submit a copy of the report to ~~the Planning Storey County Community Development~~ Department.
4. Noise monitoring: The permit holder must submit test results to prove that the noise level of operations are in compliance with Storey County Code, "Chapter 8.04.020 Restrictions", which reads as follows:
 - A. It is unlawful for any person to make, or cause to be made any loud, unnecessary or unusual noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
 - B. The following acts, as delineated in Section 8.04.030, but not limited thereto, shall be subject to measure as shown in the table in this subsection.
 1. The maximum sound pressure level radiated by any use or facility when measured at each boundary line shall not exceed these values:

Octave Band Range in Cycles per Second: 500 -- 1800

Sound Pressure Level in Decibels – 0.0002 Dyne per Cm.2: 84

2. Sound pressure level shall be measured with a sound level meter conforming to standards prescribed by the American Standards Association including any subsequent amendment or approved revision thereof.

C. No provision of this section shall be held to apply to aircraft operation or temporary construction work. (Ord. 75A §§1, 2, 3, 1985; Ord. 75B §§1, 2, 1985)*

5. All process drains around each unit and site drainage shall be designed to prevent the discharge of oils to the sewer and or storm drain systems. All site drainage shall be designed as not to adversely impact surrounding property owners.

6. *Any hydrocarbon or chemical spill of or exceeding 25 gallons or 3 cubic-yards shall be reported immediately to Emergency Dispatch 9-1-1 or 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, Building, and Planning Departments. The Permit Holder must comply with NDEP clean-up requirements and provide the Fire District and said county departments a copy of NDEP completion of remediation immediately. All hazardous materials incident clean-up and response costs will 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 Holder. If mutual aid is warranted to suppress an incident, those costs will also be funded by the Permit Holder. Any hydrocarbon or environmental spill incidents required to be reported under Nevada law shall be immediately reported Storey County Community Development Department and Nevada Division of Environmental Protection (NDEP). The permit holder shall comply with the NDEP's clean-up requirements and provide Storey County a copy of NDEP's completion of remediation.*

8. 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 SUP amendment is advisory only to the Board and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

9. OCTOBER 2: PLANNING COMMISSION MEETING

On October 2, 2014, in accordance with the recommendation by Staff, the Findings under 6.1 of this staff report and in compliance with all conditions of approval, the Storey County Planning Commission voted unanimously to recommend Approval with Conditions for Special Use Permit amendment 2009-034-A-1-2014 (yes = 7, nay = 0, absent = 0).

10. PROPOSED MOTIONS

This section contains two options from which to choose. The motion for approval is recommended by the Planning Commission and Staff and in accordance with the Findings under section 6.1 of this Staff Report. Those Findings should be made part of that motion. A motion to deny the proposed SUP amendment may be made and that motion should cite one or more of the Findings shown in section 6.2. Other Findings determined appropriate by the Board should be made part of either motion.

10.1 Recommended Motion

In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of this Staff Report and/or other Findings deemed appropriate by the Board, and in

compliance with all Conditions of Approval, I [Commissioner] hereby move to approve Special Use Permit amendment 2009-034-A-1-2014 to construct and operate a biofuels facility to include current design and technologies utilized in a waste-to-fuels facility. The amendment also reflects the recent acquisition of an additional 2.59 acres of real property for a total subject property of approximately 19.4 acres (APN: 005-071-29).

10.2 Alternative Motion

In accordance with the Findings under Section 6.2 of this Staff Report and/or other Findings deemed appropriate by the Board, I [Commissioner] hereby move to deny for Special Use Permit amendment 2009-034-A-1-2014 to construct and operate a biofuels facility to include current design and technologies utilized in a waste-to-fuels facility. The amendment also reflects the recent acquisition of an additional 2.59 acres of real property for a total subject property of approximately 19.4 acres (APN: 005-071-29).

Prepared by: Dessie E. Redmond
Storey County Planner

APPENDIX 1: SCC 1999 ZONING ORDINANCE

- (C). Number of dogs allowed in a residential zone, per residence, is limited to three (3) dogs over 12 weeks old. All dog owners shall comply with Storey County Code, Chapter 6.04.

- (D) Uses not listed as permitted. When a use is not specifically listed as permitted, it shall be assumed that the use is expressly prohibited unless a determination is made by the Board of County Commissioners that the use is consistent with and compatible to those other uses permitted within the zone. Prior to determining whether such use is an appropriate use within the zone, the Board of County Commissioners shall consider a recommendation on the proposal by the Planning Commission.

17.12.018 Uses permitted subject to a special use permit. Such uses are to be considered as special exceptions within a zone where such use cannot be permitted as a right. Further, granting of a special use permit should only occur when such permit is demonstrated by the applicant to be in the best interest of the general public and would not be incompatible with or detrimental to the surrounding area.

17.12.022 Uses prohibited. Wherever so enumerated, such uses are prohibited in each zone and are declared to be detrimental to the public health, safety and welfare. The enumeration of prohibited uses shall not by implication enlarge the scope of permitted uses, but is for purposes of clarity only.

17.12.024 Nonconforming buildings and uses. The following provisions shall apply to all nonconforming buildings and structures or parts thereof and uses existing at the effective date of this ordinance:

- (A). Any such nonconforming building or structure may be continued and maintained provided there is not physical change other than necessary maintenance and repair in such building or structure;
- (B). Any such nonconforming use may be maintained and continued provided there is not an increase or enlargement of the area, space or volume occupied or devoted to such nonconforming use;
- (C). Any part of a building, structure or land occupied by such a nonconforming use which is changed to or replaced by a use conforming to the provisions of this ordinance shall not thereafter be used or occupied by a nonconforming use;
- (D). Any part of a building, structure or land occupied by such a nonconforming use, which use is abandoned, shall not again be used or occupied for a nonconforming use. Any part of a building, structure or land occupied by such a nonconforming use, which use shall have ceased for a period of one (1) year or more, shall not again be used or occupied for a nonconforming use;
- (E). If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of a more restrictive classification;

Chapter 17.37

'I-2' HEAVY INDUSTRIAL ZONE

Sections:

- 17.37.010 Applicability.
- 17.37.020 Purpose and intent.
- 17.37.030 Permitted uses.
- 17.37.040 Uses subject to permit.
- 17.37.050 Minimum parcel area.
- 17.37.060 Setbacks .
- 17.37.070 Loading area.
- 17.37.080 Building height.

17.37.010 Applicability. The I-2 heavy industrial zone shall be governed by the provisions set forth in this chapter.

17.37.020 Purpose and intent. The I-2 heavy manufacturing zone is intended to provide areas for the development and operation of industrial and manufacturing uses which, by nature of their intensity, may be incompatible with other types of land use activities.

17.37.030 Permitted uses. The following uses are permitted in the I-2 heavy industrial zone and include all uses allowed in the I-1 light industrial zone if they are compatible with the surrounding I-2 heavy industry. I-1 light industrial uses shall be governed by the provisions of Chapter 17.36, except that special use permits required under Section 17.36.030 shall not be required.

- (A). Manufacturing and assembly operations which create a finished or partially assembled product for sale or distribution, except those listed below in section 17.37.040 as requiring a special use permit;
- (B). Agricultural industries excluding animal processing plants.
- (C). Bottling plants;
- (D). Breweries, distilleries, wineries;
- (E). Truck terminals;
- (F). Petroleum products storage;
- (G). Public utility service yards, electric substations and gas transmission stations;
- (H). Manufacturing of Signs and billboards;

- (I). Public utility or public service buildings, structures and uses;
- (J). The accessory buildings and structures necessary to such permitted uses located on the same lot or parcel of land;
- (K). Ten percent of the total area in the heavy industrial zone as designated in the Storey County master Plan may be utilized for commercial use. A site plan must be approved by the Storey County Building and Planning Department. No special use permits shall be required of commercial uses, but Chapter 17 shall apply to commercial uses;
- (L). Ten percent of the total industrial building improvements may be used for commercial sales to the general public
- (M). Other uses similar to the above which are determined by the Board of County Commissioners to be consistent and compatible with the other uses permitted within the zone, after considering a recommendation of such use by the Planning Commission.

17.37.040 Uses subject to permit. The following additional uses may be permitted subject to securing a special use permit as provided for in Chapter 17.62 of this ordinance:

- (A). Junk, salvage or auto wrecking yards;
- (B). Blast furnaces;
- (C). Brick, tile or terra cotta products manufacturing;
- (D). Building materials manufacture;
- (E). Cement and lime manufacturing;
- (F). Mining and milling operations;
- (G). Paints, shellac, turpentine or varnish manufacturing;
- (H). Paper manufacture;
- (I). Petroleum products manufacture;
- (J). Petroleum refining, storage fields and reclaiming plants;
- (K). Saw mills;
- (L). Ammunition or explosive manufacture or storage;

- (M). Dumps and refuse disposal areas;
- (N). Fertilizer manufacture;
- (O). Recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes;
- (P). Rocket fuel manufacture, testing and/or storage;
- (Q). Sewer farms and sewerage disposal plants or operations;
- (R). Incinerators, of any type and used for any purpose;
- (S). Chemical manufacture;
- (T). Commercial stockyards;
- (U). Cyanide manufacture and storage;
- (V). Watchman's dwelling, whether permanent or temporary;
- (W). Electric or gas power generating plants;
- (X). Building material sales and storage yards, including ready mix concrete and asphalt plants;
- (Y). Rock, sand and gravel excavating, crushing, processing and distribution;
- (Z). Other uses similar to the above which are determined by the Board of County Commissioners to be consistent with the uses requiring a special use permit within the zone, after considering a recommendation on such use by the Planning Commission.
- (AA). Buildings and structures constructed for uses listed in Sections 17.37.030 and .040 of this chapter that will exceed seventy-five (75) feet in height.

17.37.050 Minimum parcel area. Three (3) acres, except for commercial uses, for which there is no lot minimum, and I-1 light industrial uses, for which there is a one acre minimum.

