

# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

8/6/2019 10:00 A.M.

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

# <u>AGENDA</u>

MARSHALL MCBRIDE CHAIRMAN

ANNE LANGER DISTRICT ATTORNEY

LANCE GILMAN VICE-CHAIRMAN

JAY CARMONA COMMISSIONER

VANESSA STEPHENS CLERK-TREASURER

Members of the Board of County Commissioners also serve as the Board of Fire Commissioners for the Storey County Fire Protection District, Storey County Brothel License Board, Storey County Water and Sewer System Board and the Storey County Liquor and Gaming Board and during this meeting may convene as any of those boards as indicated on this or a separately posted 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. Pursuant to NRS 241.020 (2)(d)(6) Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. 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.

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

- 1. CALL TO ORDER REGULAR MEETING AT 10:00 A.M.
- 2. PLEDGE OF ALLEGIANCE
- 3. **DISCUSSION/POSSIBLE ACTION:**

Approval of the Agenda for August 6, 2019.

# 4. DISCUSSION/POSSIBLE ACTION:

Approval of the Minutes for June 18, 2019.

#### 5. CONSENT AGENDA

- I For possible action, approval of the Justice Court Quarterly Report.
- II For possible action, approval of claims in the amount of \$3,890,605.75.
- III For possible action, approval of Assessor's Recommended Corrections to the 2018-19 Unsecured Tax Roll
- IV For possible action, approval of Assessor's Recommended Corrections to 2016-17, 2017-18, 2018-19 and 2019-20 Unsecured Tax Rolls.
- V For possible action, approval of Assessor's Recommended Corrections to 2019-20 Secured Tax Roll for Exemptions.
- VI For possible action, approval of business license first readings:
  - A. A-1 Mobile Fleet Service LLC General / 1514 Crestview ~ Fernley, NV
  - B. Affordable Carpentry and Handyman General / 2300 Cartwright ~ Reno, NV
  - C. Arrow Sign Company Contractor / 1051 46th Ave ~ Oakland, CA
  - D. ENGworks, Inc. General / 108 West 13th St. ~ Wilmington, DE
  - E. Fast Way Xpress, Inc. General / 1425 Maritime St. ~ Oakland, CA
  - F. General Cleaning Service, Corp General / 1090 E. Huffaker Ln ~ Reno, NV
  - G. Hilltop Farm Home / 2589 Keystone Circle ~ Virginia City, NV
  - H. Jonesey's, Inc. General / PO Box 52470 ~ Sparks, NV
  - I. Microcafsautomation General / 29463 S. River Rd ~ Harrison Twp, MI
  - J. P & F Consulting General / PO Box 1369 ~ Verdi, NV
  - K. Paw Professional Services, LLC Home / PO Box 846 ~ Virginia City, NV
  - L. Ramen4real DBA General / 400 W. 5th St. ~ Reno, NV
  - M. Sunlit USA, Inc. General / 1400 Waltham Way ~ McCarran, NV
  - N. Tay and Jarrad's LLC General / 986 Spice Island Drive ~ Sparks, NV
  - O. Timberline Electric Contractor / PO Box 2511 ~ Minden, NV
  - P. Vertical Construction Erectors, LLC Contractor / 1260 Furneaux Rd  $\sim$  Olivehurst, CA
  - Q. Vision Control Associates of NV Contractor / 730 W. Cheyenne Ave Ste. 110  $\sim$  N. Las Vegas, NV
  - R. White Industries Incorporated Contractor / 7741 Autumn Ridge Circle ~ Reno,  ${\rm NV}$
  - S. Zayo Group, LLC General / 1821 30th St. ~ Boulder, CO
  - T. C T R Roofing Contractor / 906 Nicole St. ~ Dayton, NV
- 6. DISCUSSION ONLY (No Action No Public Comment): Committee/Staff Reports
- 7. BOARD COMMENT (No Action No Public Comment)

# 8. PUBLIC HEARING AT 10:30 A.M. (No Action):

Public hearing to consider objections to proposed lease of a portion of the County owned building located at 800 South C Street in Virginia City, NV to Divide Fitness, Inc.

# 9. DISCUSSION/POSSIBLE ACTION:

Consideration and possible action on approval/denial of a proposed lease of a portion of a building owned by Storey County located at 800 South C Street in Virginia City, NV to Divide Fitness, Inc., for a monthly rental of \$1,500.00 per month at a term of up to 2 years subject to earlier termination by Lessee upon 30 days of notice to Lessor and commencing on the Effective Date and ending two years from the effective date. The portion of the building, commonly referred to as the Divide Building, is approximately 5,590 square feet and is currently occupied by Divide Fitness, Inc. Should the County not yet own the Divide Building through delays in close of escrow, the Board of County Commissioners may consider approval conditioned upon the close of escrow and transfer of ownership to the County.

## 10. DISCUSSION/POSSIBLE ACTION:

Approve contract with Dube Architectural Group for architecture, HVAC, electrical, structural, and civil design services relating to the proposed tenant improvement work at 800 South C Street, Virginia City, Nevada, for the provisions of county facilities to include Justice Court. This item does not amend or affect the fee schedule for said services approved by the board on 07/02/2019.

# 11. DISCUSSION/POSSIBLE ACTION:

Acceptance of the annual work program as presented by the Nevada Department of Transportation (NDOT) and validation of the top two concerns based on previous discussions.

# 12. DISCUSSION/POSSIBLE ACTION:

Proclamation Supporting the 2020 United States Census.

# 13. **DISCUSSION/POSSIBLE ACTION:**

Possible approval of Resolution No. 19-549 requesting the assistance of the State of Nevada Attorney General in the prosecution of a criminal matter.

# 14. DISCUSSION/POSSIBLE ACTION:

Approval of Resolution No. 19-550 adopting the findings by the Director of the State of Nevada Department of Business and Industry pertaining to the issuance of

industrial development revenue bonds in one or more issues in an aggregate amount not to exceed \$50,000,000 for the purpose of assisting in the financing or a refinancing of a portion of the costs of (i) constructing, improving and equipping a facility to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada and/or (ii) the improvements to and equipping of a facility used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada. Approval of the County is required pursuant to NRS 349.580(2).

# 15. **DISCUSSION/POSSIBLE ACTION:**

Approval of Resolution No. 19-551 approving the transfer of Storey County's allocation of its private activity bond volume cap to the Director of the State of Nevada Department of Business and Industry to support Fulcrum Sierra Holdings, LLC's efforts to obtain bonding and funding support through the State of Nevada Department of Business and Industry for the purpose of assisting in the financing or refinancing of a portion of the costs of (i) constructing, improving and equipping a facility to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada and/or (ii) the improvements to and equipping of a facility used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada. The transfer of the private activity bond volume cap is being made pursuant to NAC 348A.180.

# 16. DISCUSSION/POSSIBLE ACTION:

Authorize the County Manager to approve a contract with Lumos & Associates up to \$85,000 to develop the Comstock and Highlands Area Water Master Plan, a master plan and capital improvement plan for future water demand, supply, storage, transmission, and distribution for central and south Storey County communities including the Comstock, Highlands, and Mark Twain. The plan will also include the Silver City water system in Lyon County under a cost-share agreement in which Lyon County will contribute \$13,000 toward the contract cost. Item will be continued to August 20, 2019.

# 17. DISCUSSION/POSSIBLE ACTION:

Authorize the County Manager to approve a contract with CFA, Inc. for assistance in professional planning and engineering services related to any planned unit development and/or large land subdivision applications or proposals in Storey County. This contract will provide assistance to county planning staff with certain civil and engineering review of such applications and projects, although there are no such applications occurring or anticipated to occur at this time. Item will be continued to August 20, 2019.

# 18. **DISCUSSION/POSSIBLE ACTION:**

Acknowledgement of the resignation of Jennifer Chapman as Storey County Recorder and interim appointment of Marney Martinez as Storey County Recorder effective August 6, 2019.

## 19. DISCUSSION/POSSIBLE ACTION:

Consideration and possible approval of refund of excess funds paid for community development permits in the amount of \$71,266.97. Item to be continued to TBD.

### 20. DISCUSSION/POSSIBLE ACTION:

Special Use Permit request 2019-032 by Community Chest Inc. The applicant is requesting to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.

# 21. DISCUSSION/POSSIBLE ACTION:

A zoning code text amendment, File 2019-031, to amend the language of Chapter 17.40, E Estates Zone, and Section 17.12.100(H) of the Storey County Zoning Ordinance, to change the number of dogs allowed and the acreage size associated with a Special Use Permit requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates.

#### 22. CORRESPONDENCE:

a. Denial of agenda item request made by Sam Toll

# 23. **DISCUSSION/POSSIBLE ACTION:**

Approval of Business License second readings:

- A. Future Fire Protection, Inc Contractor / PO Box 50238 ~ Sparks, NV
- B. J V Sheehan General Contracting Contractor / 2640 Emily St. ~ Reno, NV
- C. Shanghai Express Restaurant  $\,$  General / 1269 Baring Blvd  $\sim$  Sparks, NV
- D. Spectrotel, Inc. General / 1595 Peachtree Pkwy Ste. 204-337 ~ Cumming, GA
- E. VC NV Bed & Breakfast Sun Mtn. House General / PO Box 162 ~ Virginia City, NV
- F. Tank Connection, LLC Contractor / 3609 N. 16th St ~ Parsons, KS
- G. Corona Steel, Inc. Contractor / 3015 106th St. S ~ Lakewood, WA
- H. Crestline Construction Contractor / 3600 Crates Way Ste.  $100 \sim$  The Dalles, OR

- 24. PUBLIC COMMENT (No Action)
- 25. ADJOURNMENT OF ALL ACTIVE AND RECESSED BOARDS ON THE AGENDA
- 26. CLOSED SESSION:

Closed session involving Storey County Fire Protection District Commissioners. Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with Fire Protection District management and legal counsel regarding labor negotiations with the Storey County Firefighters' Association IAFF Local 4227. This meeting will begin immediately after the regular meeting of the Board of County Commissioners.

#### **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.
- In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.ascr.usda.gov/complaint\_filing\_cust.html">http://www.ascr.usda.gov/complaint\_filing\_cust.html</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form.

To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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**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.

#### **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 7/31/2019; Virginia City Post Office at 132 S C St, Virginia City, NV, the Storey County Courthouse located at 26 S B St, Virginia City, NV, the Virginia City Fire Department located at 145 N C St, Virginia City, NV, the Virginia City Highlands Fire Department located a 2610 Cartwright Rd, VC Highlands, NV and Lockwood Fire Department located at 431 Canyon Way, Lockwood, NV.

Vanessa Stephens Clerk-Treasurer



# Storey County Board of County Commissioners Agenda Action Report

| Meeting date: August 8, 2019     | Estimate of Time Required: 0-5 min |
|----------------------------------|------------------------------------|
| Agenda Item Type: Regular Agenda |                                    |

- 1. Title: Approval of the Minutes for June 18, 2019.
- 2. Recommended motion: Approve minutes as submitted for the June 18, 2019 meeting.
- 3. Prepared by: V Stephens

**Department:** Clerk **Contact Number:** 775 847-0969

- 4. Staff Summary: Minutes are attached for review.
- 5. Supporting Materials: See attached
- 6. Fiscal Impact: 0
- 7. Legal review required: No
- 8. Reviewed by:

Department Head

County Manager

Other Agency Review:

9. Board Action:

| [] Approved | [] Approved with Modification |
|-------------|-------------------------------|
| [] Denied   | [] Continued                  |



# STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

JUNE 18, 2019 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

# **MEETING MINUTES**

MARSHALL MCBRIDE CHAIRMAN

ANNE LANGER DISTRICT ATTORNEY

LANCE GILMAN VICE-CHAIRMAN

JAY CARMONA COMMISSIONER

VANESSA STEPHENS CLERK-TREASURER

ROLL CALL: Chairman McBride, Vice-Chairman Gilman, Commissioner Carmona, County Manager Pat Whitten, Clerk/Treasurer Vanessa Stephens, Comptroller Hugh Gallagher, Sheriff Antinoro, Fire Chief Jeff Nevin, Communications Director Dave Ballard, Emergency Management Director Joe Curtis, Tourism Director Deny Dotson, Community Relations Director Cherie Nevin, Water Project Manager Mike Nevin, District Attorney Anne Langer, Virginia City Senior Center Director Stacey York, Outside Counsel Bob Morris, Project Coordinator Mike Northan, Deputy District Attorney Keith Loomis, Deputy Sheriff Tony Dosen, Administrative Officer/Planning Director/Austin Osborne, Planner Kathy Canfield, IT Director James Deane

#### 1. CLOSED SESSION at 9:40AM - CANCELLED

Closed session involving Storey County Board of County Commissioners pursuant to NRS 288.220 for the purpose of conferring with:

A. County management and legal counsel regarding labor negotiations with the Storey County Employees' Association Comstock Chapter, AFSCME Local 4041. This meeting will begin at 9:40 AM immediately before the regular meeting of the Board of County Commissioners.

#### 2. CALL TO ORDER MEETING AT 10:00 A.M.

Meeting was called to order by Commissioner McBride at 10:06 A.M.

#### 3. PLEDGE OF ALLEGIANCE

Commissioner Marshall McBride led those present in the Pledge of Allegiance.

**4. DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for June 18, 2019 County Manager Whitten corrected item 21 to change the word "gym" to "building", and requested items 36 and 37 be continued to the July 2<sup>nd</sup> meeting.

Chairman McBride said Sheriff Antinoro has requested Consent Agenda Item 7.I be pulled for hearing on the regular agenda.

Public Comment: None

**Motion:** I make a motion to approve the agenda for June 18, 2019, pulling Item I on the Consent Agenda to be heard separately, and continuing Items 36 and 37 to the July 2, 2019 meeting, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**5. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for May 7, 2019.

Public Comment: None

**Motion:** I make a motion to approve the Minutes for May 7, 2019, **Action:** Approve, **Moved by:** Chairman McBride, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**6. DISCUSSION/POSSIBLE ACTION:** Approval of the Minutes for May 21, 2019.

Public Comment: None

Motion: I make a motion to approve the Minutes for May 21, 2019, Action: Approve, Moved by: Chairman McBride, Seconded by: Commissioner Carmona, Vote: Motion carried by unanimous vote, (Summary: Yes=2)

#### 7. CONSENT AGENDA

Sheriff Antinoro commented that item 7-I is a business license application for firearms sales. At this time, there appears to be a dispute between landlord and tenant/applicant of the building (location of the business). There is concern about the tenant/applicant to resolve these issues. This does not give the Sheriff comfort about someone who deals with firearms. Sheriff recommends not approving this license until applicant shows a level of responsibility commiserate with someone dealing in firearms – strike this from the agenda until such time it is appropriate to return.

7. I For possible action, approval of 1st reading for general business license Virginia City Gun Works, 145 S C St., Virginia City, NV 89440 - Applicant is Erin Stoneback.

Public Comment: None

Motion: I make a motion to remove this item from the agenda until further notice, Action: Approve, Moved by: Vice Chairman Gilman, Seconded by: Commissioner Carmona, Vote: Motion carried by unanimous vote, (Summary: Yes=3)

- II For possible action, approval of 1st reading for general business license Virginia City Joe's, 5 N C St., Virginia City, NV 89440 Applicant is Joe France.
- III For possible action, approval of claims in the amount of \$821,982.46.
- IV For possible action, approval of business license first readings:
  - A. LEEWENS CORPORATION Contractor / PO Box 2549 ~ Kirkland, WA
  - B. INNOVATIVE EQUIPMENT General / 3555 Airway Dr Ste 305 ~ Reno, NV
  - C. ZAHLER ENTERPRISES Contractor / 1075 Country Estates Cir ~ Reno, NV
  - D. FANUC AMERICA CORPORATION General / 3900 W Hamlin ~ Rochester Hills, MI
  - E. VARIETY BUILDING SYSTEMS Contractor / 7690 Diamond Vista Ct ~ Reno, NV
  - F. BUSYBEE KITCHEN, LLC General / 4845 Osage Dr ~ Stagecoach, NV
  - G. DRIPS COFFEE TRUCK General / 385 Freeport #21 ~ Sparks, NV
  - H. BECKHOFF AUTOMATION, LLC General / 13130 Dakota Ave ~ Savage, MN
  - I. TEG STAFFING DBA EASTRIDGE WORKFORCE General / 2355 Northside Dr ~ San Diego, CA
  - J. HELLERMANNTYTON CORPORATION General / 7930 N Faulkner Rd ~ Milwaukee, WI
  - K. FERNLEY CLEAN UP General / 36 Primton Way ~ Fernley, NV
  - L. NINGBO XUSHENG AUTO TECH DBA NINBO N.A. General / 555 Bryant St ~ Palo Alto, CA
  - M. KAWCAK MASONRY, INC. Contractor / 7955 Sugar Pine Ct #150 ~ Reno, NV
  - N. ERG AEROSPACE CORPORATION I/C General / 964 Stanford Ave ~ Oakland, CA
  - O. F3 & ASSOCIATES, INC. General / 701 E H St ~ Benicia, CA
  - P. DA BUILDERS, LLC Contractor / 1770 Scott Valley Rd ~ Reno, NV
  - Q. ASPEN EARTHWORKS Contractor / PO Box 33897 ~ Reno, NV
  - R. WORK RIGHT NW General / 1760 Down River Rd ~ Woodland, WA
  - S. WESTERN ASSOCIATES General / 5255 E Winnemucca Blvd #109 ~ Winnemucca, NV
  - T. NATIONAL LANDSCAPE Contractor / PO Box 51166 ~ Sparks, NV
  - U. NATIONAL INSTRUMENTS CORPORATION General / 11500 N Mopac Expwy ~ Austin, TX
  - V. DAIFUKU AMERICA CORPORATION General / 30100 Cabot Dr ~ Novi, MI
  - W. PRESTIGE BUILDING MAINTENANCE OF NV General / 3983 S McCarran Blvd ~ Reno, NV
  - X. PMT (USA), LLC General / 2015 Ionosphere St #203 ~ Longmont, CO
  - Y. PARAGON CLEANING SERVICE DBA SUNSHINE CLEANING General /840 Pyramid~Sparks, NV
  - Z. VECOPLAN, LLC General / 5708 Uwharrie Rd ~ Archdale, NC
  - AA. COMM CARE SVC DBA RENOWN HEALTH URGENT CARE General / 1155 Mill St ~ Reno, NV
  - BB. RENOWN REG MED CNTR DBA RENOWN HOSPICE CARE General / 1155 Mill St ~ Reno, NV

CC. KISTLER INSTRUMENT CORPORATION - General / 30280 Hudson Dr ~ Novi, MI

DD. CLINT JENSEN CONSTRUCTION, LLC – Contractor / 1390 Rice Rd ~ Fallon, NV

EE. C. M. STEEL, INC. - General / PO Box 36940 ~ Rock Hill, SC

- V For possible action, approval of assessor's recommended corrections to 2018-19 Secured Tax Roll for Exemptions.
- VI For possible action, approve appointing Marshall McBride to replace Pat Whitten to serve on the Economic Development Authority of Western Nevada (EDAWN) and appoint Cherie Nevin to replace Austin Osborne to serve on the Western Nevada Development District.

Public Comment: None

**Motion:** I make a motion to approve the Consent Agenda, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

# 8. DISCUSSION ONLY (No Action - Public Comment): Committee/Staff Reports Operations/Projects Coordinator Mike Northan:

- Waiting on legal review and easement documents for Six Mile Drainage project. Test pits will be coordinated with NDEP. There is a possibility of contamination in the area as it has been determined there had been a mill at this location.
- A proposal for electrical design has been received for fairground improvements. The way the power is distributed will dictate how water distribution is done.
- Signals at USA Parkway and I-80 and Electric Avenue are up and operating. Titan Electric has been contacted to develop an agreement for maintenance monitoring and emergency response. There will be initial start-up costs.
- There is a preliminary design for the Sharon House steps. There will be a concrete curb along the outside and the steps will not obstruct existing doors or windows. Metal treads will be used. The design will be presented to the Historic Commission at their July 15 meeting.
- Minor roof leaks have been detected at Station 75. Quotes may be obtained to see what is needed.

# Cherie Nevin, Community Relations Director:

- Residents are encouraged to sign up for Code Red emergency notification system. Register on the Storey County website.
- Work is being done on a community health emergency response survey in partnership with Carson City Public Health Services. The survey will be conducted September 12 through 14.

# Mike Nevin, Special Projects Manager:

- Update on the Gold Hill Sewer and 5 Mile Water Tank Replacement projects:
  - o Site surveys for both projects continue;
  - The projects are scheduled for hearing before the Comstock Historic District Commission on July 15th, for approval of the site Gold Hill site plan and building;

- Hearing is scheduled before the Planning Commission on August 1st. All project details will be discussed.
- After approval, final design should be completed by end of the year on the Gold Hill project with construction mid to late February – depending on weather – with completion in June.
- o The Hillside tank project has similar timeline maybe sooner. A time table will be set.

### Stacey York, Senior Center Director:

August 6<sup>th</sup> is National Night Out. This will be held at Miners Park.

### **County Manager Pat Whitten:**

- On behalf of Community Development:
  - o Investigation at the Delta is complete and permits are being pulled to rebuild. The Union Street exterior is a priority.

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

#### Chairman McBride:

- Street Vibrations Spring Rally was well attended
- Last weekend a ladies car club event was held a prelude to Hot August Nights.
- Also last weekend, the RV Park hosted a vintage trailer rally.

**10. DISCUSSION ONLY (No Action):** Update and discussion bills and legislative action from the 2019 80th Nevada Legislative session from lobbyists Mary and Steve Walker and Greg Hess.

Chairman McBride introduced lobbyists Steve and Mary Walker, and Greg "Bum" Hess. They meet with County representatives every other week during the Legislative session to discuss bills, especially those pertaining to Storey County.

Mary Walker explained this was a difficult session, dominated by union interests. In the end, the unions were directed to negotiate. Agreement was reached on many workers' compensation bills with just a few concerns. Ms. Walker reviewed several bills, including the SB48 diesel tax bill; SB111 25% ending fund balance set-aside, changed to 16.7%; AB70, an open meeting law bill. Ms. Walker has sent out a link to each department with the bills that would affect that department. AB240 regional planning – passed. Ms. Walker also reviewed: AB125; AB456; AB533; AB245 and SB460. Ms. Walker prepared a written report for the Commission.

Steve Walker said he focused on water bills, natural resources, and public works. Mr. Walker reviewed water bills that would affect Storey County. SB150 requires the County to prepare a "water plan" every 10 years. AB95 was controversial and Mr. Walker explained what it does. SB250 requires Counties to develop an ordinance analyzing exactly how much water is going to be used – not an arbitrary figure. SB507 gave funds to the Marlette Lake Water System – originally it was going to be a loan, now it is an appropriation. Mr. Walker discussed the Marlette Lake system as it pertains to the County. Storey County is in a very good position as it is a "decreed right".

Mr. Walker also reviewed prevailing wage and conservation bills.

Greg "Bum" Hess discussed the role of the census and the question regarding citizenship – how it will affect the rural areas.

**11. DISCUSSION/POSSIBLE ACTION:** Review the professional services agreement with Walker & Associates.

Mr. Whitten reviewed the agreement the County has with Walker & Associates. The County pays \$2083 per month, with some costs shared by the four counties. Mr. Whitten recommends approval – the County definitely gets a return on this investment along with results.

Chairman McBride also recommends approval - the Walker's are the best at what they do.

#### **Public Comment:**

**Clay Mitchell, Virginia City resident:** It appears that the County's interests are being represented for a very affordable amount. Does this contract go out competitively or just rolled over each time?

Chairman McBride: The County has had other lobbyists in the past. The Walkers have shown professionalism and dedication over the last few years.

Mr. Whitten suggested that the County would not find anyone near as qualified and successful as the Walkers in representing the County's interests – as well as Carson City, Lyon and Douglas County. And, guaranteed there would be no one for \$2,100 a month.

**Sam Toll, Gold Hill resident:** Is the contract for two years and the next session? The Legislature is only in session four months, every other year.

Mr. Whitten: Yes, the contract is through June 2021.

Mr. Toll asked about the period of time (between sessions) where the County may be paying for services that may not be rendered – has thought been given to changing the contract to only when the Legislature is in session?

Mr. Whitten: No. There are a lot of interim committees and other activities that go on – including numerous on the water side. Reducing the "off session" payment, would increase the "during session" price. Compared to what other lobbyists charge, it is an unnecessary suggestion.

Commissioner Gilman: Great "lobbying" is relationship building, to be able to discuss issues and common cause is important. Especially with so many new legislators. It's very important to build relationships, confidence, and trust. Lobbying two weeks before a session starts, "would fall on deaf ears". This is an on-going process. This group (Walker & Associates) represents rural counties – rural need representation more than other time in history.

Mr. Toll commented having seen the Walker's in action, he agrees they do a great job and also recommends the contract be renewed.

**Motion:** I make a motion to approve the professional services agreement with Walker & Associates, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**12. DISCUSSION/POSSIBLE ACTION:** Approval of the Second Amendment to the Programmatic Agreement regarding National Historic Preservation Act compliance for the replacement of existing water and sewer lines and Wastewater Treatment Plant expansion in Gold Hill.

Cherie Nevin: The current Programmatic Agreement was executed in 2012. The First Amendment was in 2013 making Rural Utility Services, the component of USDA that funds the project, the lead agency providing financial assistance for funding of the projects. Due cost constraints, the option for Gold Hill is a package plant. This amendment adds that project on to the Programmatic Agreement and adds NDEP as a signature to the Agreement.

Public Comment: None

**Motion:** I move to approve the Second Amendment to the Programmatic Agreement regarding National Historic Preservation Act compliance for the replacement of existing water and sewer lines and Wastewater Treatment Plant expansion in Gold Hill, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**13. DISCUSSION/POSSIBLE ACTION:** Approval of Resolution 19-540, Honoring County Manager Pat Whitten.

Chairman McBride reviewed Mr. Whitten's tenure with Storey County – one of the most competent, dedicated government employees he has known.

Vice-Chairman Gilman commented he has worked with Mr. Whitten for almost 20 years and has watched the County grow to where it is today – it has not been easy. Requiring diligence and staying the course – keeping everyone motivated. And working with some of the biggest corporations in the world. He is fiscally responsible – the County has prospered so much under his leadership. He is confident in the future, but with regret to say goodbye.

Commissioner Carmona, as the new guy, thanked Pat for "smoothing out the process" as much as possible.

#### **Public Comment:**

**Kris Thompson:** On behalf of Don Roger Norman, and Tahoe Reno Industrial Center, heartfelt thanks for 20 years of the finest government service. Mr. Whitten took the job as Sheriff at a time when the County was "broke" – becoming County Manager during the recession, making tough decisions on personnel and budgeting. Then massive growth. He over-saw, negotiated, and was "the rock" of the County. On behalf of TRI – he has done a fantastic job. Thank you.

**Greg "Bum" Hess:** Mr. Whitten was the first Storey County Manager. The County has changed dramatically thanks to Pat.

**Mike Nevin:** Mr. Whitten did well as the Sheriff. At that time, the County did not have much of a budget, relying on grant funds from entities. Mr. Whitten mentored Mr. Nevin when he became Fire Chief and said "let's see what we can do to make things better". And they did – completing some major projects.

**Joe Curtis:** Before Mr. Whitten was County Manager, there was no Emergency Management Department or process. Through Mr. Whitten's leadership, Storey County was the first County in the State of Nevada to have a federally approved Emergency Management Plan.

**Deny Dotson:** The VCTC would not be as strong today without Mr. Whitten's leadership.

**Austin Osborne:** Mr. Whitten taught him a lot and provided a lot of experiences. Most important, he has always worked as a team. His decisions have always been for the benefit of the County.

**Hugh Gallagher:** Mr. Whitten has passion – for the Country, the Country and its stakeholders and employees. He has done a great job.

Chairman McBride read the Resolution:

A Resolution Honoring Pat Whitten:

WHEREAS, PAT WHITTEN has faithfully served Storey County for twenty four Years from 1995 to 2019; and

WHEREAS, PAT WHITTEN is dedicated to his job and the citizens of Storey County; and WHEREAS, PAT WHITTEN has served with distinction, earning the respect of all he works with both locally and statewide; and

WHEREAS, PAT WHITTEN's professional skills in several capacities have served to make Storey County a better place to live, work and play.

THEREFORE IT BE KNOWN to all present that the Board of County Commissioners of Storey County do hereby resolve to commend and honor PAT WHITTEN for exemplary service to the people of Storey County, Nevada this 18<sup>th</sup> day of June, 2019. PASSED and ADOPTED the 18<sup>th</sup> day of June 2019, by the following:

AYES: McBride, Gilman, and Carmona

**Mr. Whitten:** Appreciates all of the comments. So many people, present and gone, have contributed to his and Storey County's success. He is thankful for all of the comments regarding "emphasis on team". "The strength of the pack is the wolf, and the strength of the wolf is the pack".

**Motion:** I move to approve Resolution 19-540, Honoring County Manager Pat Whitten, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

Jessie Fain invited everyone to attend an Open House on June 27th to celebrate Mr. Whitten's retirement.

Chairman McBride called for recess at 11:38AM Meeting reconvened at 11:52 AM

**14. DISCUSSION/POSSIBLE ACTION:** Special Use Permit (2019-018) is a request to operate a home enterprise child care facility, not to exceed 15 children. The facility will operate at the existing single family residence property which is approximately 1.49 acres in size and is located at 2440 Grizzley Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-002-12.

Planner Kathy Canfield explained this a Special Use Permit for a home enterprise child care facility – required when there is more than 4 children. This request is for 12 children. Comments received have been forwarded to the Board. Staff recommends approval. Planning Commission recommended approval, 4 to 2.

## **Public Comment:**

**Jason Drake**: Child care facilities in this area are desperately needed. Issues that were presented (to the Planning Commission) can easily be resolved. He is in favor of this request.

**Jennifer Swift**: Is in support of the daycare and has known and used this child care facility for over a year. It has been a "godsend".

**Sam Toll**: This is a well-needed addition and asset to the community. He is in favor of the daycare facility.

Chairman McBride: There is a need for child care in the Highlands and Virginia City areas. Community Chest has indicated they are also looking at starting daycare.

Ms. Canfield indicated there is only one other licensed daycare in the area - in Mark Twain. Currently Community Chest has school-age children only. The children at the daycare in the Highlands are all from the neighborhood.

Commissioner Carmona: This a great service for the community.

Vice Chairman Gilman: There were regulations as early as 1999 approving daycare in neighborhoods - a necessary element in all neighborhoods. Anyone coming in to the Highlands since 1999, should have had understanding that daycare could be approved.

**Steve Ayer:** Great idea – more care for children is needed. This should be looked at for more of these businesses in the future. What does the County do to ensure the children are safe, etc.?

Ms. Canfield explained this is covered with business licensing through the Sheriff's Office, and with State regulations and oversight.

Ms. Canfield read the Findings of Fact:

This approval is for Special Use Permit (2019-018) to operate a home enterprise child care facility, not to exceed 15 children. The facility will operate at the existing single family residence property which is approximately 1.49 acres in size and is located at 2440 Grizzley Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-022-12.

The proposed project complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.

The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.

The proposed project will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.

The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.

The Special Use Permit conforms to the 2016 Storey County Master Plan for the Highlands planning area in which the subject property is located. A discussion supporting this finding is provided in Section 2.C of this staff report and the contents thereof are cited in an approval of this Special Use Permit.

The conditions under the Special Use Permit do not conflict with the minimum requirements in Storey County Code Sections 17.03.150 - Special Use Permit, 17.12 – General Provisions, and Section 17.40 E - Estate Zone.

**Motion:** In accordance with the recommendation by staff and the Planning Commission, the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I, Lance Gilman, move to approve Special Use Permit (2019-018), operation of a home enterprise child care facility, not to exceed 15 children. The facility will operate at the existing single family residence property which is approximately 1.49 acres in size and is located at 2440 Grizzley Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-022-12, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**15. DISCUSSION/POSSIBLE ACTION:** Possible approval of 2nd reading for general business license for Joy Evans, Little Hands of the Highlands, Home Day Care, 2440 Grizzley Rd., Virginia City Highlands, NV 89521.