17.37.060 Setbacks. No building shall be located closer than fifty (50) feet to any property line.

17.37.070 Loading area. Loading area shall have adequate room. All truck parking and docking areas shall be so designed that country streets shall not be impacted by the operation of the business.

17.37.080 Building height. No building shall have a height greater than six (6) stories

or seventy-five (75) feet, not including silos, stacks, or equipment. A special use permit will be required if the facility exceeds these limits.

Chapter 17.60

VARIANCES

Sections:

- 17.60.010 Applicability.
- 17.60.020 Application.
- 17.60.030 Fees.
- 17.60.040 Hearing notification.
- 17.60.050 Advisory action of Planning Commission.
- 17.60.060 Decision by Board of County Commissioners.
- 17.60.070 Appeals procedure.
- 17.60.080 Finality of decision.
- 17.60.090 Time limit for permit.
- 17.60.100 Reapplication.

17.60.010 Applicability. A variance to the provisions of this ordinance may be granted by the Board of County Commissioners in accordance to the provisions of this chapter where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulations, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such lot or parcel, the strict application of such regulations enacted under this ordinance would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of such property. Such relief from the strict application of the regulations of this ordinance, however, may only be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of any ordinance or resolution and under such conditions as the board may deem necessary to assure that the general purpose and intent of this ordinance will be observed, public safety and welfare secured and substantial justice done.

17.60.020 Application. The application for a variance or a special use permit as provided herein shall be made to the Storey County building department on forms furnished by the Planning Commission. Such applications shall be accompanied by the following data and information:

- (A). Site plan, drawn to scale to include, as appropriate, building dimensions of existing and proposed structures; setback dimensions, yards and open space dimensions; parking spaces and dimensions; location and size of signs; and other such information as may be necessary;
- (B). Floor plan, drawn to scale to indicate size of buildings and total square footage of buildings, if appropriate for the project;
- (C). Rendered elevation to indicate the architectural appearance of proposed buildings, if appropriate for the project.

17.60.030 Fees. The building department, on behalf of the Planning Commission, shall charge and collect fees for the filing of a variance or a special use permit application in keeping with the latest approved "Revised Fee Schedule" posted in the Building Department, the charge being payable at the time of filing.

- (A). There will not be a fee charged to any nonprofit organization or government agency that is the owner of record of the property involved in a special use permit or variance application.
- (B). Fees for renewal of a variance or special use permit shall be one-half the original application fee.

17.60.040 Hearing notification. Upon receipt in proper form of any application, the Planning Commission will hold a public hearing thereon. A notice of the time and place of hearing, a physical description of the property involved, or map, and the purpose of the hearing shall be sent by mail at least ten (10) days before the hearing to:

- (A). The applicant;
- (B). Each owner of real property located within 300 feet of the property in question;
- (C). If a manufactured/mobile home park is located within 300 feet of the property in question, each tenant of that manufactured/mobile home park; and
- (D). Any advisory board which has been established for the affected area by the governing body.

For the purpose of this section, "owner of real property" means that owner shown upon the latest assessment rolls of the county.

17.60.050 Advisory action of the Planning Commission. At the conclusion of the hearing, the Planning Commission shall take such action thereon as it deems warranted under the circumstances and shall announce and record its action by formal resolution and such resolution shall recite the findings of the Planning Commission upon which it bases its decision. Conditions of approval, if any, shall be included in the resolution. ~~The resolution shall be sent to the Board of County Commissioners within twenty-one (21) days of approval of the minutes by the Planning Commission.~~ The decision of the Planning Commission in the legislative matter of granting, granting with conditions, or denying special use permits or variances shall be advisory only to the Board of County Commissioners.

17.60.060 Decision by Board of County Commissioners. The Board of County Commissioners, after receipt of the report and recommendation from the Planning Commission, shall consider the report and recommendation as an action agenda item during a normally scheduled meeting of the board and shall make a decision thereon as it deems warranted. If requested by an appellant pursuant to section 17.60.070, the Board of County Commissioners shall hold a public hearing before any decision is made. The Board of County Commissioners in granting a special use permit or variance, may establish

conditions under which the lot or parcel of land may be used, or a building or structure is constructed or altered or make requirements as to architecture, height of a building or structure, open spaces, parking areas or vehicle storage and conditions of operation of any enterprise, or may make any conditions, requirements or safeguards that the commission may consider necessary to prevent damages or prejudice to adjacent properties or detriment to the county.

17.60.070 Appeal procedures. In the event any person or the applicant is aggrieved by the recommendation of the Planning Commission and desires that the Board of County Commissioners hold a public hearing on the proposal may file a notice of appeal with the county clerk requesting a public hearing. The notice of appeal requesting a public hearing by the Board of County Commissioners shall be accompanied with an administrative fee of one-hundred dollars (\$100.00). Notice of the public hearing shall be as specified in section 17.60.040 of this chapter.

17.60.080 Finality of decision. The decision of the Board of County Commissioners shall not become final and effective until seven (7) days after the decision is entered in the minutes of the Board of County Commissioners. No permits shall be issued concerning the property in question until the decision becomes final.

17.60.090 Time limit for permit. Each special use permit or variance authorized under the provisions of the chapter which is not actually established or the actual construction commenced on the buildings or structures within twelve (12) months from the date of the final decision is null and void. In the event some construction work is involved, it must actually commence within the stated period and be diligently PURSUED to completion. A lapse of work for a period of six (6) months will be sufficient to cause the invalidity of the permit; provided further, when any use of land, building, structure or premises established under the provisions of this chapter has been discontinued for a period of one (1) year, it is unlawful to again use such land or building or premises for such discontinued use unless a subsequent special use permit or variance is authorized and issued therefor. Extensions of time to the provisions of this section may be granted by the Board of County Commissioners, upon recommendation of the Planning Commission, for good cause if requested by the property owner of record not less than fifteen (15) days prior to the expiration date of the special use permit or variance.

17.60.100 Reapplication. No person, including the original applicant, shall reapply for a similar special use permit or variance on the same land, building or structure within a period of one (1) year from the date of the final decision by the Board of County Commissioners of such previous application.

Chapter 17.62

SPECIAL USES

Sections:

- 17.62.010 Applicability.
- 17.62.020 Special use permits in any zone.
- 17.62.030 Special use permits in specific zones.

17.62.010 Applicability. Certain uses may be permitted by the Board of County Commissioners in zones in which they are not permitted by this ordinance where such uses are deemed essential or desirable for the public convenience or welfare. The procedure for filing of applications, filing fees, public hearings, findings and appeals shall be the same as provided for variances in chapter 17.60 of this ordinance.

17.62.020 Special use permits in any zone. The following uses may be permitted only in zones that allow said usage per the granting of a special use permit, except the I-S special industrial zone and P planned unit development or subdivision zone:

- (A). City, county, state and federal enterprises, including buildings, facilities and uses;
- (B). Educational institutions, including elementary, middle and high schools whether public, private or parochial;
- (C). Establishments or enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, carnivals, expositions, fairgrounds, race tracks, recreational and sports centers, whether temporary or permanent;
- (D). Golf courses, golf driving ranges and country clubs;
- (E). Hospitals, sanitariums and rest homes;
- (F). Libraries, museums and private clubs;
- (G). Parks, playgrounds and community facilities;
- (H). Public utility or public service buildings, structures and uses;
- (I). Radio, television and other communication transmitters and towers;
- (J). Sewer plants or sewage disposal facilities;
- (K). Wild animal maintenance.

17.62.030 Special use permits in specific zones. Uses mentioned in this section may

be permitted in the zones therein indicated upon the granting of a special use permit as provided in chapter 17.60 of this ordinance:

- (A). Cemeteries, columbariums, crematories, mausoleums, mortuaries and funeral parlors in the A, R-2, C, CR, F, and I zones;
- (B). Airports and aircraft landing fields in the A, C, F, and I zones;
- (C). Real estate tract offices and signs in the A, R-1, R-2, C, CR, F, and E zones.

APPENDIX 2: SUP 2007-062

**Storey County
Planning Commission**

*Douglas Walling, Chairman
Virgil Bucchianeri, Vice-Chairman*

Lydia Hammack ~ Peter Maholland ~ Austin Osborne ~ Larry Prater ~ Bret Tyler

May 14, 2008

Fulcrum Sierra BioFuels, LLC
4900 Hopyard Road, Suite 220
Pleasant, CA 94588

Attn: Jeanne Benedetti

**Re: Special Use Permit 2007-062
Transfer from IMS Nevada LLC**

Dear Sirs:

IMS Nevada LLC has requested that the special use permit be changed into the name of Fulcrum Sierra BioFuels, LLC to construct and operate a facility for producing energy products from post-recyclable materials ("Feedstock") by converting the Feedstock into synthesis gas and using the synthesis gas to produce other products or fuel. The facility will use patented Plasma Enhanced Melter (PEM™) systems to gasify Feedstock and recycle it into useful products. The process will have minimal environmental impact. When Feedstock is placed into the plasma, it quickly gasifies and separates into its atomic elements (e.g., carbon, hydrogen, nitrogen, etc.) and, through a process of steam reformation, forms a "synthesis gas" or "syngas" consisting of primarily hydrogen (H₂) and carbon monoxide (CO). The syngas is processed with extensive cleaning and purification equipment to produce a high purity, industrial quality syngas that can be used for a variety of purposes. Most inorganic components in waste will melt into and become part of the molten glass which is periodically removed from the PEM™ units, forming an obsidian-like glass that can be recycled for use in applications such as road aggregate or sand-blasting grit. Melted metals sink to the bottom of the molten glass and form a layer that can be drained separately and sent to metal recyclers.

The Planning Commission recommended approval of the special use permit with the following stipulations:

1. This special use permit is issued under the requirements of Storey County Zoning Ordinance, Chapter 17.37.040, which allows certain uses in a Heavy Industrial zone (I-2) subject to securing a Special Use Permit, including "Recycling Facilities and operations involving use, recovery or residue of hazardous materials and/or wastes," "Chemical manufacturer," "Electric or gas power

generating plants,” and “Other uses similar to the above which are determined by the board of county commissioners to be consistent with the uses requiring a special use permit within the zone, after considering a recommendation on such use by the planning commission.”