Sheriff Antinoro - in response to Mr. Ayer's question on the previous item, the County has regulatory oversight when there is less than five children. Over five, it falls to the State - Division of Family Services.

With the approval of the Special Use Permit, there is no reason why the applicant should be denied the Business License.

Public Comment:

None

**Motion:** I motion to approve 2nd reading for general business license for Joy Evans, Little Hands of the Highlands, Home Day Care, 2440 Grizzley Rd., Virginia City Highlands, NV 89521, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

# 16. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD

**17. DISCUSSION/POSSIBLE ACTION:** Possible approval of 1st reading for On-Sale Liquor License Virginia City Joe's, 5 N C St., Virginia City, NV 89440 - Applicant is Joe France.

Vice-Chairman Gilman recused himself as he has a pecuniary interest in the building.

Chairman McBride, disclosed that he holds an on-sale liquor license in Virginia City, and that this does not affect his decision.

Sheriff Antinoro: This is first reading, however applicant has held liquor licenses in Lyon County – no problems are anticipated.

Public Comment: None

**Motion:** I recommend approval of the 1st reading for On-Sale Liquor License Virginia City Joe's, 5 N C St., Virginia City, NV 89440 - Applicant is Joe France, **Action:** Approve, **Moved by:** Commissioner Carmona, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**18. DISCUSSION/POSSIBLE ACTION:** Possible approval of second reading for On-Sale and Off-Sale liquor licenses & Cabaret license for Bonanza Saloon, 27 N C St, Virginia City, NV 89440. Applicant is Vincent Malfitano.

Deputy District Attorney Keith Loomis said this the second hearing for On-Sale and Off-Sale liquor licenses & Cabaret license for the Bonanza Saloon. Mr. Malfitano's request for these licenses was turned down by the Board at that time for lack of business probity existing at that time. Things changed and the District Attorney's Office arranged for a separate background investigation which has been completed. The (investigative) report is subject to attorney-client privilege. In this case, the privilege is held by this Board and can be waived if the Board wishes. The standard for approval is determination the applicant has proof of financial standing warranting an effective, profitable business operation.

Vincent Malfitano, Virginia City Gaming: Has no comment regarding this application. In regards to the Delta, he is extremely grateful that there was no injury in the explosion.

#### Public Comment:

**Sam Toll:** Requested the Board to waive the privilege of disclosure regarding the (background) investigation. He understands this was an investigation of the financial viability of Mr. Malfitano, that Mr. Malfitano owns the Delta and Bonanza free and clear – he hopes the Board would approve the application.

Mr. Whitten pointed out this (item) is licensing only for the Bonanza. Multiple conversations with applicant show there is dedicated focus on getting the Delta open and back to what it was before the event. All members of the Licensing Board had the opportunity, under attorney-client privilege, to review the investigative report. What pertains in the report is financial probity/stability. Mr. Whitten suggested waiving attorney-client privilege pertaining as to one statement in the report which sums up his recommendation to approve this licensing application. (There were no objections).

Mr. Whitten read: "Malfitano currently enjoys at least a very good credit rating and is financially stable. In the summary investigation, it was not disclosed of any recent adverse information of a credit or financial nature that would necessarily preclude the approval of Malfitano's pending application for business and licensing to operate the Delta and the Bonanza business properties that he owns in Virginia City." Staff recommends approval of the on-sale/off-sale and cabaret licenses for the Bonanza Saloon.

Chairman McBride disclosed that he too holds a liquor license in proximity to the Bonanza Saloon, and that does not affect his vote on this applicant.

Vice-Chairman, disclosed that he owns a building that holds a liquor license Virginia City, that this does not affect his decision.

**Motion:** I, Lance Gilman, move to approve the second reading of the application for on sale/off sale liquor license, and cabaret license, for the Bonanza Saloon, 27 No C Street, Virginia City, Nevada 89440, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, (Summary: Yes=3)

#### 19. RECESS TO RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

**20. DISCUSSION/POSSIBLE ACTION:** Second reading of Ordinance No. 19-301 amending Storey County Code by adding section 10.20.065 prohibiting parking a motor vehicle in an electric vehicle charging station and adding a provision for a fine for unlawful parking in an electric vehicle charging zone, and providing for other properly related matters.

Outside Counsel Robert Morris presented the second reading of Ordinance No. 19-301. There was discussion at the first reading – unless there is something new, Mr. Morris refers this to the Board to take action.

Public Comment: None

**Motion:** I move to approve Ordinance No. 19-301, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**21. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of Contract to purchase the Divide Building at 800 S. C Street in Virginia City, Nevada from The Divide LLC as a location for the Justice Court, Storey County Communications and Storey County Information Technology in part for a cash purchase of \$1,327,500.00.

Mr. Whitten reminded that the agenda item has been changed to reflect Divide "Building" instead of "Gym". There are two appraisals – the first for \$1,355,000 dated May 3, 2018 byTyler Jourdonnais; the second for \$1,300,000 dated May 15, 2019 by Anthony Wren. Mr. Jourdonnais was requested to validate his appraised value as of May 31, 2019 which has been received and recorded. Counsel has agreed with the approach to average the two appraisals for a purchase price of \$1,327,500.00. Mr. Whitten reviewed conditions of the offer as well as the "rough" terms of the lease for the Divide Fitness portion of the building.

Staff recommendation – this is the best choice. Improvements are estimated to be \$2 million, possibly \$1.8 million. This is for acquisition and improvements – as opposed to \$4 million (property purchase and built from scratch). Thank you to the team. Skylights have been requested which will bring the cost up a bit – as well as emergency power generators for the entire building. Quotes are being received for furniture. This option is the quickest. It will not be done by the timeline set in the Court Order, but hopefully the progress should show that the project is moving along.

Commissioner Carmona: Is there a move-in date?

Mr. Whitten: The latest target date is about February – with attempts to cut back that date. Making sure we don't spend any more money but moving as fast as we can and doing it right.

#### **Public Comment:**

**Steve Ayer:** Related a conversation he had with Judge Herrington regarding the Judge's concern that she will run out of room at the Divide building. Years ago there was plan to move everything up to the divide jail site – plans were drawn, dirt work was done. The plan was to build "shells" for the various departments to move in to. The plan to keep the jail and the courthouse together was an awesome plan. The site is there, ready to go. It is ridiculous to buy this other building.

Chairman McBride reviewed the costs and savings by purchasing the Divide building and said he does not know where Mr. Ayer got his information.

**Sam Toll:** We hear how the County is going to save \$2 million because the building that was proposed (in 2002) & plans drawn up, was going to cost about \$4.2 million. What is the comparison in square footage of the two buildings?

Chairman McBride: The \$4.2 million estimate was not from 2002, that is from the current plans.

Mr. Toll: Asked about the square footage of the two buildings. If the current building being purchased is half the size than what we were considering building, the idea of saving \$2 million doesn't apply.

Chairman McBride: Does not have the documents to do a comparison.

Mr. Whitten: Forget 2002, the County did not have the money then. If your question is to build a facility at the jail to house the Justice Court, IT, Dispatch, the Sheriff and DA offices - the square footage is about equal. Savings come from it (Divide Building) is already built with yesterday's dollars. There is substantial drainage work to be done and additional utilities are needed at the jail site.

**Motion:** I, Lance Gilman, move to approve and authorize the County Manager to submit a contract to purchase the Divide Building at 800 S. C Street in Virginia City, Nevada from the Divide LLC as a location for the Justice Court, Storey County Communications and Storey County Information Technology in part for a cash purchase of \$1,327,500. Approval is subject to the terms and conditions specified in the draft agreement or purchase prepared by the District Attorney's Office and included as part of the agenda packet, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**22. DISCUSSION/POSSIBLE ACTION:** Prioritize options to comply with District Court order to vacate all Justice Court activities from the District Courtroom, Chambers, Jury Room and Clerk's Office within 180 days of their issuance of said order.

Mr. Whitten said he is hopeful the District Court Judges's continue to work with us as long as the County demonstrates good faith and progress. Items being looked include a back-up generator – this is a priority. To the best of his knowledge, Justice Herrington is getting everything she requested – including skylights. It is news to him that Justice Herrington may not have enough room. Plans continue to move forward.

Public Comment: None

No Action taken

#### 23. RECESS TO CONVENE AS THE 474 FIRE DISTRICT BOARD

**24. DISCUSSION/POSSIBLE ACTION:** Possible approval of Transfer of Appropriations in the 474 Fire District.

Comptroller Gallagher said NRS allows local governments to make changes (augmentations) to current budgets. Mr. Gallagher explained the use of transfers.

Mr. Gallagher reviewed the transfers for the 474 Fire District.

**Public Comment:** 

None

**Motion:** I move to approve Transfer of Appropriations within the 474 Fire District pursuant to NRS 354.598005 in the amount of \$210,000, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

# 25. RECESS TO CONVENE AS THE STOREY COUNTY WATER/SEWER BOARD

**26. DISCUSSION/POSSIBLE ACTION:** Possible approval of Transfer of Appropriations in the Water Fund and Sewer Fund.

Mr. Gallagher explained the transfer of \$30,000 to the water fund and \$3,000 to the sewer fund.

Public Comment: None

**Motion:** I motion to approve the transfer of appropriations within the water fund and sewer fund pursuant to NRS 354.598005 in the amount of \$30,000 for water and \$3,000 for sewer, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=3)

#### 27. RECESS TO RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

**28. DISCUSSION/POSSIBLE ACTION:** Possible approval of Resolution 19-541, augmentation of the Storey County Indigent Accident Fund.

Mr. Gallagher: This is an in-and-out fund. Revenue comes from ad valorem which increased. There was also an increase in expenditures.

Public Comment: None

**Motion:** I make a motion to approve Resolution 19-541, which accepts the augmentation for the Storey County Indigent Accident Fund pursuant to NRS 354.598005 in the amount of \$8,500.00, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**29. DISCUSSION/POSSIBLE ACTION:** Possible approval of Resolution 19-542, augmentation of the Storey County Genetic Marker Testing Fund.

Mr. Gallagher: Also an in-and-out account with funds received from those persons tested for chemical and forensic analysis. The amount that has to be paid out is increased by \$3,000.

Public Comment: None

**Motion:** I move to approve Resolution 19-542 which accepts the augmentation of the Storey County Genetic Marker Testing Fund, pursuant to NRS 354.598005, in the amount of \$3,000, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**30. DISCUSSION/POSSIBLE ACTION:** Possible approval of Resolution 19-543, augmentation of the Storey County USDA Fund.

Mr. Gallagher: This is a transfer of an amount not anticipated during the last budget session. This will increase the USDA Waterline and take away from the Sewer line, the sum of \$2,000,000.

Public Comment: None

**Motion:** I move to approve Resolution 19-543 which accepts the augmentation for the Storey County USDA Fund pursuant to NRS 354.598005 in the amount of \$2,000,000, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**31. DISCUSSION/POSSIBLE ACTION:** Possible approval of Resolution 19-544, augment Storey County General Fund and transfer to Storey County Capital Projects Fund.

Mr. Gallagher: This transfer makes the Capital Projects Fund "healthy" and provides funds for the paving that was done and for the new Justice Center.

**Public Comment:** 

Nicole Barde, Storey County Resident: How did the fund get down the \$1.4 million level?

Mr. Gallagher explained the paving was more than anticipated.

Ms. Barde: Where are the rest of the funds going after the building of the Justice Court? Will leftover funds roll over to the next budget year?

Mr. Gallagher: There is no list at this time – as a "list" becomes available the Board will have to approve it. Yes, any funds left will roll over.

**Motion:** I move to approve Resolution 19-544, which augments Storey County General Fund and transfers \$5,000,000 to Storey County Capital Projects Fund pursuant to NRS 354.598005 **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**32. DISCUSSION/POSSIBLE ACTION:** Possible approval of Transfer of Appropriations in Storey County General Budget.

Mr. Gallagher reviewed transfers totaling \$541,500.00 within various General Fund Departments.

Public Comment: None

**Motion:** I move to approve transfers of appropriations within General Fund Departments and Special Revenue Funds pursuant to NRS 354.598005 in the amount of \$541,500.00, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**33. DISCUSSION/POSSIBLE ACTION:** Possible approval of Transfer of Appropriations in the Storey County General Sheriff's Dept. Budget.

Vice-Chairman Gilman recused himself from this item due to on-going litigation between himself and Gerald Antinoro.

Mr. Gallagher: This is a transfer of \$23,000 from Health Insurance to Wages in the Sheriff's budget.

**Public Comment:** 

**Sam Toll:** Commented when the budget was approved, it was in the red about \$1.7 million and there was indication that once Tesla made monthly payments, (the budget) would not be in the red. Is there a feel for where the budget will be after the adjustments are made.

Chairman McBride pointed out this is about the Sheriff's Department budget.

Mr. Gallagher explained the \$1.7 million was net expenditures over revenues – nothing to do with ending fund balance. At that time, there was no indication when Tesla would be paying. Tesla is currently up-to-date with payments. Hopefully there will be a new contract by July 1<sup>st</sup>.

The augmentations are to get the books correct – with not much to do with ending fund balance. NRS gives the ability to correct certain items.

Mr. Toll: So we'll wait until the audit is complete.

Mr. Gallagher: Yes.

**Motion:** I make a motion to approve transfer of appropriations within General Fund – Sheriff's Department pursuant to NRS 354.598005 in the amount of \$23,000, **Action:** Approve, **Moved by:** Commissioner Carmona, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

**34. DISCUSSION/POSSIBLE ACTION:** Possible approval of Resolution 19-545, Setting the Storey County Tax Rate Levy for 2019/2020.

Mr. Gallagher as part of the budget process (the County) has to approve a tax rate levy annually for submission to the Nevada Tax Commission. The tax rate is 3.4607. This has remained the same for approximately 10 years.

**Motion:** I moved to approve Resolution 19-545, setting the Storey County Tax Rate Levy for 2019/2020, **Moved by:** Commissioner Carmona, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**35. DISCUSSION/POSSIBLE ACTION:** Consideration and possible approval of refund of excess funds paid for community development permits in the amount of \$71,266.97.

Deputy District Keith Loomis explained there was an increase in permit and plan review fees charged by Community Development in 2017 and '18 that were not authorized by resolution of the Board.

DiPietro and Thornton prepared a review of the fees and determined there was an overcharge of \$71,266.97. The Board is being asked whether or not to authorize return of the over-charged fees. NRS authorizes refunds if, in the opinion of the Board, there is just cause and if it would be equitable to do so. A separate legal doctrine – "voluntary payment doctrine" – says if a payment is made voluntarily, the payment must be made under protest in order to request monies to be paid back.

Commissioner Carmona said he does not have enough information to vote "yes" on the refund.

Chairman McBride: As explained, if someone makes a payment and they don't protest, the County is under no obligation to refund. If they were inadvertently charged, there would be an obligation to reimburse. When it comes to plan review, and any other items, that are over-charged, we have a responsibility to refund to those persons.

#### **Public Comment:**

**Nicole Barde**: Agrees if there is an over-charge, it needs to be refunded. There is \$72,000 to be reimbursed – as well as \$325,000 that was over-charged on abatements. Can this be explained?

Mr. Loomis asked Mr. Costanza (accountant) about the provisions in his review regarding this. Mr. Costanza said this was information provided to the Board and that he did not know of any impact this would have on the County. It is informational only.

Mr. Whitten takes this as pertaining to Tesla only - no one else is abated.

Ms. Barde asked if a correction will be submitted to the State.

Chairman McBride: Mr. Gallagher will.

**Sam Toll:** Shares Commissioner Carmona's concern. The term used is "inadvertently charged" – he received documents indicating this was a calculated effort to over-charge without permission. Who's job was it to oversee and is (the County) going to seek, legally, reimbursement of the \$72,000.

Chairman McBride said the funds have already been received from the people who wrote the checks and it will be refunded to them.

Mr. Toll: Where's the accountability?

Chairman McBride: This is not on the agenda.

**Clay Mitchell:** Believes the right thing to do is give the money back, and down the road look at how to make sure this doesn't happen in the future.

Steve Ayer: Were the County Attorney and County Commission not aware of the increased rates?