2. The intent of this special use permit is to ensure compliance with county regulations and to provide a new technology of Plasma Enhanced Melter (PEMTM) system to gasify Feedstock and recycle it into useful products (e.g., methanol, ethanol, synthetic diesel, hydrogen, and others) and energy.
3. That the construction and operation of the project comply with all state, federal and local agency regulations.
4. The Commission finds that the capacity of the subject site to be of adequate size and physical suitability to accommodate the proposed use, including areas of expansion, and this special use permit authorizes expansions that are consistent with the use described in this permit and that comply with all otherwise applicable laws and regulations as long as Storey County departments have the capacity for oversight and control of expansion.
5. This special use permit covers the entire “Subject Property” shown on the TRI Center map (Lot 2007-30) for the purpose of constructing a facility to recycle Feedstock into syngas and using the syngas to produce products or as fuel.
6. This special use permit shall not be construed to be a permit for design or construction. A separate Storey County plan review, fire safety review, and building permit will be required. A Nevada Division of Environmental Protection air quality control permit must be obtained for the project. A copy of the NDEP air quality permit shall be forwarded to Storey County Planning for inclusion with S.U.P. 2007-062. If there is a violation of NDEP permit, Storey County shall be notified of the violation, corrective action to be taken and date to be completed.
7. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.
8. This permit shall inure to the record owner of the Subject Property and to the permit applicant (IMS Nevada LLC) and shall run with the land. This permit, subject to its terms and conditions, may be transferred by the permit holder, its successors, heirs or assigns. The record owner may lease the land; however, the record owner is ultimately responsible for compliance with permit regulations. Any/all transfers of S.U.P. 2007-062 shall be advised in writing by certified mail to Storey County Planning Department, P.O. Box 526, Virginia City, NV 89440, 90 days prior to assignee taking over operation of facility. The operators of the facility must sign and accept all stipulations and requirements of S.U.P. 2007-062.
9. This permit incorporates by reference the standards, objectives, conditions, terms and requirements of the operating plan, safety plan, training plan, waste management plan, and closure plan, to be submitted separately from this permit. The requirements of all submitted plans become part of this special use permit as ongoing, updateable working documents.
10. The permit holder warrants that the future use of land will conform to the requirements of the County of Storey, State of Nevada, and applicable federal regulatory and legal requirements for a Plasma Enhanced Melter facility; further, the permit holder warrants that continued and future use

of the land shall so conform. The permit holder, its assigns, heirs or successors, agrees to hold the county, its officers, and representatives harmless from the costs associated with any environmental damage, environmental liability, and any/all other claims now existing or which may occur as a result of this special use permit.

11. The permit holder, as well as its assigns, heirs or successors, shall provide proof of insurance to Storey County and maintain a satisfactory liability insurance for all aspects of this operation under Special Use Permit # 2007-062 for a minimum amount of \$5,000,000.00 (five million dollars).
12. That esthetically acceptable screening of a minimum 8' fence (chain-link with slats or solid) plus 3-strand barbed wire enclosing all developed property. A screening plan, including plants and trees, shall be submitted to the Storey County Building Department for approval and must be maintained and sustained.
13. Lighting plan shall be designed to provide necessary operation but not be over obtrusive to avoid safety hazard(s) for Peru Drive traffic and/or light population.
14. Whenever Nevada law requires the payment of a sales and/or use tax, all materials and equipment purchased or rented for this project should be received in Storey County and the value reported as 'county-of-delivery' on the Nevada Dept. of Taxation form TXR-01.01 'Sales/Use Tax Return'. Proof of appropriate reporting is required prior to a 'Certificate of Occupancy' being issued.
15. The commission considered the review of its staff, comments, submittals and reports of the permit applicant and parties of interest, and the general public in the preparation of and approval of this permit.
16. Special Use Permit 2007-062 incorporates by reference all the documents submitted as support information and such information becomes part of S.U.P. 2007-062 (see **List of Enclosures**).
17. This permit is subject to terms and conditions that are necessary to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within this jurisdiction and certain equipment specifically regulated herein.
18. For the purposes of this special use permit, the term "Subject Property" means Parcel 2007-30, which is approximately 11.4 acres located in the I-2 Heavy Industrial Zone on the north side of Peru Drive, with an address of 3501 Peru Drive, McCarran, Nevada 89434.
19. The permit holder shall provide and/or pay for any special training for Storey County Fire Department (SCFD), if any, that is required due to the operation of the PEM™ facility, including training to combat methanol and ethanol type fires.
20. The permit holder shall either install a foam suppression system or shall become a member of a the local foam trailer coalition by purchasing or providing funding for the purchase of a tow vehicle for the County's use that is dedicated exclusively to pulling the foam trailer (the tow vehicle shall be a 2-½ ton Top Kick GMC or similar capacity vehicle (approximate cost \$60,000.00), and shall be funded or provided prior to, and this obligation is contingent on, startup of the facility authorized by this SUP).

21. The permit holder shall construct and provide a stand-alone response shed for the Fire Department on site as specified by Storey County Fire Department.
22. The permit holder shall provide a cache of ARAFF type foam on-site (quantity amount must be approved by Storey County Fire Department).
23. The permit holder shall submit an emergency response plan with engineering from an approved Fire Prevention Engineer with chemical engineering background.
24. The permit holder shall submit MSDS and pertinent safety information for further review.
25. Buildings shall be equipped with ESFR type sprinkler system.
26. The permit holder will be subject to all further requirements established by Storey County ordinance and any other applicable codes or regulations after further review of project plans.
27. The permit holder shall construct containment systems in areas where waste is being stored or processed to prevent spills, if any, from entering the environment.
28. No radioactive waste may be processed in the PEM™ systems located on the Subject Property.
29. In the event that the use authorized by this special use permit is abandoned for a period of more than twenty-four (24) calendar months from the date of last producing operations, this permit shall become null and void and a new special use permit shall be required. In the event of a force majeure such as and not limited to a flood, damage or destruction of the access to the site, earthquake, or other events beyond the control of the county or permit holder, the period of abandonment shall not be deemed to commence until such time as the permit holder may be found to once again have reasonable access to the site. In this connection, the permit holder shall reasonably attempt to establish access to the site.
30. This permit shall remain valid as long as the permit holder, its heirs, assigns, or successors remain in compliance with the terms of this permit and county, state and federal regulations.
31. In the event that the permit lapses or the use is discontinued or abandoned, the permit holder, its heirs, assigns or successors shall remain responsible for environmental monitoring and post-closure maintenance.
32. The permit holder shall be responsible for the cost for the closure of this facility as permitted under Special Use Permit number 2007-062. Complete closure shall consist of providing reclamation that would eliminate any hazardous or environmental damage to the existing site or adjacent areas contaminated by operations.
33. Should any prehistoric or historic remains/artifacts be discovered during development or excavation, work shall temporarily be halted at the specific site of the discovery, and the Storey County Board of Commissioners shall be notified in order to evaluate said site and, if deemed necessary, to record and photograph the site in question. The period of temporary delay shall be limited to a maximum 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. Please call 847-0968.

34. The permit holder shall provide a 'Will Serve' letter from TRI G.I.D. to Storey County Building & Planning for the necessary water and sewer to operate the facility.
35. There shall be no obnoxious odors released into the air that are a nuisance to abutting properties.
36. Building has been approved for a height of up to 90 feet excluding the stacks.

B. ENVIRONMENTAL MONITORING AND PUBLIC HEALTH AND SAFETY:

1. The permit holder shall continuously conform to the requirements of this special use permit and the submitted plans that are incorporated as part of this permit.
2. Before the operation of a PEM™ commences, the permit holder shall submit to the county a copy of the environmental monitoring requirements applicable to the facility under the environmental permits issued for the facility. The permit holder shall include storm water management measures on its site plan which shall be submitted to Storey County Building & Planning for approval.
3. Air emissions from the facility shall meet the Nevada Division of Environmental Protection permit requirements. Copies of the annual reports of environmental quality, necessary to comply with the requirements of the permit issued by the Bureau of Air Pollution Control, Nevada Division of Environmental Protection shall be submitted to Storey County Building & Planning Department. In the event that there is an air discharge in excess of the standards approved by NDEP under the construction or operating permit, the permit holder shall provide Storey County Building & Planning a copy of any notice of the event or plan to remediate the event submitted to NDEP. If the permit holder is required by the Bureau of Air Pollution Control, Nevada Division of Environmental Protection to prepare a report on the event, the permit holder shall submit a copy of the report to Storey County Building & Planning.
4. Noise monitoring: The permit holder must submit test results to prove that the noise level of operations are in compliance with Storey County Code, "Chapter 8.04.020 Restrictions", which reads as follows:
 - A. It is unlawful for any person to make, or cause to be made any loud, unnecessary or unusual noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
 - B. The following acts, as delineated in Section 8.04.030, but not limited thereto, shall be subject to measure as shown in the table in this subsection.
 1. The maximum sound pressure level radiated by any use or facility when measured at each boundary line shall not exceed these values:

<u>Octave Band Range in</u> <u>Cycles per Second</u>	<u>Sound Pressure Level in</u> <u>Decibels – 0.0002 Dyne per Cm.²</u>
500 -- 1800	84

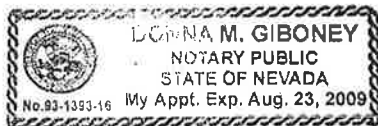
2. Sound pressure level shall be measured with a sound level meter conforming to standards prescribed by the American Standards Association including any subsequent amendment or approved revision thereof.
- C. No provision of this section shall be held to apply to aircraft operation or temporary construction work. (Ord. 75A §§1, 2, 3, 1985; Ord. 75B §§1, 2, 1985)*
5. All process drains around each unit and site drainage shall be designed to prevent the discharge of oils to the sewer and or storm drain systems. All site drainage shall be designed as not to adversely impact surrounding property owners.
6. Any hydrocarbon or environmental spill incidents required to be reported under Nevada law shall be immediately reported to Storey County Building & Planning and Nevada Division of Environmental Protection (NDEP). The permit holder shall comply with the NDEP's clean-up requirements and provide Storey County a copy of NDEP's completion of remediation.