Vice Chairman Gilman: Would like to drill down on this issue and requested a closed hearing session in order to know and understand more of what happened and what led us to this point. He has no background whatsoever. He is not uncomfortable refunding an overcharge but would like to know how this was overcharged.

Mr. Loomis explained authorization for closed session is limited. He does not believe there is authorization at this time to get into this and suggests continuing this item to get further information.

Commissioner Carmona concurred with Vice Chairman Gilman.

Chairman McBride pointed out that Assessor's corrections are on the Consent Agenda. We can check with counsel to see if a closed session can be held, with attorney-client privilege – he is in favor of that. However, we should move forward in refunding the money. County auditors have audited the books and provided the numbers.

Mr. Loomis suggested continuing this item and to give the Commissioners separate briefings on what is currently known.

**Motion:** I make a motion to continue this item to July 2, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

36. DISCUSSION/POSSIBLE ACTION: Approve and authorize the Chairman of the Storey County Board of Commissioners to execute a contract between Storey County and PAW Professional Services, LLC, a Nevada limited liability company for professional consulting services. Scope of service would be to continue ongoing work on various projects in process including, but not limited to, relocation of the Justice Court facility, developing a franchise agreement with NV Energy as well as others. Services would be structured as an independent contractor with the managing member, Pat Whitten, responsible for all expenses, scheduling etc. Contractor shall provide services at the request of the County Manager and/or his designees, including the Board of County Commissioners. Storey County shall pay for services provided at an hourly rate of \$165.00.

Continued to July 2, 2019.

**37. DISCUSSION/POSSIBLE ACTION:** Approval of modification and extension of Collective Bargaining Agreement between Storey County (Employer) and the Storey County Employees Association AFSCME Local 4041 Comstock Chapter (Union).

Continued to July 2, 2019.

**38. DISCUSSION/POSSIBLE ACTION:** Authorize the County Manager to purchase up to 2 years of PERS retirement credits for Hugh Gallagher in an amount not to exceed \$73,000.00.

Mr. Whitten explained that Comptroller Hugh Gallagher has submitted his notice to retire effective October 2019. Staff is requesting the purchase of 2 years of retirement credit, estimated at a cost of \$67,000 – this amount may go up some after we go back to PERS and explain some items. Sometimes, based on individual circumstances, special consideration is merited for "exceptional dedication to the people of the County".

Mr. Whitten reviewed highlights and many accomplishments of Mr. Gallagher's tenure as CFO, the first-ever County Comptroller for the last 11 years. Including taking the County off of sales tax "guaranteed share" resulting in strong revenues, streamlining the budget process, and surviving the

challenges of the fiscal downturn/recession without "tapping" the County's stabilization fund. He also brought in line-item budgeting

Mr. Whitten said a replacement should definitely have a CPA and extensive local government finance experience. With a CPA, the price tag will not be cheap.

Staff recommends approval. Thank you to Mr. Gallagher for his fiscal leadership.

#### **Public Comment:**

**Nicole Barde:** Commented that Mr. Gallagher has been kind to her, transparent when answering questions, and extremely skilled in handling the books. An organizational statement, Ms. Barde commented there seems to be a habit of giving bonuses to highly paid, senior level employees. What do "lower in the rank" employees feel like? This sends the wrong message – unless offered to everyone in a policy.

Mr. Whitten: Looking back – prior to Hames, Haymore, and Nevin and others – there were a number of non-senior management employees that received some level of consideration.

**Nick Lazzarino:** Sorry to hear he is leaving. The recognition is a good thing to happen.

**Sam Toll:** Mr. Gallagher's openness and transparency is rare in the County and he is sad that he is leaving. Mr. Toll agrees that public servants and bonuses don't happen in the same sentence. He has the list of people from the past, not all – but most of them – are in senior management. This sends the wrong message. The way to do it would be to "bump" the salary. A bonus is inappropriate – adjust (Mr. Gallagher's) salary with a big raise.

**Clay Mitchell:** In buying PERS credits – is that the extent of the obligation? Is it the responsibility of PERS?

Mr. Whitten: Not a PERS expert, but yes. It does not increase the County's obligation beyond the \$67,000.

Mr. Mitchell commented this is a difficult subject as he does want his comments about function of government to be interpreted as criticism. He is grateful for the work Mr. Gallagher has done and appreciates the County operating closer to the "private sector" than other organizations. In the private sector, it's common that performance is acknowledged with bonuses. Taking a job in the public sector provides solid salary, benefits, and stability – the trade-off of additional compensation had in the private sector. He has hard time with bonuses in this form – not to take away from the dedicated service and expertise put in by Mr. Gallagher and the entire County.

**Vice-Chairman Gilman:** He is conflicted. There are a lot of people here with opinions who haven't lived through the trials encountered by the County. The County has been extremely successful because of deviating from the norm – and has moved closer to the private sector. Many of those moves have dramatically changed the County's position, economy, and quality of life. The County was in terrible condition in the 90's. So many in the County invested sweat, blood and tears to bring it where it is. What is wrong with great "good ole boys" who took the County from the peril of being split up? Some would be paying Washoe or Lyon County taxes. The people who did this deserve

our respect. The County today is in an unprecedented position because of people like Pat Whitten, Hugh Gallagher, and the others. It is short-sighted (not to recognize them). Businesses and counties were failing. He has a problem in saying we don't owe those who went before. It was Pat Whitten and Hugh Gallagher who had (the County) go to line-item budgeting. A couple of years of PERS is a thank you for what he has done.

Commissioner Carmona: Vice Chairman Gilman brings up some good points. He personally doesn't have an issue purchasing some PERS.

Chairman McBride: This is not his favorite way to go and he is not here to convince the Board otherwise.

**Motion:** I, Lance Gilman, move to approve and authorize the County Manager to purchase up to 2 years of PERS retirement credits for Hugh Gallagher in an amount not to exceed \$73,000, such purchase shall be made on or about September 30, 2019 which immediately precedes and is contingent on Hugh's announced decision to retire effective October1, 2019, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2) Chairman McBride votes "No".

**39. DISCUSSION/POSSIBLE ACTION:** 2019-025 Consideration and Possible Action of Grant of Non-Exclusive Easement for Access and Utilities in a portion of the Electric Avenue Right of Way to Eagle CPT LLC, 550 Milan, located in McCarran, Storey County, Nevada.

Planner Kathy Canfield explained this is a request for an easement along the Electric Avenue right-of-way for a driveway access. It is proposed to construct a rectangular building on a property that has an angle requiring a little more room for the driveway. Landscape easements have previously been granted in this area. Staff recommends approval.

Public Comment: None.

Vice Chairman Gilman stated he has no pecuniary interest in this issue.

**Motion:** In accordance with the recommendation by staff, I, Lance Gilman move to approve a Grant of Non-Exclusive Easement for Access and Utilities in a portion of the Electric Avenue Right of Way to Eagle CPT LLC, 550 Milan, located in McCarran, Storey County, Nevada, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

**40. DISCUSSION/POSSIBLE ACTION:** Planning File No. 2019-026. Consideration and Possible Action of Grant of Easements to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for distribution and transmission of electricity above and below ground, along with ingress and egress across easement areas and removal, clear, cut or trim any obstruction or material within easement areas for safe and proper use of facilities within the easement areas. The proposed easements are located within portions of L Street, M Street, Washington Street and Taylor Street rights-of-way, Virginia City, Storey County, Nevada.

Planner Kathy Canfield reviewed this item, a request by NVEnergy to do cleanup in the area. When a new resident requested service, it was found that power poles weren't in the right spots and also that they did not have the easements to be put into the right-of-way. This cleans up the situation.

#### **Public Comment:**

**Steve Ayer:** Does this include property between M and N Streets where the new sewer line was put in?

Ms. Canfield: This is between L and M and Washington and Taylor.

**Motion:** In accordance with the recommendation by staff, I Lance Gilman, move to approve a Grant of Easements to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for distribution and transmission of electricity above and below ground, along with ingress and egress across easement areas and removal, clear, cut or trim any obstruction or material within easement areas for safe and proper use of facilities within the easement areas. The proposed easements are located within portions of L Street, M Street, Washington Street, and Taylor Street rights-of-way, Virginia City, Storey County, Nevada, **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

- **41. DISCUSSION/POSSIBLE ACTION:** Approval of business license second readings (continued from June 4, 2019):
- A. CAMCO NORTH General / PO Box 400518 ~ Las Vegas. NV 89119
- B. QUALITY FIRST HOME IMPROVEMENT Contractors / 6545 Sunrise Blvd #202 ~ Citrus Heights, CA
- C. RAM MECHANICAL INC. Contractor / 3506 Moore Rd ~ Ceres, CA
- D. M.C. DEAN, INC. Contractor/ 1765 Greensboro Station Place ~ Tysons, VA
- E. DESERT STAR MHS Contractor/ 5051 N Virginia St #27 ~ Reno, NV
- F. TRI SAGE CONSULTING -General / 5418 Longley Lane Ste A  $\sim$  Reno, NV
- G. MEXIKUE TACOS TIJUANA General / 5252 Side hill Drive ~ Sun Valley, NV
- H. SMITH PLUMBING- Contractor/ 533 7th Street ~ Sparks, NV
- I. THERMO SYSTEMS, LLC -General/84 Twin Rivers Dr. ~ E Windsor NJ
- J. BROWN HEATING & AIR CONDITIONING LTD -Contractor/ 7871 Hwy 50 East Carson City, NV
- K. TAYLOR HOME INSPECTIONS General/ 10365 Goldmine Drive ~ Reno, NV

Public Comment: None

**Motion:** I make a motion to approve items A. through K., **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

- 42. DISCUSSION/POSSIBLE ACTION: Approval of Business License Second Readings:
- A. GREAT STAFFING OF AMERICA General / 440 USA Pkwy ~ McCarran, NV
- B. ENVIROPROS, LLC General / 2273 S Vista Ave #3C ~ Bloomington, CA
- C. DOUBLE D ELECTRICAL/INSTALLATION Contractor / 1321 Earl Dr ~ SLC, UT
- D. TECHNICAL INSPECTION AGENCY General / 5940 S Rainbow Blvd ~ Las Vegas, NV

- E. TAURUS FABRICATION, INC. General / 5421 Kietzke Ln #100 ~ Reno, NV
- F. SEEGRID CORPORATION General / 216 RIDC Parkwest Dr ~ Pittsburgh, PA
- G. RED CEDAR STEEL SOUTHWEST Contractor / 1540 W Hatcher Rd ~ Phoenix, AZ
- H. CUPERTINO ELECTRIC, INC. Contractor / 1132 N 7th St ~ San Jose, CA
- I. MAXGEN ENERGY SERVICES CORP Contractor / 1690 Scenic Ave ~ Costa Mesa, CA
- J. COVESTRO, LLC General / 1 Covestro Cir ~ Pittsburgh, PA
- K. THE INSTALLATION GROUP, LLC Contractor / 1201 N Raddant Rd ~ Batavia, IL
- L. FOREVER AWNINGS, LLC Contractor / 860 Twin Pines Rd ~ Reno, NV
- M. OPHIR RIDGE, LLC Contractor / 350 N Stewart ~ Virginia City, NV
- N. JDC CONSTRUCTION, LLC Contractor / 998 Yellowhammer Ct ~ Sparks, NV
- O. PIONEER ELECTRIC, LTD. Contractor / 1790 Carson Ave ~ Sparks, NV
- P. FACET & CO. General / 80 South C St ~ Virginia City, NV
- Q. CLIMATEC, LLC General / 2851 W Kathleen Rd ~ Phoenix, AZ
- R. THE SUPERIOR PEI GROUP, LLC Contractor / 740 Waterman Ave ~ Columbus, OH

#### **Public Comment:**

**Kris Thompson, TRI Project Manager:** It should be noted that on today's agenda there are 60 new companies that have applied for business licenses. This would be an annual rate of 720 companies per year. They're coming from all over the U. S. How far the County has come.

**Motion:** I make a motion to approve items A. through R., **Action:** Approve, **Moved by:** Vice Chairman Gilman, **Seconded by:** Commissioner Carmona, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

# 43. PUBLIC COMMENT (No Action)

**SamToll:** Discussed SB287 signed into law by Governor Sisolak regarding the public records law. If this was already "on the books", he would be in litigation with Storey County generating fines of \$75,000 – based on the seven requests that are "stonewalled". Mr. Toll commented about people having to wait until the end of the meeting for public comment sending a message they come last. It is not his intent to cost the County money, but to bring facts to light for people to make decisions on the notions of those facts. Creating barriers sends the message that the constituents come last. He is looking forward, with Mr. Osborne as County Manager, to having our books available to him. Mr. Gallagher and Ms. Stephens have been exemplary in responding to requests.

**Kris Thompson:** The prior speaker is the perfect example why Public Comment should be at the end of the meeting. The County should be sure each department has a fee procedure in place and functional. So those seeking public records at least to have reimburse the County for the labor and costs involved.

**Clay Mitchell:** Would appreciate having Public Comment at the beginning of the meetings. He is wondering if "motion" is a verb, or if the verb is "to move"?

# **44. ADJOURNMENT** of all active and recessed Boards on the Agenda Chairman McBride adjourned the meeting at 12:05 P.M.

**45. CLOSED SESSION:** Closed session involving Storey County Fire Protection District Commissioners. Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with:

a. Fire Protection District management and legal counsel regarding labor negotiations with Storey County Firefighters' Association IAFF Local 4227. This meeting will begin immediately after the regular meeting of the Board of County Commissioners

Respectfully submitted,

Vanessa Stephens Clerk-Treasurer

# FILED



# Storey County Board of County Commissioners 9: 38

Agenda Action Report

STOREY COUNTY CLERK

Agenda Item No. <u>5 I</u>

| 121.11 |                                |                   | ву                                     |
|--------|--------------------------------|-------------------|--|
| Meetin | ng Date: Tuesday, July 16, 201 | .9                | Estimate of Time Required: 5 min       |
| Agend  | a: Consent ⊠                   | Regular 🗆         | Public Hearing Required □              |
| 1.     | Title: Justice Court Quarter   | rly Report        |  |
| 2.     | Recommended Motion:            | Approve           |  |
| 3.     | Prepared By: E.F. Herringto    | n, Justice of the | e Peace                                |
|        | Department: Justice Court      | 775-84            | 17-0962                                |
| 4.     | Staff Summary:                 |                   |  |
| 5.     | Supporting Materials:          | Amended EOP       | Listings for April, May, June, 2019    |
| 6.     | Fiscal Impact: None ⊠          |                   |  |
|        | Funds Available: n/a           | Fund: 🗆           | Comptroller                            |
| 7.     | Legal Review Required:         |                   | District Attorney                      |
| 8.     | Reviewed By:                   |                   |  |
|        | ☐ Department Head              |                   | Department Name: Commissioners' Office |
| _      | County Manager                 |                   | ☐ Other Agency Review                  |
|        |                                |                   |  |
| 9.     | Board Action:                  |                   |  |
|        | ☐ Approve                      | ☐ Approved v      | with Modifications                     |
|        | ☐ Denied                       | ☐ Continued       |  |

# Virginia Township Justice Court ~ Storey County, Nevada

26 South B Street, Second Floor Virginia City, Nevada 89440



775-847-0962 ° Facsimile: 775-847-0915 www.storeycounty.org

July 8, 2019

## **QUARTERLY REPORT - Amended**

Pursuant to NRS 4.100, attached please find End of Period Listing Reports for April, May, and June, 2019.

I, E.F. Herrington, Virginia Township Justice of the Peace, Storey County, Nevada, do hereby certify that to the best of my knowledge and belief, the attached information is a full, true and correct statement of NRS 4.100.