The Storey County Board of Commissioners gave final approval to Special Use Permit Application 2007-062, and the effective date of the permit is June 27, 2007. An extension to the one-year time period beginning June 27, 2008 has been received and approved.

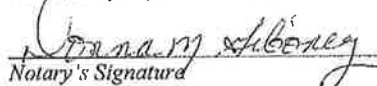

Dean Haymore
Building Official & Planning Administrator

STATE of Nevada)
COUNTY of Storey) SS:

On this 10 day of June in the year 2008, DEAN HAYMORE 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


Commission expires: August 23, 2009

ACCEPTANCE

Special Use Permit # 2007-062

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The terms and conditions of this Confirmation of Special Use Permit #2007-062 are accepted by Fulcrum Sierra BioFuels, LLC the applicant for which this permit is reassigned.


Rick Barraza
Secretary, Fulcrum Sierra BioFuels, LLC

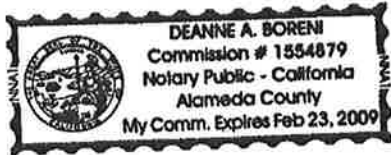
MAY 28, 2008
Date

STATE of California)
COUNTY of Alameda) SS:

On this 28th day of May in the year 2008, Rick Barraza 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



My commission expires: Feb. 23, 2009

APPENDIX 3: 2009 SUP PERMIT (CURRENT) STAFF REPORT



STOREY COUNTY

Planning Commission

February 19, 2009

Staff Report

CASE NO.: 2009-034

APPLICANT: FULCRUM SIERRA BIOFUELS, LLC

APN NUMBER: 004-153-69

ADDRESS OF PROJECT: 3600 Peru Drive, McCarran, Nevada

REQUEST: Special Use Permit to construct and operate bio-fuels facility on new parcel in TRI Center.

LOCATION OF MEETING: Storey County Courthouse
District Courtroom
26 South "B" Street, Virginia City,
Nevada

TIME OF MEETING: 6:00 PM

BACKGROUND:

In June of 2007, Fulcrum Sierra BioFuels, LLC (then IMS Nevada, LLC) requested, and was granted approval by the Storey County Planning Commission with conditions stated forth in Conditions for Approval in this report, a special use permit to construct and operate a facility for producing energy products from post-recyclable materials ("Feedstock") by converting the Feedstock into synthesis gas and using the synthesis gas to produce other products or fuel. The Storey County Board of Commissioners gave final approval to Special Use Permit Application 2007-062, and the effective date of the permit is June 27, 2007.

Recently, Fulcrum has determined that their current +/- 11.38 acre site, in which they were granted their Special Use Permit 2007-062, is insufficient in size to construct and operate their proposed facility and future expansions. Hence, the company has purchased from TRI Center a separate parcel of land on the west side of Peru Drive, consisting of +/- 16.77 acres, in which to construct their proposed facility. Now located on a new parcel, Fulcrum must secure a new special use permit in order to conduct their planned operations.

ANALYSIS:

The proposed facility will use patented Plasma Enhanced Melter (PEM™) systems to gasify Feedstock and recycle it into useful products. The process will have minimal
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environmental impact. When Feedstock is placed into the plasma, it quickly gasifies and separates into its atomic elements (e.g., carbon, hydrogen, nitrogen, etc.) and, through a process of steam reformation, forms a "synthesis gas" or "syngas" consisting of primarily hydrogen (H₂) and carbon monoxide (CO).

The syngas is processed with extensive cleaning and purification equipment to produce a high purity, industrial quality syngas that can be used for a variety of purposes. Most inorganic components in waste will melt into and become part of the molten glass which is periodically removed from the PEMTM units, forming an obsidian-like glass that can be recycled for use in applications such as road aggregate or sand-blasting grit. Melted metals sink to the bottom of the molten glass and form a layer that can be drained separately and sent to metal recyclers.

The proposed use of the new parcel is similar to that which was planned and permitted for Fulcrum at its former +/- 11.38 acre site at 3501 Peru Drive.

KEY ISSUES:

Air Emissions: Air emissions from the facility shall meet the Nevada Division of Environmental Protection (NDEP) permit requirements. In the event that there is an air discharge in excess of the standards approved by NDEP under the construction or operating permit, the permit holder shall provide Storey County Community Development Department a copy of any notice of the event or plan to remediate the event submitted to NDEP. If the permit holder is required by the Bureau of Air Pollution Control, Nevada Division of Environmental Protection to prepare a report on the event, the permit holder shall submit a copy of the report to Storey County Community Development Department.

Noise: In order to assure that the facility remains in compliance with noise level restrictions set forth in Storey County Code, Chapter 8.04.020, the permit holder shall be required to submit test results to Storey County Community Development Department.

Drainage and Hazardous Material Spills: Exemplary measures must be maintained at all times to assure that all storm water drainage remains on site and that adequate containment mechanisms exist to prevent hazardous materials spills from exiting the premises. Conditions stated in this report mandate that all hydrocarbon and/or environmental spill incidents be reported immediately to Storey County Community Development and Department and Nevada Division of Environmental Protection (NDEP). Clean-up requirements shall comply with NDEP and Storey County Development Department shall be provided a copy of NDEP's completion of remediation.

LAND USE COMPATIBILITY:

The proposed use of land appears to be consistent with existing I-2 Heavy Industrial zoning within Tahoe-Reno Industrial Center, applicant's surrounding properties, and Special Use Permit 2007-062 applicable to APN 004-152-96.

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PUBLIC SAFETY:

Fencing: A chain-link fence of no less than eight (8) feet in height topped with 3-strand barbed wire shall enclose the entire facility to protect the public.

Lighting: A lighting plan shall be designed and implemented to provide necessary operation, but not be over obtrusive to avoid safety hazard(s) for Peru Drive traffic and/or light pollution.

MASTER PLAN:

The proposal appears to conform to all provisions of the County Master Plan.

GENERAL ORDINANCE COMPLIANCE:

Zoning Ordinance: This special use permit is issued under the requirements of Storey County Zoning Ordinance, Chapter 17.37.040, which allows certain uses in a Heavy Industrial zone (I-2) subject to securing a Special Use Permit, including "Recycling Facilities and operations involving use, recovery or residue of hazardous materials and/or wastes," "Chemical manufacturer," "Electric or gas power generating plants," and "Other uses similar to the above which are determined by the Board of County Commissioners to be consistent with the uses requiring a special use permit within the zone, after considering a recommendation on such use by the planning commission."

Development Agreement: The proposed project shall comply with all regulations stated forth by the TRI-Storey Development Agreement; the Tahoe-Reno Industrial Park Architectural Review Committee (ARC); and all applicable Covenants, Conditions, and Restrictions (CC&Rs).

AREA DESCRIPTION			
	LAND USE	MASTER PLAN DESIGNATION	ZONING
NORTH	Vacant	Heavy Industrial	I-2
SOUTH	Vacant	Heavy Industrial	I-2
EAST	Vacant	Heavy Industrial	I-2
WEST	Vacant	Heavy Industrial	I-2

RECOMMENDED CONDITIONS OF APPROVAL:

The Planning Commission recommended approval of Special Use Permit 2007-062 at its 2007 hearing providing the applicant conforms to the following conditions. The following conditions will apply to the applicant's new +/- 16.77 acre parcel of land and 9/18/2014

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future facility expansions within said property, as requested. All conditions shall be met to the satisfaction of Storey County Community Development Department staff, unless otherwise noted.

1. The intent of this special use permit is to ensure compliance with county regulations and to provide a new technology of Plasma Enhanced Melter (PEMTM) system to gasify Feedstock and recycle it into useful products (e.g., methanol, ethanol, synthetic diesel, hydrogen, and others) and energy.
2. That the construction and operation of the project comply with all state, federal and local agency regulations.
3. The Commission finds that the capacity of the subject site to be of adequate size and physical suitability to accommodate the proposed use, including areas of expansion, and this special use permit authorizes expansions that are consistent with the use described in this permit and that comply with all otherwise applicable laws and regulations as long as Storey County departments have the capacity for oversight and control of expansion.
4. This special use permit covers the entire "Subject Property" shown on the TRI Center map (Lot 2008-13) for the purpose of constructing a facility to recycle Feedstock into syngas and using the syngas to produce products or as fuel.
5. This special use permit shall not be construed to be a permit for design or construction. A separate Storey County plan review, fire safety review, and building permit will be required. A Nevada Division of Environmental Protection air quality control permit must be obtained for the project. A copy of the NDEP air quality permit shall be forwarded to Storey County Planning for inclusion with SUP 2009-028. If there is a violation of NDEP permit, Storey County shall be notified of the violation, corrective action to be taken and date to be completed.
6. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.
7. This permit shall inure to the record owner of the Subject Property and to the permit applicant (Fulcrum Sierra BioFuels, LLC) and shall run with the land. This permit, subject to its terms and conditions, may be transferred by the permit holder, its successors, heirs or assigns. The record owner may lease the land; however, the record owner is ultimately responsible for compliance with permit regulations. Any/all transfers of SUP. 2009.028 shall be advised in writing by certified mail to Storey County Community Development Department, P.O. Box 526, Virginia City, NV 89440, 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 2009.028.

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8. This permit incorporates by reference the standards, objectives, conditions, terms and requirements of the operating plan, safety plan, training plan, waste management plan, and closure plan, to be submitted separately from this permit. The requirements of all submitted plans become part of this special use permit as ongoing, updateable working documents.
9. The permit holder warrants that the future use of land will conform to the requirements of the County of Storey, State of Nevada, and applicable federal regulatory and legal requirements for a Plasma Enhanced Melter facility; further, the permit holder warrants that continued and future use of the land shall so conform. The permit holder, its assigns, heirs or successors, agrees to hold the county, its officers, and representatives harmless from the costs associated with any environmental damage, environmental liability, and any/all other claims now existing or which may occur as a result of this special use permit.
10. The permit holder, as well as its assigns, heirs or successors, shall provide proof of insurance to Storey County and maintain a satisfactory liability insurance for all aspects of this operation under Special Use Permit # 2009-028 for a minimum amount of \$5,000,000.00 (five million dollars).
11. That esthetically acceptable screening of a minimum 8' fence (chain-link with slats or solid) plus 3-strand barbed wire enclosing all developed property. A screening plan, including plants and trees, shall be submitted to the Storey County Community Development Department for approval and must be maintained and sustained.
12. Lighting plan shall be designed to provide necessary operation, but not be over obtrusive to avoid safety hazard(s) for Peru Drive traffic and/or light pollution.
13. Whenever Nevada law requires the payment of a sales and/or use tax, all materials and equipment purchased or rented for this project should be received in Storey County and the value reported as 'county-of-delivery' on the Nevada Dept. of Taxation form TXR-01.01 'Sales/Use Tax Return'. Proof of appropriate reporting is required prior to a 'Certificate of Occupancy' being issued.
14. The commission considered the review of its staff, comments, submittals and reports of the permit applicant and parties of interest, and the general public in the preparation of and approval of this permit.
15. Special Use Permit 2009-028 incorporates by reference all the documents submitted as support information and such information becomes part of SUP 2009-028 (see **List of Enclosures**).
16. This permit is subject to terms and conditions that are necessary to provide minimum standards to safeguard life or limb, health, property and public welfare

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by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within this jurisdiction and certain equipment specifically regulated herein.

17. For the purposes of this special use permit, the term "Subject Property" means Parcel 2008-13, which is approximately 16.7 acres located in the I-2 Heavy Industrial Zone on the west side of Peru Drive, with an address of 3600 Peru Drive, McCarran, Nevada 89434.
18. The permit holder shall provide and/or pay for any special training for Storey County Fire Department (SCFD), if any, that is required due to the operation of the PEM™ facility, including training to combat methanol and ethanol type fires.
19. The permit holder shall either install a foam suppression system or shall become a member of a the local foam trailer coalition by purchasing or providing funding for the purchase of a tow vehicle for the County's use that is dedicated exclusively to pulling the foam trailer (the tow vehicle shall be a 2-½ ton Top Kick GMC or similar capacity vehicle (approximate cost \$60,000.00), and shall be funded or provided prior to, and this obligation is contingent on, startup of the facility authorized by this SUP).
20. The permit holder shall construct and provide a stand-alone response shed for the Fire Department on site as specified by Storey County Fire Department.
21. The permit holder shall provide a cache of ARAFF type foam on-site (quantity amount must be approved by Storey County Fire Department).
22. The permit holder shall submit an emergency response plan with engineering from an approved Fire Prevention Engineer with chemical engineering background.
23. The permit holder shall submit Material Safety Data Sheets (MSDS) and pertinent safety information for further review.
24. Buildings shall be equipped with ESFR type sprinkler system.
25. The permit holder will be subject to all further requirements established by Storey County ordinance and any other applicable codes or regulations after further review of project plans.
26. The permit holder shall construct containment systems in areas where waste is being stored or processed to prevent spills, if any, from entering the environment.
27. No radioactive waste may be located on the premises or processed in the PEM™ systems located on the Subject Property.

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28. In the event that the use authorized by this special use permit is abandoned for a period of more than twenty-four (24) calendar months from the date of last producing operations, this permit shall become null and void and a new special use permit shall be required. In the event of a force majeure such as and not limited to a flood, damage or destruction of the access to the site, earthquake, or other events beyond the control of the county or permit holder, the period of abandonment shall not be deemed to commence until such time as the permit holder may be found to once again have reasonable access to the site. In this connection, the permit holder shall reasonably attempt to establish access to the site.
29. This permit shall remain valid as long as the permit holder, its heirs, assigns, or successors remain in compliance with the terms of this permit and county, state and federal regulations.
30. In the event that the permit lapses or the use is discontinued or abandoned, the permit holder, its heirs, assigns or successors shall remain responsible for environmental monitoring and post-closure maintenance.
31. The permit holder shall be responsible for the cost for the closure of this facility as permitted under Special Use Permit number 2009-028. Complete closure shall consist of providing reclamation that would eliminate any hazardous or environmental damage to the existing site or adjacent areas contaminated by operations.
32. Should any prehistoric or historic remains/artifacts be discovered during development or excavation, work shall temporarily be halted at the specific site of the discovery, and the Storey County Board of Commissioners shall be notified in order to evaluate said site and, if deemed necessary, to record and photograph the site in question. The period of temporary delay shall be limited to a maximum 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. Please call 847-0968.
33. The permit holder shall provide a 'Will Serve' letter from Tahoe-Reno Industrial Center G.I.D. to Storey County Community Development Department for the necessary water and sewer to operate the facility.
34. There shall be no obnoxious odors released into the air that are a nuisance to abutting properties.
35. Building has been approved for a height of up to 90 feet excluding the stacks.

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B. ENVIRONMENTAL MONITORING AND PUBLIC HEALTH AND SAFETY:

1. The permit holder shall continuously conform to the requirements of this special use permit and the submitted plans that are incorporated as part of this permit.
2. Before the operation of a PEM™ commences, the permit holder shall submit to Storey County a copy of the environmental monitoring requirements applicable to the facility under the environmental permits issued for the facility. The permit holder shall include storm water management measures on its site plan which shall be submitted to Storey County Community Development Department for approval.
3. Air emissions from the facility shall meet the Nevada Division of Environmental Protection permit requirements. Copies of the annual reports of environmental quality, necessary to comply with the requirements of the permit issued by the Bureau of Air Pollution Control, Nevada Division of Environmental Protection shall be submitted to Storey County Community Development Department. In the event that there is an air discharge in excess of the standards approved by NDEP under the construction or operating permit, the permit holder shall provide Storey Community Development Department a copy of any notice of the event or plan to remediate the event submitted to NDEP. If the permit holder is required by the Bureau of Air Pollution Control, Nevada Division of Environmental Protection to prepare a report on the event, the permit holder shall submit a copy of the report to Storey County Community Development Department.
4. Noise monitoring: The permit holder must submit test results to prove that the noise level of operations are in compliance with Storey County Code, "Chapter 8.04.020 Restrictions", which reads as follows:
 - A. It is unlawful for any person to make, or cause to be made any loud, unnecessary or unusual noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
 - B. The following acts, as delineated in Section 8.04.030, but not limited thereto, shall be subject to measure as shown in the table in this subsection.
 1. The maximum sound pressure level radiated by any use or facility when measured at each boundary line shall not exceed these values:

<u>Octave Band Range in</u>	<u>Sound Pressure Level in</u>
<u>Cycles per Second</u>	<u>Decibels – 0.0002 Dyne per Cm.²</u>
500 -- 1800	84

9/18/2014

8 of 9

2. Sound pressure level shall be measured with a sound level meter conforming to standards prescribed by the American Standards Association including any subsequent amendment or approved revision thereof.

C. No provision of this section shall be held to apply to aircraft operation or temporary construction work. (Ord. 75A §§1, 2, 3, 1985; Ord. 75B §§1, 2, 1985)*

5. All process drains around each unit and site drainage shall be designed to prevent the discharge of oils to the sewer and or storm drain systems. All site drainage shall be designed as not to adversely impact surrounding property owners.

6. Any hydrocarbon or environmental spill incidents required to be reported under Nevada law shall be immediately reported to Storey County Community Development Department and Nevada Division of Environmental Protection (NDEP). The permit holder shall comply with the NDEP's clean-up requirements and provide Storey County a copy of NDEP's completion of remediation.

LEGAL REQUIREMENTS:

At the conclusion of the hearing, the Planning Commission shall take such action thereon as it deems warranted under the circumstances and shall announce and record its action by formal resolution, and such resolution shall recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the special use permit shall be advisory only to the Board of County Commissioners and that Governing Body shall consider the report and recommendation and shall make such a decision thereon as it deems warranted.

PROPOSED MOTION: Based upon compliance with the applicable restrictions, I move to recommend that the Planning Commission approve Special Use Permit 2009.028.

Staff: Austin T. Osborne, Planner

9/18/2014

9 of 9

APPENDIX 4: BLA DOCUMENTS

APN's 005-071-04 and 005-071-29

Mail Tax Statements to Grantor:
Tahoe-Reno Industrial Center, LLC
c/o Reno Engineering, Corp.
420 USA Parkway, Ste 105,
McCarran NV 89434

When recorded, return to:
Tri State Surveying, Ltd.
1925 East Prater Way
Sparks, Nevada 89434

BOUNDARY LINE ADJUSTMENT

QUITCLAIM DEED

COMES NOW, TAHOE-RENO INDUSTRIAL CENTER, LLC, FIRST PARTY, and FULCRUM SIERRA BIOFUELS, LLC, SECOND PARTY, and enter into this indenture as of the _____ day of _____, 2014.

WITNESSETH

THAT THE PARTIES, as owners of adjacent and abutting parcels of land, for good and valuable consideration, do by these presents desire to adjust the boundary line between said parcels pursuant to NRS 278.461 4 (c), said parcels situate within portions of the East One-Half (E1/2) of Section ten (10) and the West One-Half (W1/2) of Section eleven (11), Township Nineteen (19) North, Range Twenty-Two (22) East, Storey County, Nevada.

NOW THEREFORE, the **FIRST PARTY** does by these presents, quitclaim, bargain, and convey to the **SECOND PARTY** all the lands necessary to effect this boundary line adjustment, so that the parcel of land owned by the **FIRST PARTY** shall be as described in Exhibit "A" as Parcel 2014-23 and the parcel of land owned by the **SECOND PARTY** shall be as described in Exhibit "B" as Parcel 2014-22, attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said property, together with the tenements, hereditament and appurtenances thereunto belonging or appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof unto the grantees and their respective successors and assigns, forever.