E.F. Herrington
Justice of the Peace

Subscribed and sworn before me

this A day of

2019

Justice Court Clerk

End Of Period Listing - Actual VIRGINIA TOWNSHIP JUSTICE COURT From 03/29/2019 08:52:39.29 To 04/30/2019 07:54:37.76

Disbursed Total

EOM APRIL 2019

| OM APRIL 2019  |  |            |            |                  | 29,596.00     |
|--|--|------------|------------|------------------|---------------|
| Account  | Payee Name   | Check      | Check      | Disbursed Amount | Number        |
| 1F AA FEE - STATE (AOC)<br>170-000-34206   | NEVADA STATE CONTROLLER                              | N/A        | N/A        | 5,803.00         | or cases      |
| 1F AA FEE - JUSTICE/187-000-35104  | VIRGINIA TOWNSHIP JUSTICE COURT                      | N/A        | N/A        | 956.00           | 119           |
| 1F AA FEE - JUVENILE/001-000-35103   | COUNTY   | N/A        | N/A        | 276.00           | 119           |
| (GENERAL)/170-000-35114  | NEVADA STATE CONTROLLER                              | N/A        | N/A        | 690.00           | 119           |
| 1F AA FEE - GENETIC MARKER<br>ANALYSIS/180-000-35101   | STOREY COUNTY TREASURER                              | N/A        | N/A        | 433.00           | 121           |
| 1F ATTORNEY REIMBURSEMENT<br>FEE/001-000-34245   | STOREY COUNTY TREASURER                              | N/A        | N/A        | 116.00           | 2             |
| 1F BOND PROCESSING FEE -   | STOREY COUNTY TREASURER                              | N/A        | N/A        | 131.25           | 7             |
| 15 CTVII FEES/001-34204  | COUNTY AND VENTION VENTOR                            |            |            | 100              |               |
| 1F CIVIL FEES - COURT  | SIONEI COONII IREASOREK<br>VIRGINIA TOWNSHIP HISTICE | N N N      | N/A        | 405.00           | ים ה          |
| ACCOUNT/187-000-35125  | COURT  | 4 /4       | ¢ /s       | 00.614           | ກ<br><b>T</b> |
| 1F CHEMICAL ANALYSIS   | STOREY COUNTY TREASURER                              | N/A        | N/A        | 180.00           | m             |
| 1 DOMESTIC VIOLENCE  | NEVADA STATE CONTROLLER                              | N/A        | N/A        | 70.00            | 2             |
| FEE/1/0-000-34208  |  |            |            |                  |               |
| IF FINE - COUNTY/UUI-UUU-35109 IF COURT FACILITY FEE/187-000-35111   | STOREY COUNTY TREASURER VIRGINIA TOWNSHIP JUSTICE    | N/A<br>N/A | N/A<br>N/A | 15,206.00        | 141           |
| The state of the s |  |            |            |                  | ∔<br>}<br>1   |
| 1F MARRIAGE FEE/170-000-34212  |  | N/A        | N/A        | 90.09            | 0             |
| COUNTY001-000-35109  | STUREY COUNTY TREASURER                              | N/A        | N/A        | 15.00            | 2             |
| 1F PRETRIAL SERVICES ACCOUNT /   | VIRGINIA TOWNSHIP JUSTICE                            | N/A        | N/N        | 00 839 00        | r             |
| 187-000-35044  | COURT  |            |            | 0                | 1             |
| 1F RECORDS SEARCH/001-000-34204  | COUNTY   | N/A        | N/A        | 720.75           | 0             |
| LF SPECIALTY COURT FEE<br>(MISD)/170-000-34217   | NEVADA STATE CONTROLLER                              | N/A        | N/A        | 1,022.00         | 123           |
| 1F DUI SPECIALTY COURT FEE (AOC) /170-000-34206  | NEVADA STATE CONTROLLER                              | N/A        | N/A        | 525.00           | ø             |
| 1F CENSUS FEE170-000-34201   |  | N/A        | N/A        | 5.00             | ĸ             |
| IF BOND FILING FEE VICTIM OF CRIMES/170-000-35108  | NEVADA STATE CONTROLLER                              | N/A        | N/A        | 175.00           | 7             |
|  |  |            |            |                  |               |

\*\*\* End of Report \*\*\*

**EOM MAY** 2019

-

End Of Period Listing - Actual VIRGINIA TOWNSHIP JUSTICE COURT From 04/30/2019 07:54:37.76 To 05/31/2019 08:41:21.13

Disbursed Total

| OM MAY 2019  |  |            |            |                  | 31,248.50 |
|--|--|------------|------------|------------------|-----------|
| Account  | Payee Name   | Check      | Check      | Disbursed Amount | Number    |
| 1F AA FEE - STATE (AOC)<br>170-000-34206   | NEVADA STATE CONTROLLER                            | N/A        | N/A        | 6,376.00         | of Cases  |
| 1F AA FEE - JUSTICE/187-000-35104  | VIRGINIA TOWNSHIP JUSTICE                          | N/A        | N/A        | 1,157.00         | 149       |
| 1F AA FEE - JUVENILE/001-000-35103 1F AA FEE - STATE   | STOREY COUNTY TREASURER<br>NEVADA STATE CONTROLLER | N/A<br>N/B | N/A<br>N/A | 332.00           | 149       |
| (GENERAL)/1/0-000-35114  IF AA FEE - GENETIC MARKER ANALYSIS/180-000-35101   | STOREY COUNTY TREASURER                            | N/A        | N/A        | 489.50           | 144       |
| 1F ATTORNEY REIMBURSEMENT<br>FEE/001-000-34245   | STOREY COUNTY TREASURER                            | N/A        | N/A        | 430.00           | m         |
| 1F BOND PROCESSING FEE -<br>COUNTY/001-000-34204   | STOREY COUNTY TREASURER                            | N/A        | N/A        | 75.00            | 4         |
| 1F CIVIL FEES/001-000-34204  | STOREY COUNTY TREASURER                            | N/A        | N/A        | 56.25            | 6         |
| IF CIVIL FEES - COURT  | VIRGINIA TOWNSHIP JUSTICE                          | N/A        | N/A        | 365.87           | 9         |
| THE CONTROL AND THE CONTROL OF THE C | STOREY COUNTY TREASURER                            | N/A        | N/A        | 240.00           | 7         |
| FEE/ UUI-UUU-351UI<br>1F COPY FEES/001-000-34204   | STOREY COMMY TREASMER                              | 6 N        | , N        |                  |           |
|  | COUNTY   | N/N        | E/N        | 16 845 50        | 0 9       |
| 1F COURT FACILITY FEE/187-000-35111  | NIA TOWNS  | N/A        | N/A        | 1,630.00         | 145       |
| 21212 MARRIAGE TEE/170-000-312   | COURT METERS OF STREET                             | !          |            | 200              |           |
| 1F OVERPAYMENTS TO   |  | N/N        | N/A        | 30.00            | 0         |
| COUNTY001-000-35109  |  | N/A        | N/A        | 1.00             | Н         |
| 1F RECORDS SEARCH/001-000-34204  | STOREY COUNTY TREASURER                            | N/A        | N/A        | 960.00           | c         |
| <pre>IF SPECIALTY COURT FEE (MISD)/170-000-34217</pre>   | NEVADA STATE CONTROLLER                            | N/A        | N/A        | 1,153.00         | 146       |
| 1F DUI SPECIALTY COURT FEE (AOC)/170-000-34206   | NEVADA STATE CONTROLLER                            | N/A        | N/A        | 175.00           | 4         |
| 1F BOND FILING FEE VICTIM OF   | STOREY COUNTY TREASURER NEVADA STATE CONTROLLER    | N/A<br>N/A | N/A<br>N/A | 1.00             | Н 4       |
| CRIMES/170-000-35108   |  |            |            |                  | ,         |

\*\*\* End of Report \*\*\*

EOM JUNE 2019

End Of Period Listing - Actual VIRGINIA TOWNSHIP JUSTICE COURT From 05/31/2019 08:41:21.13 To 06/27/2019 16:09:03.97

Disbursed Total

| M JUNE 2019  |  |            |            |                    | 26,638.00  |
|--|--|------------|------------|--------------------|------------|
| Account  | Payee Name   | Check      |            | Disbursed Amount   | Number     |
| 1F AA FEE - STATE (AOC)<br>170-000-34206   | NEVADA STATE CONTROLLER                                    | N/A        | N/A        | 5,954.00           | of Cases   |
| 1F AA FEE - JUSTICE/187-000-35104  | VIRGINIA TOWNSHIP JUSTICE                                  | N/A        | N/A        | 1,078.00           | 131        |
| 1F AA FEE - JUVENILE/001-000-35103<br>1F AA FEE - STATE                                | STOREY COUNTY TREASURER NEVADA STATE CONTROLLER            | N/A<br>A/N | N/A        | 308.00             | 131        |
| (GENERAL) /170-000-35114  IF AA FEE - GENETIC MARKER ANALYSTS /180, 000, 25101         |  | N/A        | N/A        | 462.50             | 132        |
| FEE/001-000-34245  | STOREY COUNTY TREASURER                                    | N/A        | N/A        | 85.00              | н          |
| 1F BOND PROCESSING FEE - COUNTY/001-000-34204  | STOREY COUNTY TREASURER                                    | N/A        | N/A        | 150.00             | ∞          |
| 1F CIVIL FEES/001-000-34204 1F CIVIL FEES - COURT                                      | STOREY COUNTY TREASURER VIRGINIA TOWNSHIP JUSTICE          | N/A<br>N/A | N/A<br>N/A | 431.25             | 8 91       |
| ACCOUNT/18/-000-35125<br>1F CHEMICAL ANALYSIS<br>FEE/001-000-35101                     | COURT<br>STOREY COUNTY TREASURER                           | N/A        | N/A        | 00.09              | ì          |
| 1F COPY FEES/001-000-34204 1F DOMESTIC VIOLENCE FFE/170-000-34208                      | STOREY COUNTY TREASURER<br>NEVADA STATE CONTROLLER         | N/A<br>N/A | N/A<br>N/A | 4.50               | 01         |
| 1 FINE - COUNTY/001-000-35109 1F COURT FACILITY FEE/187-000-35111                      | STOREY COUNTY TREASURER VIRGINIA TOWNSHIP JUSTICE          | N/A<br>N/A | N/A<br>N/A | 12,950.50          | 153<br>131 |
| 1F MARRIAGE FEE/170-000-34212<br>1F OVERPAYMENTS TO<br>COUNIY001-000-35109             | COORI<br>NEVADA STATE TREASURER<br>STOREY COUNTY TREASURER | N/A<br>N/A | N/A<br>N/A | 15.00              | 2 0        |
| <pre>1F RECORDS SEARCH/301-003-34204 1F SPECIALTY COURT FEE (MISD)/170-000-34217</pre> | STOREY COUNTY TREASURER NEVADA STATE CONTROLLER            | N/A<br>N/A | N/A<br>N/A | 863.25<br>1,080.00 | 131        |
| 1F DUI SPECIALTY COURT FEE (AOC)/170-000-34206   | NEVADA STATE CONTROLLER                                    | N/A        | N/A        | 125.00             | 7          |
| 1F CENSUS FEE170-000-34201 1F BOND FILING FEE VICTIM OF CRIMES/170-000-35108           | STOREY COUNTY TREASURER NEVADA STATE CONTROLLER            | N/A<br>N/A | N/A<br>N/A | 7.00               | Γ ®        |
|  |  |            |            |                    |            |

<sup>\*\*\*</sup> End of Report \*\*\*



# Storey County Board of County Commissioners Agenda Action Report

Meeting date: August 6, 2019 Agenda Item Type: Consent Agenda Estimate of Time Required: 0-5 min

| 1. | <u>Title:</u> For possible action, approval of claims in the amount of \$3,890,605.75. |
|----|--|
| 2. | Recommended motion: Approve as part of the Consent Agenda                              |

| 3. | <b>Prepared</b> | by: | V | Stephens |
|----|-----------------|-----|---|----------|
|    |                 |     | - |          |

**Department:** Treasurer

**Contact Number:** 775-847-0969

- 4. **Staff Summary:** Summary of claims are attached.
- 5. Supporting Materials: See attached
- 6. Fiscal Impact: 0
- 7. Legal review required: No
- 8. Reviewed by:

Department Head

**Department Name:** Treasurer

County Manager

Other Agency Review:

### 9. Board Action:

| [] Approved | [] Approved with Modification |
|-------------|-------------------------------|
| [] Denied   | [] Continued                  |



# Payroll Check Register

Report Summary
Pay Period: 6/10/2019-6/23/2019

Packet: PRPKT00340 - 2019-06-28 Payroll Process cw

Payroll Set: Storey County - 01

| Туре            | Count | Amount     |
|-----------------|-------|------------|
| Regular Checks  | 7     | 3,725.09   |
| Manual Checks   | 0     | 0.00       |
| Reversals       | 0     | 0.00       |
| Voided Checks   | 0     | 0.00       |
| Direct Deposits | 167   | 330,709.74 |
| Total           | 174   | 334.434.83 |

| Approved by the Storey | County Board of Commiss | ioners:      |
|------------------------|-------------------------|--------------|
| Chairman               | Commissioner            | Commissioner |
| Comptroller            | Date                    |              |
| Treasurer              | Date                    |              |



# By Vendor Name **Vendor History Report**

Posting Date Range -

Payment Date Range 06/20/2019 - 06/20/2019

| Payment             |   | 5                                | 00.05                    |                   | 50.00  | 50.00                      |
|---------------------|---|----------------------------------|--------------------------|-------------------|--|----------------------------|
| Net                 |   | 20 00                            | 50.05                    |                   | 20.00  | 20.00                      |
| Discount            |   | 8                                | 00'0                     |                   | 0.00   | 0.0                        |
| Tax                 |   | 0.00                             | 000                      |                   | 0.00   | 0.00                       |
| Amount Shipping     | Dist Amount   | 0.00                             |                          | 20.00             | 0.00   | 0.00                       |
| Amount              | Dist  | 20.00                            | 50.00                    | ,                 | 20.00  | 20.00                      |
|                     | Account Name  |                                  | 6/20/2019                | Insurances        | Vendors: (1) Total 01 - Storey County Vendors: | Vendors: (1) Report Total: |
| 1099 Payment Number | Account Number  |                                  | DFT0000252               | 001-29506-000     | Vendors: (1) Total 01                          | Vend                       |
|                     | e Amount  |                                  | 6/20/2019                | 20.00             |  |                            |
|                     | Price   |                                  | s                        | 0.00              |  |                            |
| Descript            | Units<br>Inty Vendors                                   | nber FDIC                        | <b>HSA Contributions</b> | 0.00              |  |                            |
| Payable Number      | Item Description Vendor Set: 01 - Storey County Vendors | 405424 - Optum Bank, Member FDIC | INV0005052               | HSA Contributions |  |                            |

20.00



# Payroll Check Register Report Summary Pay Period: 6/20/2019-6/20/2019

Packet: PRPKT00331 - 2019-06-20 Lupori E Term cw

Payroll Set: Storey County - 01

| Туре            | Count | Amount   |
|-----------------|-------|----------|
| Regular Checks  | 0     | 0.00     |
| Manual Checks   | 0     | 0.00     |
| Reversals       | 0     | 0.00     |
| Voided Checks   | 0     | 0.00     |
| Direct Deposits | 1     | 2,846.87 |
| Total           | 1     | 2,846.87 |

| Approved by the Storey | County Board of Commiss | sioners:     |
|------------------------|-------------------------|--------------|
| Chairman               | Commissioner            | Commissioner |
| Comptroller            | Date                    |              |
| Treasurer              | <br>Date                |              |



# **By Vendor Name Vendor History Report**

Posting Date Range -

Payment Date Range 06/28/2019 - 06/28/2019

11,165.77

| Payable Number Descriptic<br>Item Description Item Oscription Vendors | Description<br>Units<br>tty Vendors   | Price | Post Date<br>Amount    | 1099 Payment Number<br>Account Number | Payment Date<br>Account Name                                    | Amount Shipping<br>Dist Amount        | Shipping<br>nount                | Тах  | Tax Discount       | Net                           | Payment                       |
|---|---------------------------------------|-------|------------------------|---------------------------------------|---|---------------------------------------|----------------------------------|------|--------------------|-------------------------------|-------------------------------|
| 405424 - Optum Bank, Member FDIC<br>INV0005103<br>HSA Contributions   | ber FDIC<br>HSA Contributions<br>0.00 | 0.00  | 6/28/2019<br>11,165.77 | DFT0000263<br>001-29506-000           | 6/28/2019<br>Insurances   | <b>11,165.77</b><br>11,165.77<br>11,1 | 77 <b>0.00</b> 77 0.00 11,165.77 | 0.00 | <b>0.0</b><br>0.00 | <b>11,165.77</b><br>11,165.77 | <b>11,165.77</b><br>11,165.77 |
|   |                                       |       |                        | Vendors: (1) Total 01 -<br>Vendo      | Total 01 - Storey County Vendors:<br>Vendors: (1) Report Total: | 11,165.77 0.00                        | 0.00                             | 0.00 | 0.00               | 0.00 11,165.77                | 11,165.77                     |



Packet: APPKT00863 - 2019-06-28 PR Payments cw



By Check Number

| Vendor Number        | Vendor Name  | Payment Date  | Payment Type | Discount Amount  | Drawn and America | M      |
|----------------------|--|---|--------------|------------------|-------------------|--------|
| Bank Code: AP Bank-A | P Bank   | Service of Control of |              | Discoulit Amount | Payment Amount    | Number |
| 404869               | SCSO EMPLOYEES ASSOCIATIO  | 06/28/2019  | EFT          | 0.00             | 579.00            | 10020  |
| 300007               | USAA 529 College Savings Plans   | 06/28/2019  | EFT          | 0.00             |                   | 10028  |
| 300003               | AFLAC  | 06/28/2019  | Regular      | 0.00             | 50.00             | 10029  |
| 300008               | AFSCME Union   | 06/28/2019  | Regular      | 0.00             | 1,248.42          | 96300  |
| 405519               | Cigna Health and Life Insurance Con  | 06/28/2019  | Regular      | 0.00             | 557.53            | 96301  |
| 300001               | Colonial Life & Accident   | 06/28/2019  | Regular      | 0.00             | 6,636.86          | 96302  |
| 404704               | DVM INSURANCE AGENCY   | 06/28/2019  | Regular      | 0.00             | 111.69            | 96303  |
| 405264               | FIDELITY SEC LIFE INS CO   | 06/28/2019  | Regular      | 0.00             | 111.49            | 96304  |
| 300011               | Nevada State Treasurer   | 06/28/2019  | Regular      | 0.00             | 70.97             | 96305  |
| 103233               | PUBLIC EMPLY RETIREMENT SYSTEM   | 06/28/2019  | Regular      |                  | 4.00              | 96306  |
| 300010               | State Collection & Disbursement Un   | 06/28/2019  | Regular      | 0.00             | 46.66             | 96307  |
| 300006               | Storey Co Fire Fighters Assoc  | 06/28/2019  | Regular      | 0.00             | 197.70            | 96308  |
|                      | VOYA RETIREMENT INS  | 06/28/2019  |              | 0.00             |                   | 96309  |
| 20000=               | NOTE TO A STATE OF THE PARTY OF | 06/28/2019  | Regular      | 0.00             |                   | 96310  |
|                      |  | 00/20/2013  | Regular      | 0.00             | 518.99            | 96311  |

### Bank Code AP Bank Summary

| Payment Type   | Payable<br>Count | Payment<br>Count | Discount | Payment   |
|----------------|------------------|------------------|----------|-----------|
| Regular Checks | 22               | 12               | 0.00     | 19,100.81 |
| Manual Checks  | 0                | 0                | 0.00     | 0.00      |
| Voided Checks  | 0                | 0                | 0.00     | 0.00      |
| Bank Drafts    | 0                | 0                | 0.00     | 0.00      |
| EFT's          | 2                | 2                | 0.00     | 629.00    |
|                | 24               | 14               | 0.00     | 19.729.81 |

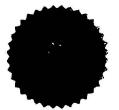
| Approved by the Stor | rey County Board of Com | missioners:  |
|----------------------|-------------------------|--------------|
| Chairman             | Commissioner            | Commissioner |
| Comptroller          | Date                    | _            |
| Treasurer            | Date                    |              |

### **Fund Summary**

 Fund
 Name
 Period
 Amount

 999
 Pooled Cash Account
 6/2019
 19,729.81

 19,729.81
 19,729.81



Packet: PRPKT00367 - 2017-07-12 PR cw

Payroll Set: Storey County - 01

| Туре            | Count | Amount     |
|-----------------|-------|------------|
| Regular Checks  | 9     | 4,546.62   |
| Manual Checks   | 0     | 0.00       |
| Reversals       | 0     | 0.00       |
| Voided Checks   | 0     | 0.00       |
| Direct Deposits | 166   | 417,552.42 |
| Total           | 175   | 422,099.04 |

Payroll Check Register
Report Summary
Pay Period: 6/24/2019-7/7/2019

| Abbroad by the 200 | ey County Board of Commis | sioners:     |
|--------------------|---------------------------|--------------|
| Chairman           | Commissioner              | Commissioner |
| Comptroller        | Date                      |              |
| Treasurer          | Date                      |              |



Packet: APPKT00911 - 2019-07-05 AP Payment 6/30 & 7/5 cw



By Check Number

|     | Branch Barbard       |                                     |  |   |                 |                      |        |
|-----|----------------------|-------------------------------------|--|---|-----------------|----------------------|--------|
| 1   | /endor Number        | Vendor Name                         | Payment Date   | Payment Type                            | Discount Amount | Payment Amount       | Number |
| E   | Bank Code: AP Bank-A | AP Bank                             |  | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |                 | . Gyment Amount      | Humber |
| 4   | 04671                | PORTER GROUP LLC                    | 07/05/2019   | EFT                                     | 0.00            | 6,000.00             | 10031  |
| 4   | 05581                | 20-30 Club of Carson Valley No. 85  | 07/05/2019   | Regular                                 | 0.00            | 600.00               |        |
| 1   | .0050                | ADVANCED DATA SYSTEMS INC           | 07/05/2019   | Regular                                 | 0.00            | 2,646.00             |        |
| 4   | 04930                | ALADTEC, INC                        | 07/05/2019   | Regular                                 | 0.00            |                      |        |
| 4   | 05020                | ALL COMSTOCK LLC                    | 07/05/2019   | Regular                                 | 0.00            | 2,310.00<br>4,000.00 |        |
| 4   | 00481                | ALLISON, MACKENZIE, LTD             | 07/05/2019   | Regular                                 | 0.00            |                      |        |
| 1   | 00135                | ALSCO INC                           | 07/05/2019   | Regular                                 | 0.00            | 5,220.00             |        |
| 4   | 03949                | AMERIGAS PROPANE LP                 | 07/05/2019   | Regular                                 | 0.00            |                      | 96317  |
| 4   | 03651                | ARC HEALTH AND WELLNESS             | 07/05/2019   | Regular                                 | 0.00            |                      | 96318  |
| 4   | 05254                | BARKDULL-SPENCER, ELAINE            | 07/05/2019   | Regular                                 | 0.00            | 2,387.73             |        |
| 4   | 03959                | BENDER, DEBORAH                     | 07/05/2019   | Regular                                 | 0.00            | 1,850.00             |        |
| 4   | 04810                | BLACKPOINT LLC                      | 07/05/2019   | Regular                                 |                 | 232.00               |        |
| 1   | 00430                | BOARD OF REGENTS (COMPT)            | 07/05/2019   | Regular                                 | 0.00            | 585.36               |        |
| 1   | 00422                | BOB BARKER COMPANY INC              | 07/05/2019   | Regular                                 | 0.00            | 6,875.00             |        |
| 4   | 04634                | BRANDON, RUSSELL D                  | 07/05/2019   | Regular                                 | 0.00            | 3,577.01             |        |
|     | 03671                | BURRELL, SCOTT LEWIS                | 07/05/2019   | 100                                     | 0.00            |                      | 96325  |
|     | 00476                | BURTON'S FIRE INC                   | 07/05/2019   | Regular                                 | 0.00            | 589.50               | 96326  |
|     | 0035                 | C & W LOCK, GLASS & SAFE            | 07/05/2019   | Regular                                 | 0.00            | 49.49                | 96327  |
|     | 9763                 | CANYON GENERAL IMPROVEMENT          |  | Regular                                 | 0.00            | 169.00               | 96328  |
|     | 3268                 | CELLCO PARTNERSHIP                  | 07/05/2019   | Regular                                 | 0.00            | 6,000.00             | 96329  |
|     | 3635                 | CENTRAL SANITARY SUPPLY             | 100 CONTRACTOR (100 CONTRACTOR | Regular                                 | 0.00            | 151.68               | 96330  |
|     | 04991                | CENTRAL SIERRA CONST INC            | 07/05/2019   | Regular                                 | 0.00            | 269.09               |        |
|     | 04143                | CERTIFIED FOLDER DISPLAY            | 07/05/2019<br>07/05/2019   | Regular                                 | 0.00            | 25,850.00            |        |
|     | 05519                | Cigna Health and Life Insurance Com | 5 5 95/88339   | Regular                                 | 0.00            | 772.53               |        |
|     | 3685                 | CITY OF CARSON CITY                 |  | Regular                                 | 0.00            | 17,848.97            |        |
|     | 0505                 | CITY OF CARSON TREASURER            | 07/05/2019   | Regular                                 | 0.00            | 475.00               |        |
|     | 5134                 | CMC TIRE INC                        | 07/05/2019   | Regular                                 | 0.00            | 105.31               |        |
|     | 3822                 |                                     | 07/05/2019   | Regular                                 | 0.00            | 7,305.25             |        |
|     | 5587                 | COLLECTION SERVICE OF NEV           | 07/05/2019   | Regular                                 | 0.00            | 846.34               |        |
|     | 0655                 | Combined Systems, Inc               | 07/05/2019   | Regular                                 | 0.00            | 85.92                |        |
|     | 652                  | COMMUNITY CHEST INC                 | 07/05/2019   | Regular                                 | 0.00            | 29,058.33            | 96340  |
|     | 3887                 | COMSTOCK COLD MILL LIC              | 07/05/2019   | Regular                                 | 0.00            | 618.00               |        |
|     | 5213                 | COMSTOCK GOLD MILL LLC              | 07/05/2019   | Regular                                 | 0.00            | 178.50               |        |
|     | 5586                 | CONNELL, RICHARD                    | 07/05/2019   | Regular                                 | 0.00            |                      | 96343  |
|     | 4060                 | Coston, Laura & Kris                | 07/05/2019   | Regular                                 | 0.00            |                      | 96344  |
|     | 4466                 | CREATIVE CONCEPTS MEDIA +           | 07/05/2019   | Regular                                 | 0.00            | 1,450.00             |        |
|     | 5209                 | DAIOHS USA INC                      | 07/05/2019   | Regular                                 | 0.00            | 359.45               |        |
|     | 4547                 | DIPIETRO & THORNTON APC             | 07/05/2019   | Regular                                 | 0.00            | 2,625.00             | 96347  |
|     | 5008                 | ELLIOTT AUTO SUPPLY INC             | 07/05/2019   | Regular                                 | 0.00            | 1,786.22             |        |
|     | 3835                 | ERICKSON THORPE & SWAINSTON L       | AND IN COLUMN SUCCESSION STOP  | Regular                                 | 0.00            | 1,476.00             |        |
|     | 3712                 | EWING IRRIGATION PRODUCTS, INC      |  | Regular                                 | 0.00            | 206.97               |        |
|     | 4757                 | FAST GLASS INC                      | 07/05/2019   | Regular                                 | 0.00            | 290.00               | 96351  |
|     | 1485                 | FCC COMMUNICATIONS, LLC             | 07/05/2019   | Regular                                 | 0.00            | 725.87               | 96352  |
|     | 3975                 | FERGUSON ENTERPRISES INC            | 07/05/2019   | Regular                                 | 0.00            | 1,199.15             | 96353  |
|     |                      | FERRELLGAS LP                       | 07/05/2019   | Regular                                 | 0.00            | 374.74               | 96354  |
|     | 5264                 | FIDELITY SEC LIFE INS CO            | 07/05/2019   | Regular                                 | 0.00            | 229.46               | 96355  |
|     |                      | GLADDING, EDWARD A.                 | 07/05/2019   | Regular                                 | 0.00            | 12,987.00            | 96356  |
|     |                      | GOLDEN GATE/SET PETROLEUM           | 07/05/2019   | Regular                                 | 0.00            | 1,667.41             | 96357  |
|     |                      | GRAINGER                            | 07/05/2019   | Regular                                 | 0.00            | 219.84               | 96358  |
|     |                      | GTP INVESTMENTS LLC                 | 07/05/2019   | Regular                                 | 0.00            | 1,057.52             | 96359  |
|     |                      | HANSEN OVERHEAD GARAGE DOOR         |  | Regular                                 | 0.00            | 398.00               | 96360  |
|     |                      | HAT, LTD                            | 07/05/2019   | Regular                                 | 0.00            | 2,714.88             | 96361  |
|     |                      | HD SUPPLY FACIL MAINT LTD           | 07/05/2019   | Regular                                 | 0.00            | 1,472.79             | 96362  |
|     | 2026                 | HENRY SCHEIN                        | 07/05/2019   | Regular                                 | 0.00            | 226.92               | 96363  |
| 100 | 0826                 | HISTORIC FOURTH WARD SCHOOL F       | 07/05/2019   | Regular                                 | 0.00            | 30,256.50            | 96364  |
|     |                      |                                     |  |   |                 |                      |        |