FIRST PARTY:

Tahoe-Reno Industrial Center, LLC
a Nevada Limited Liability Company

By: Norman Properties, Inc.,
a California corporation,
Managing Member

By: Vincent J. Griffith
Its: Project Coordinator

STATE OF _____ S.S.
COUNTY OF _____

On this _____ day of _____, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared VINCENT J. GRIFFITH, Project Coordinator for Tahoe-Reno Industrial Center, LLC, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument for the purposes herein stated.

Witness my hand and official seal.

NOTARY PUBLIC

FULCRUM SIERRA BIOFUELS, LLC

Its:

STATE OF _____ S.S.
COUNTY OF _____

On this _____ day of _____, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, as _____ of **FULCRUM SIERRA BIOFUELS, LLC**, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument for the purposes herein stated.

Witness my hand and official seal.

NOTARY PUBLIC



Land Information Solutions

TRI STATE SURVEYING, LTD.

1925 E. Prater Way
Sparks, Nevada 89434
Telephone (775) 358-9491 ♦ FAX (775) 358-3664
Toll Free: 1-800-411-3752

July 1, 2014
Job No. 13016.02.RM

Exhibit "A" PARCEL 2014-23

All that certain parcel situate within a portion of the East One-Half (E1/2) of Section ten (10), Township Nineteen (19) North, Range Twenty-Two (22) East, and being a portion of Parcel 2009-4 as shown on Record of Survey Map, File No. 110832 in the Official Records of Storey County, Nevada, said Parcel being more particularly described as follows:

COMMENCING at the South 1/4 corner of said Section 10;

THENCE North $39^{\circ}28'59''$ East, 2902.42 feet to the to the POINT OF BEGINNING, being the northwest corner of said Parcel 2009-4;

THENCE along the northerly line of said Parcel 2009-4, South $70^{\circ}13'20''$ East, 820.46 feet;

THENCE leaving said northerly line, South $19^{\circ}46'40''$ West, 564.92 feet to the southerly line of said Parcel 2009-4;

THENCE along said southerly line, North $70^{\circ}13'20''$ West, 820.46 feet to the southwest corner of said Parcel 2009-4;

THENCE along the westerly line of said Parcel 2009-4, North 19°46'40" East, 564.92 feet to the POINT OF BEGINNING.

Said Parcel 2014-23 contains 10.64 acres of land, more or less.

BASIS OF BEARINGS:

The BASIS OF BEARINGS for this plat is N 68°20'45" E, being the grid bearing between NGS Sta. N339 and Sta. X146. The following Nevada Coordinate System, West Zone values are based on the North American Datum of 1983/94 HARN EXTENSION:

N339 (GRID)

Northing 4534610.362 Meters (14877300.829 U.S. Survey Feet)
Easting 722748.649 Meters (2371217.859 U.S. Survey Feet)

X146 (GRID)

Northing 4540725.791 Meters (14897364.533 U.S. Survey Feet)
Easting 738151.965 Meters (2421753.572 U.S. Survey Feet)

Except for the values shown above, coordinates shown on this plat are ground equivalent values, based on the Local Projection Combined Factor of 1.000254928.



Date 07/22/2014
David C. Crook, P.L.S.
Nevada Certificate No. 10836



TRI STATE SURVEYING, LTD.

1925 E. Prater Way
Sparks, Nevada 89434
Telephone (775) 358-9491 ♦ FAX (775) 358-3664
Toll Free: 1-800-411-3752

Land Information Solutions

July 1, 2014
Job No. 13016.02.RM

Exhibit "B" PARCEL 2014-22

All that certain parcel situate within portions of the East One-Half (E1/2) of Section ten (10) and the West One-Half (W1/2) of Section eleven (11), Township Nineteen (19) North, Range Twenty-Two (22) East, and being portions of Parcels 2009-3 and 2009-4 as shown on Record of Survey Map, File No. 110832 in the Official Records of Storey County, Nevada, said Parcel being more particularly described as follows:

COMMENCING at the South 1/4 corner of said Section 10;

THENCE North 39°28'59" East, 2902.42 feet to the northwest corner of said Parcel 2009-4;

THENCE along the northerly line of said Parcel 2009-4, South 70°13'20" East, 820.46 feet to the POINT OF BEGINNING;

THENCE continuing along said northerly line and along the northerly line of said Parcel 2009-3, South 70°13'20" East, 1100.17 feet to the beginning of a tangent curve to the left;

THENCE 230.92 feet along the arc of a 605.00 foot radius curve, through a central angle of 21°52'09" to the westerly right-of-way line of Peru Drive, and being the northeast corner of said Parcel 2009-3;

THENCE along the easterly line of said Parcel 2009-3 being coincident with the westerly right-of-way line of Peru Drive, South 10°38'47" East, 571.63 feet to the southeast corner of said Parcel 2009-3;

THENCE leaving said westerly right-of-way line, along the southerly line of said Parcel 2009-3, South 79°21'13" West, 70.45 feet to the beginning of a tangent curve to the right;

THENCE continuing along said southerly line, 307.98 feet along the arc of a 580.00 foot radius curve, through a central angle of 30°25'27";

THENCE continuing along said southerly line and the southerly line of said Parcel 2009-4, North 70°13'20" West, 1260.54 feet;

Thence leaving the southerly line of said Parcel 2009-4, North 19°46'40" East, 564.92 feet to the POINT OF BEGINNING.

Said Parcel 2014-22 contains 19.36 acres of land, more or less.

BASIS OF BEARINGS:

The BASIS OF BEARINGS for this plat is N 68°20'45" E, being the grid bearing between NGS Sta. N339 and Sta. X146. The following Nevada Coordinate System, West Zone values are based on the North American Datum of 1983/94 HARN EXTENSION:

N339 (GRID)

Northing 4534610.362 Meters (14877300.829 U.S. Survey Feet)
Easting 722748.649 Meters (2371217.859 U.S. Survey Feet)

X146 (GRID)

Northing 4540725.791 Meters (14897364.533 U.S. Survey Feet)
Easting 738151.965 Meters (2421753.572 U.S. Survey Feet)

Except for the values shown above, coordinates shown on this plat are ground equivalent values, based on the Local Projection Combined Factor of 1.000254928.



Date 07/22/2014
David C. Crook, P.L.S.
Nevada Certificate No. 10836

OWNERS' CERTIFICATE

WE THE UNDERSIGNED OWNERS OF THE AFFECTED PARCELS AS SHOWN ON THIS MAP, DO HEREBY CERTIFY THAT:

1. WE HAVE EXAMINED THIS MAP AND HAVE NO OBJECTION TO ITS RECORDING.
2. WE HAVE NO OBJECTION TO ANY OTHER DOCUMENTS OR INSTRUMENTS THAT MAY BE PRESENTED TO ANY COURT OR TO ANY OTHER AUTHORITY FOR RECORDING.
3. WE HAVE NO OBJECTION TO THE RECORDING OF THIS MAP OR TO ANY OTHER INSTRUMENTS THAT MAY BE PRESENTED TO ANY COURT OR TO ANY OTHER AUTHORITY FOR RECORDING.
4. ALL PROPERTY TAXES ON THE LAND AND THE FISCAL YEAR HAVE BEEN PAID.
5. ANY LIEN OR ENCUMBRANCE ON THE LAND OR THE INSTRUMENT OF TRANSFER OF THE LAND, NOTIFIED OF THIS MAP OR THE INSTRUMENT OF TRANSFER OF THE LAND.

TAMARA-RENO INDUSTRIAL CENTER, LLC, A NEVADA LIMITED LIABILITY COMPANY
BY: _____ DATE: _____
PRESIDENT

PROTESTANT COMMUNITY PROJECT CORPORATION
BY: _____ DATE: _____
PRESIDENT

TAMARA-RENO INDUSTRIAL CENTER, LLC
BY: _____ DATE: _____
PRESIDENT

STATE OF NEVADA }
COUNTY OF WASHOE }

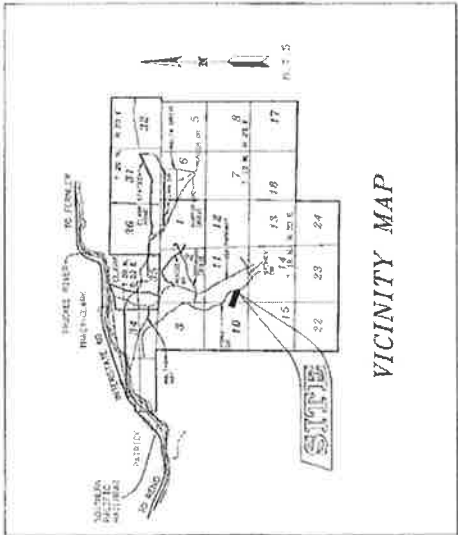
STATE OF NEVADA }
COUNTY OF WASHOE }

ON THIS DAY OF MAY, 2014, I, _____, COUNTY CLERK OF WASHOE COUNTY, NEVADA, DO HEREBY CERTIFY THAT THE ABOVE INSTRUMENTS WERE FILED FOR RECORD IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA, AND THAT THE SAME HAVE BEEN INDEXED AND ARE AVAILABLE FOR PUBLIC INSPECTION.

STATE OF NEVADA }
COUNTY OF WASHOE }

ON THIS DAY OF MAY, 2014, I, _____, COUNTY CLERK OF WASHOE COUNTY, NEVADA, DO HEREBY CERTIFY THAT THE ABOVE INSTRUMENTS WERE FILED FOR RECORD IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA, AND THAT THE SAME HAVE BEEN INDEXED AND ARE AVAILABLE FOR PUBLIC INSPECTION.