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| , с          | heck Register |  |                     | Pa           | cket: APPKT00911-201 | 9-07-05 AP Paymen  | + 6/30 & 7/5                               |
|--------------|---------------|--|---------------------|--------------|----------------------|--|--|
|              | endor Number  | Vendor Name  | <b>Payment Date</b> | Payment Type |                      | Payment Amount   | -  |
|              | 05462         | Hunt, Jason  | 07/05/2019          | Regular      | 0.00                 | 1,000.00   |  |
| 40           | 05454         | Hunt, Jennifer J.  | 07/05/2019          | Regular      | 0.00                 | 3,000.00   | 191012-11-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0- |
|              | 05302         | Institute for Enviornmental Health I   | 07/05/2019          | Regular      | 0.00                 | 359.33   |  |
|              | 03834         | IT1 SOURCE LLC   | 07/05/2019          | Regular      | 0.00                 | 394.00   |  |
|              | 04771         | ITS MY COMMUNITY STORE   | 07/05/2019          | Regular      | 0.00                 |  | 96369                                      |
|              | 04583         | JAMES C MCLENNAN MDPC  | 07/05/2019          | Regular      | 0.00                 |  | 96370                                      |
|              | 03317         | JBP LLC  | 07/05/2019          | Regular      | 0.00                 |  | 96371                                      |
|              | 05263         | KANSAS CITY LIFE INS CO  | 07/05/2019          | Regular      | 0.00                 |  | 96372                                      |
|              | 01040         | L N CURTIS & SONS  | 07/05/2019          | Regular      | 0.00                 | 8,502.67   |  |
|              | 02992         | LAKE TAHOE REGIONAL FIRE   | 07/05/2019          | Regular      | 0.00                 |  | 96374                                      |
|              | 05184         | LAS VEGAS TACTICAL LLC.  | 07/05/2019          | Regular      | 0.00                 |  | 96375                                      |
|              | 04105         | LEND A CHEK  | 07/05/2019          | Regular      | 0.00                 |  | 96376                                      |
|              | 04241         | LEXIPOL LLC  | 07/05/2019          | Regular      | 0.00                 | 10,278.00  |  |
|              | 4557          | LIBERTY ENGINE CO NO 1   | 07/05/2019          | Regular      | 0.00                 | 2,500.00   |  |
|              | 4102          | LIQUID BLUE EVENTS LLC   | 07/05/2019          | Regular      | 0.00                 | 7,934.47   |  |
|              | 5548          | Lumos & Associates, Inc  | 07/05/2019          | Regular      | 0.00                 | 2,100.00   |  |
|              | 4363          | MA LABORATORIES INC  | 07/05/2019          | Regular      | 0.00                 | 4,087.47   |  |
|              | 5077          | MACKAY MANSION   | 07/05/2019          | Regular      | 0.00                 | 422.50   |  |
|              | 4691          | MARK TWAIN COMMUNITY CTR   | 07/05/2019          | Regular      | 0.00                 | 1,666.67   |  |
|              | 5582          | Mazy-Gildark, Robyn  | 07/05/2019          | Regular      | 0.00                 | 500.00   | 96384                                      |
|              | 5307          | Mckechnie, Marla J.  | 07/05/2019          | Regular      | 0.00                 | 2,853.00   | 96385                                      |
|              | 3126          | MEDICAL PRIORITY DISPATCH  | 07/05/2019          | Regular      | 0.00                 | 5,826.00   |  |
|              | 3629          | MIGAN, TAMARA  | 07/05/2019          | Regular      | 0.00                 |  | 96387                                      |
|              | 4661          | MONTOYA, BRYCE   | 07/05/2019          | Regular      | 0.00                 |  | 96388                                      |
|              | 5331          | Morpho USA, Inc  | 07/05/2019          | Regular      | 0.00                 |  | 96389                                      |
|              | 3839          | MORRIS, ROBERT T   | 07/05/2019          | Regular      | 0.00                 |  | 96390                                      |
|              | 0471          | MOUND HOUSE TRUE VALUE   | 07/05/2019          | Regular      | 0.00                 | 34.95  |  |
|              | 1226          | NEV COMPTROLLER  | 07/05/2019          | Regular      | 0.00                 | 893.32   |  |
|              | 1226          | NEV COMPTROLLER  | 07/05/2019          | Regular      | 0.00                 | 338,704.66   |  |
|              | 1226          | NEV COMPTROLLER  | 07/05/2019          | Regular      | 0.00                 |  | 96394                                      |
|              | 347           | NEV DEPT BUSINESS & INDUS  | 07/05/2019          | Regular      | 0.00                 | 792.00   |  |
|              | .026          | NEV LEGISLATIVE COUNSEL  | 07/05/2019          | Regular      | 0.00                 | 184.62   |  |
|              | 632           | NEVADA BLUE LTD (RNO)  | 07/05/2019          | Regular      | 0.00                 | 121.90   |  |
| 101          |               | NEVADA LEGAL SERVICE INC   | 07/05/2019          | Regular      | 0.00                 | 390.93   |  |
| 101          |               | NEVADA RURAL COUNTY RSVP   | 07/05/2019          | Regular      | 0.00                 | 7,050.00   |  |
| 102          |               |  | 07/05/2019          | Regular      | 0.00                 |  | 96400                                      |
| 102          |               |  | 07/05/2019          | Regular      | 0.00                 |  | 96401                                      |
| 102          |               |  | 07/05/2019          | Regular      | 0.00                 | 45.30  |  |
| 1032         |               |  | 07/05/2019          | Regular      | 0.00                 | 247.00   | 96403                                      |
| 4051         |               | V-V-V-V-V-V-V-V-V-V-V-V-V-V-V-V-V-V-V-   | 07/05/2019          | Regular      | 0.00                 | 728.61   | 96404                                      |
| 4029         |               |  | 07/05/2019          | Regular      | 0.00                 | 67.79  | 96405                                      |
| 4048         |               |  | 07/05/2019          | Regular      | 0.00                 | 11,200.00  | 96406                                      |
| 4047         |               |  | 07/05/2019          | Regular      | 0.00                 | 2,919.00   | 96407                                      |
| 4055         |               |  | 07/05/2019          | Regular      | 0.00                 | 1,260.72   | 96408                                      |
| 4042         |               |  | 07/05/2019          | Regular      | 0.00                 | 3,325.00   | 96409                                      |
| 4038         |               |  | 07/05/2019          | Regular      | 0.00                 | 231.00   | 96410                                      |
| 4037         |               |  | 07/05/2019          | Regular      | 0.00                 | 39,948.50  | 96411                                      |
| 4052         |               |  | 07/05/2019          | Regular      | 0.00                 | 32.00  | 96412                                      |
| 1030         |               |  | 07/05/2019          | Regular      | 0.00                 | 143.65   | 96413                                      |
| 4040         |               |  | 07/05/2019          | Regular      | 0.00                 | 181.17   | 96414                                      |
| 4033         | 46            | Carried Control of the Control of th | 07/05/2019          | Regular      | 0.00                 | 189.50   | 96415                                      |
| 1003         |               |  | 07/05/2019          | Regular      | 0.00                 | 10,085.54  | 96416                                      |
| 1033<br>4043 |               |  | 07/05/2019          | Regular      | 0.00                 | 1,900.00   | 96417                                      |
|              |               |  | 07/05/2019          | Regular      | 0.00                 | 6,650.00   | 96418                                      |
| 4041         |               |  | 07/05/2019          | Regular      | 0.00                 | 561.00   |  |
| 4029         |               |  | 07/05/2019          | Regular      | 0.00                 | 32.39  | 6420                                       |
| 4033         |               |  | 07/05/2019          | Regular      | 0.00                 | 373.00   |  |
| 1015         |               |  | 07/05/2019          | Regular      | 0.00                 | 4,091.26   |  |
| 40478        |               | AND  | 07/05/2019          | Regular      | 0.00                 | 618.00   |  |
| 40509        |               |  | 7/05/2019           | Regular      | 0.00                 | 289.65   |  |
| 40522        | 22            | ROWE & HALES, LLP  | 7/05/2019           | Regular      | 0.00                 | 860.00   |  |
|              |               |  |                     |              |                      | annua an | -  |

| Vendor Number | War day of                          | 1            | 10 . 40000   |                 |                | , ,    |
|---------------|-------------------------------------|--------------|--------------|-----------------|----------------|--------|
| 200395        | Vendor Name                         | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|               | SAINT MARYS ARTCENTER INC           | 07/05/2019   | Regular      | 0.00            | 20,070.00      | 96426  |
| 103241        | SBC GLOBAL SERVICES IN LD           | 07/05/2019   | Regular      | 0.00            | 63.07          | 96427  |
| 103241        | SBC GLOBAL SERVICES IN LD           | 07/05/2019   | Regular      | 0.00            | 117.09         | 96428  |
| 101210        | SBC GLOBAL SERVICES INC             | 07/05/2019   | Regular      | 0.00            | 4,925.64       | 96429  |
|               | **Void**                            | 07/05/2019   | Regular      | 0.00            | 0.00           | 96430  |
| 405081        | SHERMARK DISTRIBUTORS INC           | 07/05/2019   | Regular      | 0.00            | 238.50         |        |
| 404187        | SHOAF, BRIAN ALLEN                  | 07/05/2019   | Regular      | 0.00            |                | 96432  |
| 102462        | SIERRA ENVIRONMENTAL MONITOR        | 07/05/2019   | Regular      | 0.00            | 100.00         |        |
| 101630        | SIERRA PACIFIC POWER CO             | 07/05/2019   | Regular      | 0.00            | 9,946.46       |        |
|               | **Void**                            | 07/05/2019   | Regular      | 0.00            |                | 96435  |
| 101632        | SIERRA PEST CONTROL INC             | 07/05/2019   | Regular      | 0.00            |                | 96436  |
| 403480        | SLICK INDUSTRIES LLC DBA            | 07/05/2019   | Regular      | 0.00            |                | 96437  |
| 404195        | SOUTHERN GLAZERS WINE & S           | 07/05/2019   | Regular      | 0.00            |                |        |
| 403234        | SPALLONE, DOMINIC J III             | 07/05/2019   | Regular      | 0.00            | 1,238.10       |        |
| 403567        | SPARKS ELECTRIC MOTOR REP           | 07/05/2019   | Regular      | 0.00            | 490.02         |        |
| 101717        | ST CO SCHOOL DISTRICT               | 07/05/2019   | Regular      |                 | 1,226.21       |        |
| 101726        | ST CO SENIOR CENTER(VC)             | 07/05/2019   |              | 0.00            | 127,091.46     |        |
| 102441        | ST CO SHERIFF                       | 07/05/2019   | Regular      | 0.00            | 69,708.17      |        |
| 101745        | ST CO WATER SYSTEM                  |              | Regular      | 0.00            |                | 96443  |
| 405475        |                                     | 07/05/2019   | Regular      | 0.00            | 4,565.90       | 96444  |
| 101229        | Staples Contract & Commercial, Inc  | 07/05/2019   | Regular      | 0.00            | 79.42          | 96445  |
| 401352        | State of Nevada                     | 07/05/2019   | Regular      | 0.00            | 15.00          | 96446  |
| 403892        | STOREY COUNTY JEEP POSSE            | 07/05/2019   | Regular      | 0.00            | 2,500.00       | 96447  |
|               | SUN PEAK ENTERPRISES                | 07/05/2019   | Regular      | 0.00            | 3,236.00       | 96448  |
| 405416        | Sunshine Reporting & Litigation Sen |              | Regular      | 0.00            | 2,557.80       | 96449  |
| 405583        | Swen, Esther                        | 07/05/2019   | Regular      | 0.00            | 71.91          | 96450  |
| 405114        | TAX MANAGEMENT ASSC INC             | 07/05/2019   | Regular      | 0.00            | 17,700.00      | 96451  |
| 405124        | TERRY, SHIRLEY                      | 07/05/2019   | Regular      | 0.00            | 1,153.00       | 96452  |
| 405185        | THATCHER COMPANY                    | 07/05/2019   | Regular      | 0.00            | 1,713.17       | 96453  |
| 404615        | THE ANTOS AGENCY                    | 07/05/2019   | Regular      | 0.00            | 1,859.83       |        |
| 101786        | THERMATEMP                          | 07/05/2019   | Regular      | 0.00            | 2,580.00       |        |
| 404845        | THOMAS PETROLEUM LLC                | 07/05/2019   | Regular      | 0.00            | 3,467.11       |        |
| 405589        | Thompson Garage Doors               | 07/05/2019   | Regular      | 0.00            | 415.33         |        |
| 403225        | TRI GENERAL IMPROVEMENT             | 07/05/2019   | Regular      | 0.00            | 424.04         |        |
| 405112        | TYLER TECHNOLOGIES, INC             | 07/05/2019   | Regular      | 0.00            | 5,000.00       |        |
| 102962        | UNIFORMITY OF NEVADA LLC            | 07/05/2019   | Regular      | 0.00            | 432.95         |        |
| 405220        | UNITED CENTRAL INDUSTRIAL           | 07/05/2019   | Regular      | 0.00            |                |        |
| 403728        | UNITED SITE SERVICES OF NEVADA      | 07/05/2019   | Regular      | 0.00            | 132.49         |        |
| 405479        | US Imaging Inc                      | 07/05/2019   | Regular      |                 | 270.02         |        |
| 101845        | US POSTOFFICE (VC)                  | 07/05/2019   | Regular      | 0.00            | 4,187.57       |        |
| 101845        | US POSTOFFICE (VC)                  | 07/05/2019   | Regular      | 0.00            | 120.00         |        |
| 101845        | US POSTOFFICE (VC)                  | 07/05/2019   |              | 0.00            | 76.00          |        |
| 101845        | US POSTOFFICE (VC)                  |              | Regular      | 0.00            | 76.00          |        |
| 403983        | VCTC                                | 07/05/2019   | Regular      | 0.00            | 200.00         |        |
| 404335        |                                     | 07/05/2019   | Regular      | 0.00            | 220.00         | 96468  |
| 403894        |                                     | 07/05/2019   | Regular      | 0.00            |                | 96469  |
| 403894        | VIRGINIA & TRUCKEE RR CO, INC.      | 07/05/2019   | Regular      | 0.00            | 21,525.00      | 96470  |
|               |                                     | 07/05/2019   | Regular      | 0.00            | 3,440.00       | 96471  |
| 403893        |                                     | 07/05/2019   | Regular      | 0.00            | 1,389.00       | 96472  |
| 405574        | Washoe County Forensic Science Div  |              | Regular      | 0.00            | 462.50         | 96473  |
| 103080        | WATERS SEPTIC TANK SV DBA           | 07/05/2019   | Regular      | 0.00            | 740.00         | 96474  |
| 405588        |                                     | 07/05/2019   | Regular      | 0.00            | 31.19          |        |
| 405040        | WEIDNER & ASSOCIATES                | 07/05/2019   | Regular      | 0.00            | 1,336.00       |        |
| 101920        | WESTERN NEVADA SUPPLY CO            | 07/05/2019   | Regular      | 0.00            | 2,990.00       |        |
| 404481        | WESTERN SURETY COMPANY              | 07/05/2019   | Regular      | 0.00            | 100.00         |        |
| 101946        | WHITTEN, PAT                        | 07/05/2019   | Regular      | 0.00            | 34.43          |        |
|               |                                     |              | 92.20        |                 | J              |        |

**Check Register** 

**Vendor Number** 404295

**Vendor Name** WELLS ONE COMMERCIAL CARD

**Payment Date** 07/05/2019

Payment Type Bank Draft

0.00

Packet: APPKT00911-2019-07-05 AP Payment 6/30 & 7/5 cw Discount Amount Payment Amount Number 25,451.92 DFT0000267

**Bank Code AP Bank Summary** 

| Payment Type   | Payable<br>Count | Payment<br>Count | Discount | Payment      |
|----------------|------------------|------------------|----------|--------------|
| Regular Checks | 248              | 166              | 0.00     | 1,006.911.49 |
| Manual Checks  | 0                | 0                | 0.00     | 0.00         |
| Voided Checks  | 0                | 2                | 0.00     | 0.00         |
| Bank Drafts    | 17               | 1                | 0.00     | 25,451.92    |
| EFT's          | 1                | 1                | 0.00     | 6,000.00     |
|                | 266              | 170              | 0.00     | 1.038 363 41 |

| Approved ( | ov the  | Storey | County | Roard | ٥f  | Commissioners: |
|------------|---------|--------|--------|-------|-----|----------------|
| Appiored i | Jy LIIC | JUICY  | County | Dualu | OI. | commissioners: |

| Chairman    | Commissioner | Commissioner |
|-------------|--------------|--------------|
| Comptroller | Date         |              |
| Treasurer   | Date         |              |

### **Fund Summary**

 Fund
 Name
 Period
 Amount

 999
 Pooled Cash Account
 7/2019
 1,038,363.41

 1,038,363.41
 1,038,363.41



Packet: APPKT00920 - 2019-07-12 PR Payments cw



By Check Number

|   | Vendor Number         | Vendor Name                         | Payment Date | Payment Type                        | Discount Amount | Daymant Amazant    |        |
|---|-----------------------|-------------------------------------|--------------|-------------------------------------|-----------------|--------------------|--------|
|   | Bank Code: AP Bank-Al | P Bank                              |              | / · · · · · · · · · · · · · · · · · | Discount Amount | Payment Amount     | Number |
|   | 300007                | USAA 529 College Savings Plans      | 07/12/2019   | EFT                                 | 0.00            | F0 00              | 10000  |
|   | 300003                | AFLAC                               | 07/12/2019   | Regular                             | 0.00            | 50.00<br>1,248.42  |        |
|   | 300008                | AFSCME Union                        | 07/12/2019   | Regular                             | 0.00            |                    |        |
|   | 405519                | Cigna Health and Life Insurance Con | 07/12/2019   | Regular                             | 0.00            | 559.36             | 96481  |
|   |                       | **Void**                            | 07/12/2019   | Regular                             | 0.00            | 116,911.95         | 96482  |
|   | 300001                | Colonial Life & Accident            | 07/12/2019   | Regular                             | 0.00            | 0.00               | 96483  |
|   | 404704                | DVM INSURANCE AGENCY                | 07/12/2019   | Regular                             | 0.00            | 111.69             | 96484  |
|   | 405264                | FIDELITY SEC LIFE INS CO            | 07/12/2019   | Regular                             | 0.00            | 141.26             | 96485  |
|   | 405263                | KANSAS CITY LIFE INS CO             | 07/12/2019   | Regular                             | 0.00            | 1,370.85<br>729.06 | 96486  |
|   | 300011                | Nevada State Treasurer              | 07/12/2019   | Regular                             | 0.00            |                    | 96487  |
|   | 103233                | PUBLIC EMPLY RETIREMENT SYSTEN      | 07/12/2019   | Regular                             | 0.00            | Ph. 1000 - 1000000 | 96488  |
|   | 300010                | State Collection & Disbursement Un  | 07/12/2019   | Regular                             | 0.00            |                    | 96489  |
| į | 300006                | Storey Co Fire Fighters Assoc       | 07/12/2019   | Regular                             | 0.00            | 102724017 0070     | 96490  |
| 4 | 404639                | VOYA RETIREMENT INS                 | 07/12/2019   | Regular                             | 0.00            | •                  | 96491  |
|   | 300005                | Washington National Ins             | 07/12/2019   | Regular                             | 0.00            |                    | 96492  |
|   | 300002                | Western Insurance Specialties       | 07/12/2019   | Regular                             | 0.00            | er sommerment      | 96493  |
|   |                       |                                     | 8 8          | -0                                  | 0.00            | 363.34             | 96494  |