NOTARY PUBLIC



VICINITY MAP

REFERENCES

1. RECORD OF SURVEY FOR TAMARA-RENO INDUSTRIAL CENTER, LLC, FILED IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA.
2. RECORD OF SURVEY FOR TAMARA-RENO INDUSTRIAL CENTER, LLC, FILED IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA.
3. RECORD OF SURVEY FOR TAMARA-RENO INDUSTRIAL CENTER, LLC, FILED IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA.
4. RECORD OF SURVEY FOR TAMARA-RENO INDUSTRIAL CENTER, LLC, FILED IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA.
5. THE INSTRUMENT OF TRANSFER OF THE LAND, DATED FEBRUARY 2, 2014, AND THE INSTRUMENTS AS REFERENCED THEREIN.

SURVEYOR'S CERTIFICATE

I, DAVID C. COOK, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, DO HEREBY CERTIFY THAT:

1. I HAVE EXAMINED THE INSTRUMENTS OF THE UNDERSIGNED AND HAVE NO OBJECTION TO THEIR RECORDING.
2. I HAVE NO OBJECTION TO ANY OTHER DOCUMENTS OR INSTRUMENTS THAT MAY BE PRESENTED TO ANY COURT OR TO ANY OTHER AUTHORITY FOR RECORDING.
3. I HAVE NO OBJECTION TO THE RECORDING OF THIS MAP OR TO ANY OTHER INSTRUMENTS THAT MAY BE PRESENTED TO ANY COURT OR TO ANY OTHER AUTHORITY FOR RECORDING.
4. ALL PROPERTY TAXES ON THE LAND AND THE FISCAL YEAR HAVE BEEN PAID.
5. ANY LIEN OR ENCUMBRANCE ON THE LAND OR THE INSTRUMENT OF TRANSFER OF THE LAND, NOTIFIED OF THIS MAP OR THE INSTRUMENT OF TRANSFER OF THE LAND.



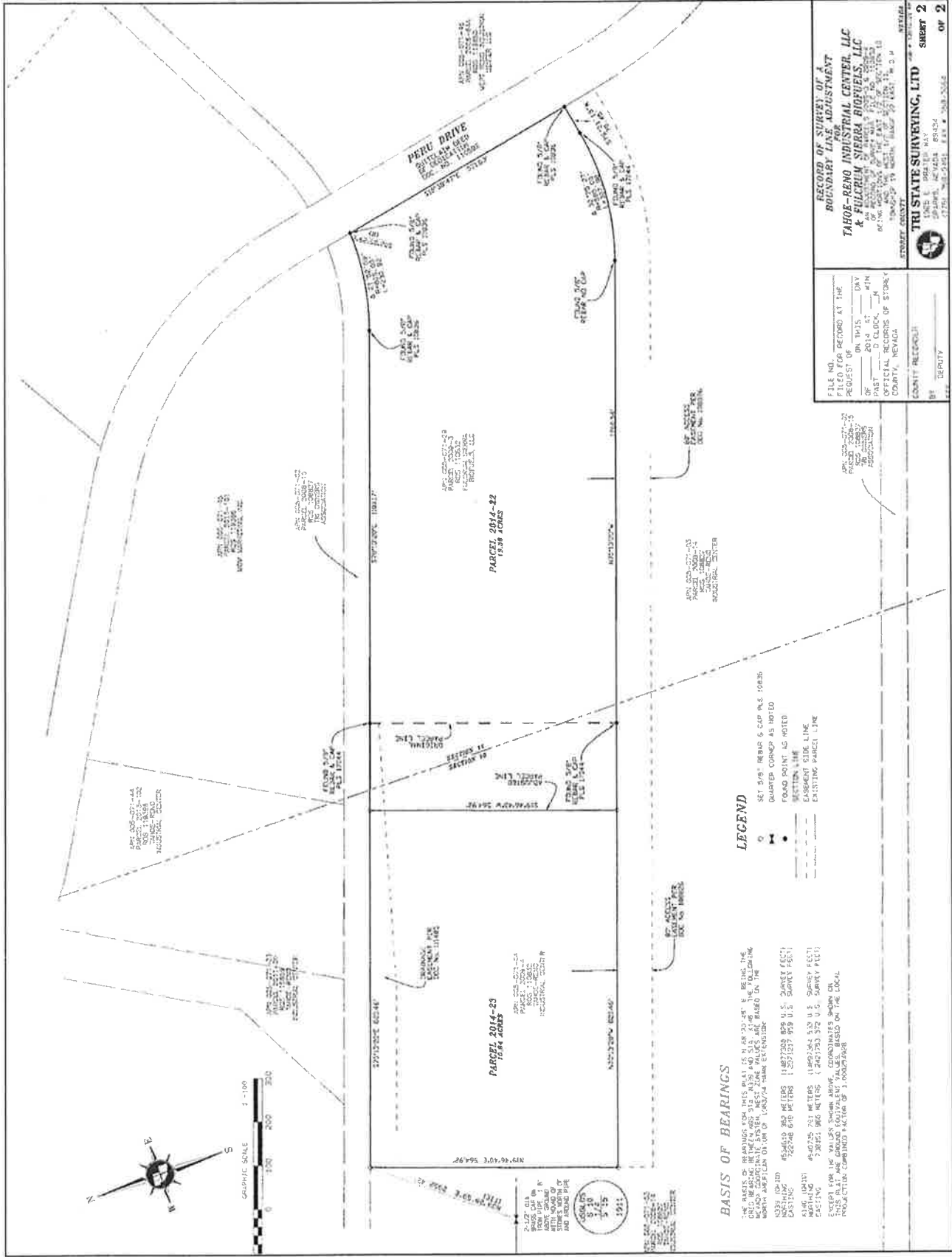
DAVID C. COOK
STATE OF NEVADA
LICENSE NO. 12345

WAIVER OF PARCEL MAP REQUIREMENT

THIS MAP IS NOT IN COMPLIANCE WITH CHAPTER 278.030 OF THE NEVADA REVISED STATUTES AND THE REQUIREMENTS OF CHAPTER 278.030 OF THE NEVADA REVISED STATUTES. THE INSTRUMENTS OF THE UNDERSIGNED HAVE BEEN FILED FOR RECORD IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA, AND THAT THE SAME HAVE BEEN INDEXED AND ARE AVAILABLE FOR PUBLIC INSPECTION.

TOTAL AREA=29.14 AC.±

FILE NO. _____ REQUEST OF _____ ON _____ DAY OF _____ MONTH PAST _____ O'CLOCK IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA.	RECORD OF SURVEY OF A BOUNDARY LINE ADJUSTMENT FOR TAMARA-RENO INDUSTRIAL CENTER, LLC & FULCRUM SIERRA BIOFUELS, LLC BY: DAVID C. COOK, LICENSED SURVEYOR STATE OF NEVADA, LICENSE NO. 12345 DATE: MAY 1, 2014	TRI STATE SURVEYING, LTD. 1775 W. 10TH ST. #111 SPRING VALLEY, NV 89434 TEL: 702-331-1111 FAX: 702-331-1112
COUNTY RECORDER BY: _____ DEPUTY	SHEET 1 OF 2	



APPENDIX 5: APPLICATION SUBMITTALS

Attachment 1

To

Application for Amendment to Special Use Permit No. 2011-034

DETAILED DESCRIPTION

A. OVERVIEW

In January 2009, Fulcrum Sierra BioFuels, LLC (“Sierra BioFuels”) applied for a special use permit (“SUP”) in order to construct and operate a facility for producing energy products from post-recyclable materials (“Feedstock”) by converting the Feedstock into synthesis gas and further processing the synthesis gas to produce useful products, energy and/or fuels. The facility was proposed for a 16.77 acre parcel (the “Subject Property”, Lot 2008-13, APN 004-153-69) in the Tahoe-Reno Industrial Center. SUP No. 2009-034 was recommended for approval by the Planning Commission on February 19, 2009 and the Storey County Board of Commissioners (“Board of Commissioners”) granted Sierra BioFuels SUP No. 2009-034 on March 3, 2009. On March 3, 2011, the Board of Commissioners approved a one year extension of SUP No. 2009-034 as reflected in SUP No. 2011-034. Sierra BioFuels commenced construction of the facility under SUP No. 2011-034 in January 2012.

On August 13, 2014, Sierra BioFuels closed on the purchase of an additional 2.59 acres adjacent to the Subject Property and recorded a Boundary Line Adjustment Grant, Bargain and Sale Deed resulting in an increase in the Subject Property to 19.36 acres (Lot 2014-22, APN 005-71-29).

This application is a request to amend SUP No. 2011-034 (originally issued on March 5, 2009 as SUP No. 2009-034) to reflect:

1. The recent acquisition of the additional 2.59 acres of real property, and
2. The current design and technologies utilized in waste-to-fuels facility.

B. FACILITY DESCRIPTION

The facility will use steam-reforming gasification, Fischer-Tropsch (“FT”) and fuels upgrading technologies to produce renewable transportation fuel (e.g. jet fuel, diesel) from processed Feedstock. The process flow block diagram and plot plan for the facility are depicted in Exhibit 1 and Exhibit 2, respectively.

The Feedstock will be comprised of the municipal solid waste (“MSW”), prepared offsite at Sierra BioFuels’ Feedstock Processing Facility located approximately 15 miles from the facility adjacent to the Lockwood Regional Landfill. Sierra BioFuels will construct, own, and operate the Feedstock Processing Facility, which will be permitted separately. The prepared Feedstock will be packaged into approximately 1.5 ton polyethylene wrapped bales and transported to the

facility on flatbed trucks. The Feedstock will be temporarily stored before being fed into the gasification system.

The facility will convert the Feedstock into renewable fuel using a four-step process comprised of feedstock preparation, steam reforming gasification, FT liquids synthesis and hydroprocessing upgrading technologies. The first step, feedstock preparation, de-bales the Feedstock, removes any remaining high value recyclables, and further shreds the material.

In the second step, steam reforming gasification, the shredded Feedstock will be converted into a synthesis gas or "syngas" consisting of primarily hydrogen ("H₂") and carbon monoxide ("CO"). The steam reformer is a fluidized bed design, utilizing superheated steam as the fluidizing medium. Proprietary pulse combustion heaters maintain the steam reformer bed temperature and provide the endothermic energy required for the gasification process. The pulse combustors flue gas will be sent to a utility boiler to recover the waste heat by generating high pressure steam for use in the facility.

In the third step, after the syngas is extensively cleaned with purification equipment to produce a high purity, industrial quality syngas that can be used for a variety of purposes, FT liquids synthesis converts the syngas into FT liquid hydrocarbons using conventional fixed bed catalyst FT reactors. The synthesis gas will be catalytically converted using a proprietary catalyst, into three intermediate FT products: heavy FT liquids product, medium FT liquids product and light FT liquids product, commonly called Naphtha. The Naphtha will be recycled to the partial oxidation hydrocarbon reforming ("POX") unit with remaining tail gas to be reformed to H₂ and CO.

The final step, hydroprocessing/fractionation upgrading, will convert the FT liquids to renewable transportation fuels.

C. EXHIBITS

The following exhibits are included with this application:

- Exhibit 1 Process Flow Diagram
- Exhibit 2 Plot Plan
- Exhibit 3 Parcel Map
- Exhibit 4 Vicinity Map
- Exhibit 5 Proof of Taxes Paid In Full

•

Charcoal

MSW Feed

Feedstock Processing (off-site)

Feedstock Storage and Handling System 1

Feedstock Processing System 2

Gasifier System 3

POX Unit

Pulse Combustors System 5

Wet Scrubber & Quench

Compressor

Amine System H_2S Removal System 8

Syngas Stream

Steam and Power

Cooling Tower System 18

Various Processes

Tank Farm Systems 11 and 12

Particulate Silos System 15

Flare System 7

Natural Gas

VOC

Purge Stream

3 Reactor Heaters System 4

SPK Reactor System 9

Storage Tanks System 10

Activated Carbon

Loading Racks System 13

Firewater Pump System 16

Emergency Generator System 17

LEGEND

- Indicates Vent or Emission Point
- Baghouse Control
- Main Process Flow

APPENDIX 6: FULFILLED CONDITION LETTER

Storey County
110 Toll Road ~ Gold Hill Divide
P O Box 526 ~ Virginia City, NV 89440



Community Development
planning@storeycounty.org
(775) 847-0966 ~ Fax (775) 847-0935

June 29, 2011

Fulcrum Sierra BioFuels, LLC
4900 Hopyard Road, Suite 220
Pleasanton, CA 94588

Re: SUP No. 2011-034 Compliance

Dear Mr. Latham:

The Board of Storey County Commissioners at their March 3, 2009, meeting granted Fulcrum Sierra BioFuels Special Use Permit (SUP) No. 2011-034 to construct and operate a facility for producing energy from post-recyclable materials using a synthetic gas process.

Pursuant to Condition No. 19 of said SUP, the permit holder, Fulcrum Sierra BioFuels, is required to fulfill fire suppression requirements as follows:

The permit holder shall either install a foam suppression system or shall become a member of the local foam trailer coalition by purchasing or providing funding for the purchase of a tow vehicle for the County's use that is dedicated exclusively to pulling the foam trailer (the tow vehicle shall be a 2-½ ton Top Kick GMC or similar capacity vehicle (approximate cost \$60,000.00), and shall be funded or provided prior to, and this obligation is contingent on, startup of the facility authorized by this SUP.

As per the directive of the Storey County Fire Department (SCFD), SUP Condition No. 19 above will be fulfilled by the permit holder's participation in the Tahoe-Reno Industrial Respiratory Consortium by providing necessary funding in the amount of \$68,000 as shown on Invoice No. 2011-12 for the purchase of a Mobile Breathing Air System for use by the SCFD. The SCFD and Community Development Department hereby inform you that the purpose and intent of Condition No. 19 will be fully satisfied by said action by the permit holder upon receipt of payment.

Please do not hesitate to contact Storey County Community Development or Fire Department anytime if you have further questions or concerns.

Sincerely,


Austin Osborne
Storey County Senior Planner

Cc: Gary Hames, Fire Chief
Dean Haymore, Community Development Director
Pat Whitten, County Manager



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 10/21/14

Estimate of time required: 0 - 5

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

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

2. **Recommended motion:** Approval

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

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

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

6. **Fiscal impact:** None

Funds Available:

Fund:

___ Comptroller

7. **Legal review required:** None

___ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Community Development

___ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Storey County Community Development

Business Licensing



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

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

October 13, 2014
Via email

Please add the following item(s) to the **October 21, 2014**, COMMISSIONERS Agenda:

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

LICENSING BOARD SECOND READINGS

- A. **PEPS EQUIPMENT** – Contractor / 1953 N Warren Road ~ San Jacinto, CA (equipment rental)
- B. **ZULILY, INC.** – General / 3200 USA Parkway (ecommerce) **TRI**
- C. **T & T ELECTRIC, INC.** – Contractor / PO Box 7377 ~ Reno (electrical contractor)
- D. **ARH ARCHAEOLOGY** – Home Business / PO Box 784 ~ Virginia City (archaeological consultant)
- E. **HARRIS INDUSTRIAL GASES** – General / 236 East Sydney (welding equip supply) **TRI**
- F. **LEE'S PEST CONTROL** – Contractor / 21 Van Fleet Drive ~ Yerington (pest control)
- G. **AMERICAN EQUIPMENT, INC.** – Contractor / 1315 Greg Street #114 ~ Sparks (crane manufacturer)
- H. **PROFICIENT HEATING & AIR** – Contractor / 385 Freeport Blvd. #9 ~ Sparks (hvac contractor)
- I. **SUNTEC CONCRETE, INC.** – Contractor / 2221 West Shangri La Road ~ Phoenix, AZ (concrete cont.)
- J. **WOODSTOVE DISTRIBUTORS** – Contractor / 881 Tahoe Blvd ~ Incline Village (fireplace sales/install)
- K. **WWC LICENSE, LLC** – General / One Verizon Way ~ Basking Ridge, NJ (internet provider)
- L. **ARDAGH METAL PACKAGING USA, INC.** – General / 900 Waltham Way (can mfg) **TRI**

Inspection Required

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

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

Sheriff's Office

Storey County, Nevada

Commission Meeting Agenda Item Request

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: 10/21/2014	Date Request Submitted: 10/10/2014
Agenda Item Requested: Deputy and Manager Break-In at Two Residents in Lockwood	
This item is intended for: <input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Discussion/Possible Action <i>(at the Board's discretion)</i>	
<input checked="" type="checkbox"/> Supporting documentation is attached <input type="checkbox"/> No supporting documentation is necessary	
Requested by: Bunchie Tyler and Dennis Bowen <i>(please print name clearly)</i>	
Address: 401 Canyon Way #44 & #45 , Lockwood, NV 89434	
Phone: 775-329-3260	Email <i>(optional)</i> : bunchie@sdi.net

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 -----

INTERVAL INVESTIGATION done by SCSD. Dispute with COOP DOES NOT INVOLVE COUNTY. NOTHING BOCC CAN DO
Denied

For Office Use Only

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

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

Deputy and Manager Break-In at Two Residents in LCC

Discussion and solution for two break-ins that occurred in May 2013 at the Lockwood Community Corporation (LCC) located in Lockwood, Storey County, Nevada. The break-ins were done by the manager and a deputy of Storey County Sheriff Department. The LCC is owned by the residents and is a private park. The scenario is a resident called to report a utility box making noise, a couple hours later a phone call from a neighbor explaining the deputy and manager searching two homes next to the mentioned utility box, a note left on front doors explaining the homes were searched, continuing trespassing, harassment, retaliation and Sheriff County Sheriff Department allowing these crimes.

Facts:

- No Warrant
- Manager knew the homes were empty, because utility company told manager home owners were at work
- Four excuses given for the break-ins (elderly abuse, illegal activity, roof caved in, living in abandon home)
- Medicine missing from one of the homes
- Deputy comes back to the homes the next day and harasses the residents
- Deputy negatively interrogating a handicap person about being able to walk up her steps
- Deputy holding residents in custody without an arrest
- Trespassing by the Storey County Sheriff department and management before and after the break-ins
- Storey County Sheriff department did not follow proper policy and procedures for the investigation
- Storey County Sheriff department response was "we are the law" and "we can do what we want"
- Deputy in question is a friend of the sheriff which is a "conflict of interest" for the investigation

Solutions:

- Deputy put on leave is proper procedure
- Deputy investigated properly (see "Storey County's Sheriff Department Policy 1020 Personnel Complaints")
- Manager investigated properly
- Crimes of breaking-in investigated properly
- Separate investigation done by independent law enforcement agency
- Stop Trespassing – understanding LCC is a private community not public to patrol
- Stop local law enforcement collaborating with LCC management to harass the citizens
- Judged fairly in a court of law

Storey County's Sheriff Department Policy 1020 Personnel Complaints

1020.3 Initial Supervisor Responsibility

- Shall take reasonable steps to prevent aggravation of the situation
- (b)1 supervisor should make every reasonable effort to obtain names, addresses and telephone numbers of additional witnesses
- (d) forms of harassment and discrimination should contact the Human Resources

1020.4 Assignment to Administrative Leave

- complaints of serious nature or impose an unreasonable risk to the public can be assigned to inactive duty pending completion of investigation

1020.5 Allegations of Criminal Conduct

- if potential criminal conduct a separate supervisor shall be assigned to investigate the criminal allegations apart from the administrative investigation
- the Sheriff may request an investigation by an outside law enforcement agency
- law enforcement agency is authorized to release information concerning the arrest or detention of a peace officer which has not led to a conviction

1020.6 Administrative Investigation with the Employee

- Following procedures shall be followed with regard to the accused employee
 - (a) The investigator shall not be a person the ultimate decision maker and personal involvement regarding the alleged misconduct
 - (n) Within three days after assignment, the complainant should be informed of the handling investigator's name and the complaint number

1020.7 Completion of Investigations

- Investigations should be completed within three months of the date the office becomes aware of the allegation
- Within 30 days of the final review by the Sheriff, written notice of the findings shall be sent to the complaining party. This notice shall indicate the findings.