### Bank Code AP Bank Summary

| Payment Type   | Payable<br>Count | Payment<br>Count | Discount | Payment    |
|----------------|------------------|------------------|----------|------------|
| Regular Checks | 29               | 14               | 0.00     | 169,549,78 |
| Manual Checks  | 0                | 0                | 0.00     | 0.00       |
| Voided Checks  | 0                | 1                | 0.00     | 0.00       |
| Bank Drafts    | 0                | 0                | 0.00     | 0.00       |
| EFT's          | 1                | 1                | 0.00     | 50.00      |
|                | 30               | 16               | 0.00     | 169.599.78 |

Approved by the Storey County Board of Commissioners:

| Chairman    | Commissioner | Commissioner |
|-------------|--------------|--------------|
| Comptroller | Date         | _            |
| Treasurer   | Date         | _            |

### **Fund Summary**

 Fund
 Name
 Period
 Amount

 999
 Pooled Cash Account
 7/2019
 169,599.78

 169,599.78
 169,599.78



# **By Vendor Name Vendor History Report**

Posting Date Range -

Payment Date Range 07/12/2019 - 07/12/2019

| Payment             |                  |  | 165.77                           | 10.965.77                |                   | 10,965.77                                    |
|---------------------|------------------|--|----------------------------------|--------------------------|-------------------|--|
|                     |                  |  |                                  |                          |                   | 10,9   |
| Net                 |                  |  | 10.965.77                        | 10.965.77                |                   | 0.00 10,965.77                               |
| Discount            |                  |  | 0.00                             | 0.00                     |                   | 0.00   |
| Тах                 |                  |  | 0.00                             | 0.00                     |                   | 0.00   |
| Shipping            | nount            |  | 0.0                              | 0.00                     | 10,965.77         | 0.00   |
| Amount Shipping     | Dist Amount      |  | 10,965.77                        | 10,965.77                | 10,9              | 10,965.77 0.00                               |
| Payment Date        | Account Name     |  |                                  | 7/12/2019                | Insurances        | ndors: (1) Total 01 - Storey County Vendors: |
| 1099 Payment Number | Account Number   |  |                                  | DFT0000272               | 001-29506-000     | <br>Vendors: (1) Total 01 -                  |
|                     | Accoun           |  |                                  | 6                        | 001-29            | >  |
| Post Date           | Amount           |  |                                  | 7/12/2019                | 10,965.77         |  |
|                     | Price            |  |                                  |                          | 0.00              |  |
| Description         | Units            | y Vendors                              | er FDIC                          | <b>HSA</b> Contributions | 0.00              |  |
| Payable Number      | Item Description | Vendor Set: 01 - Storey County Vendors | 405424 - Optum Bank, Member FDIC | INV0005418               | HSA Contributions |  |

10,965.77

10,965.77

0.00

0.0

0.00

10,965.77

Vendors: (1) Report Total:



Packet: APPKT00959 - 2019-07-19 Payment Process



By Check Number

| The same of the sa |                                    |                          |                    |                 |                  |        |
|--|------------------------------------|--------------------------|--------------------|-----------------|------------------|--------|
| Vendor Number  | Vendor Name                        | <b>Payment Date</b>      | Payment Type       | Discount Amount | Payment Amount   | Number |
| Bank Code: AP B  |                                    |                          |                    |                 | · ayche zaniount | Hamber |
| 405456   | Public Employees Retirement        | 07/18/2019               | EFT                | 0.00            | 233,922.53       | 10033  |
| 405261   | A AND H INSURANCE, INC             | 07/19/2019               | Regular            | 0.00            | 363,346.88       |        |
| 403795   | ALPINE LOCK INC                    | 07/19/2019               | Regular            | 0.00            |                  | 96496  |
| 100135   | ALSCO INC                          | 07/19/2019               | Regular            | 0.00            |                  | 96497  |
| 404264   | AMERICAN SOCIETY OF COMPO AS       | 07/19/2019               | Regular            | 0.00            | 357.00           |        |
| 403651   | ARC HEALTH AND WELLNESS            | 07/19/2019               | Regular            | 0.00            |                  | 96499  |
| 405591   | Arctic Circle Enterprises, LLC     | 07/19/2019               | Regular            | 0.00            | 872.86           | 96500  |
| 405268   | ARGENTUM PARTNERS, LTD             | 07/19/2019               | Regular            | 0.00            | 10,877.65        | 96501  |
| 100073   | AUTO & TRUCK ELECTRIC, INC         | 07/19/2019               | Regular            | 0.00            | 220.00           | 96502  |
| 405555   | Auto Warehouse                     | 07/19/2019               | Regular            | 0.00            | 366.62           | 96503  |
| 405380   | Barkdull-Spencer, Elaine           | 07/19/2019               | Regular            | 0.00            | 18,139.19        | 96504  |
| 405332   | Battle Born Digital Media and Mark | 07/19/2019               | Regular            | 0.00            | 222.70           | 96505  |
| 403959   | BENDER, DEBORAH                    | 07/19/2019               | Regular            | 0.00            | 193.00           | 96506  |
| 404810   | BLACKPOINT LLC                     | 07/19/2019               | Regular            | 0.00            | 43,829.60        | 96507  |
| 405280   | Bobula, James Clark                | 07/19/2019               | Regular            | 0.00            | 1,364.00         | 96508  |
| 403671<br>405260   | BURRELL, SCOTT LEWIS               | 07/19/2019               | Regular            | 0.00            | 928.50           | 96509  |
| 404057   | CAD, Inc.                          | 07/19/2019               | Regular            | 0.00            | 75.00            | 96510  |
| 99763  | CAMELOT PARTY RENTALS INC          | 07/19/2019               | Regular            | 0.00            | 1,309.29         | 96511  |
| 404206   | CANYON GENERAL IMPROVEMENT         |                          | Regular            | 0.00            | 55.70            | 96512  |
| 405597   | CAPITAL SANITATION CO              | 07/19/2019               | Regular            | 0.00            | 89.80            | 96513  |
| 99720  | Capital Vending Co, Inc            | 07/19/2019               | Regular            | 0.00            | 1,281.00         | 96514  |
| 404991   | CASELLE INC                        | 07/19/2019               | Regular            | 0.00            | 202.00           | 96515  |
| 404143   | CENTRAL SIERRA CONST INC           | 07/19/2019               | Regular            | 0.00            | 23,415.10        | 96516  |
| 100670   | CERTIFIED FOLDER DISPLAY CFOA      | 07/19/2019               | Regular            | 0.00            | 772.53           | 96517  |
| 405357   | City of Carson                     | 07/19/2019               | Regular            | 0.00            | 200.00           | 96518  |
| 405060   | CLEAR CHANNEL OUTDOOR              | 07/19/2019               | Regular            | 0.00            | 1,977.86         | 96519  |
| 405134   | CMC TIRE INC                       | 07/19/2019               | Regular            | 0.00            | 225.00           | 96520  |
| 403822   | COLLECTION SERVICE OF NEV          | 07/19/2019<br>07/19/2019 | Regular            | 0.00            | 63.00            |        |
| 99652  | COMSTOCK CHRONICLE (VC)            | 07/19/2019               | Regular            | 0.00            | 12.73            |        |
| 100660   | COMSTOCK COMMUNITY TV INC          | 07/19/2019               | Regular            | 0.00            | 395.25           |        |
| 403887   | COMSTOCK GOLD MILL LLC             | 07/19/2019               | Regular            | 0.00            | 405.00           |        |
| 405213   | CONNELL, RICHARD                   | 07/19/2019               | Regular            | 0.00            | 186.00           |        |
| 405595   | Corbitt, Phillip                   | 07/19/2019               | Regular<br>Regular | 0.00            |                  | 96526  |
| 405160   | COURSON EQUIPMENT CO INC           | 07/19/2019               | Regular            | 0.00            |                  | 96527  |
| 405590   | Dalton, Laney                      | 07/19/2019               | Regular            | 0.00            | 385.70           |        |
| 403825   | DEUCE NINE LLC                     | 07/19/2019               | Regular            | 0.00            | 250.00           |        |
| 402905   | DISH DBS CORPORATION DISH NETV     |                          | Regular            | 0.00<br>0.00    | 1,629.79         |        |
| 404547   | ELLIOTT AUTO SUPPLY INC            | 07/19/2019               | Regular            | 0.00            | 112.04           |        |
| 100775   | FARMER BROS CO                     | 07/19/2019               | Regular            | 0.00            | 2,802.26         |        |
| 403216   | FARR WEST ENGINEERING              | 07/19/2019               | Regular            | 0.00            | 254.70           |        |
| 404509   | FASTENAL COMPANY                   | 07/19/2019               | Regular            | 0.00            | 3,110.75         |        |
| 403975   | FERRELLGAS LP                      | 07/19/2019               | Regular            | 0.00            | 53.92<br>184.48  |        |
| 404907   | FORENSIC ANALYTICAL SCIEN          | 07/19/2019               | Regular            | 0.00            | 2,575.76         |        |
| 404896   | GOLDEN GATE/SET PETROLEUM          | 07/19/2019               | Regular            | 0.00            | 4,846.93         |        |
| 101899   | GRAINGER                           | 07/19/2019               | Regular            | 0.00            | 3,770.86         |        |
| 103470   | GREAT BASIN TERMITE & PES          | 07/19/2019               | Regular            | 0.00            | 125.00           |        |
| 404394   | GTP INVESTMENTS LLC                | 07/19/2019               | Regular            | 0.00            | 1,057.52         |        |
| 405322   | H&E Equipment Services, Inc        | 07/19/2019               | Regular            | 0.00            | 2,389.33         |        |
| 404778   | HAT, LTD                           | 07/19/2019               | Regular            | 0.00            | 1,018.08         |        |
| 102983   | HD SUPPLY FACIL MAINT LTD          | 07/19/2019               | Regular            | 0.00            | 145.97           |        |
| 403040   | HENRY SCHEIN                       | 07/19/2019               | Regular            | 0.00            | 842.96           |        |
| 404980   | HIGH SIERRA BUSINESS               | 07/19/2019               | Regular            | 0.00            | 3,536.75         |        |
| 100826   | HISTORIC FOURTH WARD SCHOOL F      | 07/19/2019               | Regular            | 0.00            | 582.00           |        |
|  |                                    |                          | ***                | 0.00            |                  |        |

| Vendor Number | Manday Name                        |              | _            |                 | 00333-2013-07-13 (    |        |
|---------------|------------------------------------|--------------|--------------|-----------------|-----------------------|--------|
| 405462        | Vendor Name                        | Payment Date | Payment Type | Discount Amount | <b>Payment Amount</b> | Number |
| 405360        | Hunt, Jason                        | 07/19/2019   | Regular      | 0.00            | 397.25                | 96548  |
|               | Huntington, Elizabeth L.           | 07/19/2019   | Regular      | 0.00            | 128.00                | 96549  |
| 102564        | HYDRAULIC INDUSTRIAL SERV          | 07/19/2019   | Regular      | 0.00            | 8.36                  | 96550  |
| 405302        | Institute for Enviornmental Health |              | Regular      | 0.00            | 359.33                | 96551  |
| 100885        | IRON MOUNTAIN INFO MGT IN          | 07/19/2019   | Regular      | 0.00            | 296.55                | 96552  |
| 405596        | Irwin, Kent                        | 07/19/2019   | Regular      | 0.00            | 1,000.00              | 96553  |
| 403834        | IT1 SOURCE LLC                     | 07/19/2019   | Regular      | 0.00            | 6,638.26              |        |
| 103317        | JBP LLC                            | 07/19/2019   | Regular      | 0.00            | 1,176.27              |        |
| 405224        | KENNETH L DORR JR SOLE M           | 07/19/2019   | Regular      | 0.00            | 1,934.00              |        |
| 101040        | L N CURTIS & SONS                  | 07/19/2019   | Regular      | 0.00            |                       | 96557  |
| 404105        | LEND A CHEK                        | 07/19/2019   | Regular      | 0.00            |                       | 96558  |
| 404102        | LIQUID BLUE EVENTS LLC             | 07/19/2019   | Regular      | 0.00            | 2,300.00              |        |
| 404102        | LIQUID BLUE EVENTS LLC             | 07/19/2019   | Regular      | 0.00            | 139,000.00            |        |
| 405548        | Lumos & Associates, Inc            | 07/19/2019   | Regular      | 0.00            |                       |        |
| 102751        | LYON CO COMPTROLLER                | 07/19/2019   | Regular      | 0.00            | 1,487.50              |        |
| 405077        | MACKAY MANSION                     | 07/19/2019   | Regular      | 0.00            | 3,000.00              |        |
| 405227        | MANHARD CONSULTING                 | 07/19/2019   | Regular      |                 | 1,005.50              |        |
| 405307        | Mckechnie, Marla J.                | 07/19/2019   | Regular      | 0.00            | 2,000.00              |        |
| 103126        | MEDICAL PRIORITY DISPATCH          | 07/19/2019   | Regular      | 0.00            | 3,852.00              |        |
| 405593        | Midwood Entertainment, LLC         | 07/19/2019   | 200          | 0.00            | 1,755.00              |        |
| 405594        | Mortimore                          |              | Regular      | 0.00            | 250.00                |        |
| 100471        | MOUND HOUSE TRUE VALUE             | 07/19/2019   | Regular      | 0.00            | 2,000.00              |        |
| 101228        |                                    | 07/19/2019   | Regular      | 0.00            | 399.45                |        |
| 403317        | NEV ADMIN BLDG & GROUNDS           | 07/19/2019   | Regular      | 0.00            | 7,448.14              | 96570  |
| 101335        | NEV DEPT PUBLIC SAFETY             | 07/19/2019   | Regular      | 0.00            | 771.75                | 96571  |
| 101220        | NEV DEPT TAXATION                  | 07/19/2019   | Regular      | 0.00            | 99.63                 | 96572  |
|               | NEV DIV OF MINERALS                | 07/19/2019   | Regular      | 0.00            | 460.00                | 96573  |
| 101220        | NEV DIV OF MINERALS                | 07/19/2019   | Regular      | 0.00            | 20.00                 | 96574  |
| 101241        | NEV PUBLIC AGENCY INS PL           | 07/19/2019   | Regular      | 0.00            | 13,804.00             | 96575  |
| 101319        | NEV PUBLIC DEFENDER                | 07/19/2019   | Regular      | 0.00            | 24,582.63             | 96576  |
| 404715        | NEVADA ASSOCIATION OF              | 07/19/2019   | Regular      | 0.00            | 750.00                | 96577  |
| 101362        | Nextel of California               | 07/19/2019   | Regular      | 0.00            | 159.65                |        |
| 103404        | NORTHERN NEVADA DEVE AUTH          | 07/19/2019   | Regular      | 0.00            | 5,000.00              |        |
| 403693        | NORTHERN NV BUSINESS WKLY          | 07/19/2019   | Regular      | 0.00            | 112.72                |        |
| 404163        | NORTON CONSULTING LLC              | 07/19/2019   | Regular      | 0.00            | 2,971.32              |        |
| 402926        | OFFSITE DATA DEPOT, LLC            | 07/19/2019   | Regular      | 0.00            | 266.95                |        |
| 103220        | ON THE SIDE GRAPHICS & SI          | 07/19/2019   | Regular      | 0.00            | 100.00                |        |
| 405284        | Onsolve Intermediate Holding Comp  | 07/19/2019   | Regular      | 0.00            |                       |        |
| 405127        | O'REILLY AUTO ENTERPRISES LLC      | 07/19/2019   | Regular      | 0.00            | 2,500.00              |        |
| 405592        | Outside Television, Inc.           | 07/19/2019   | Regular      | 0.00            | 113.43                |        |
| 103486        | PAPE MACHINERY                     | 07/19/2019   | Regular      |                 | 350.00                |        |
| 403895        | PETRINI, ANGELO D                  | 07/19/2019   | Regular      | 0.00            | 54,059.80             |        |
| 405256        | PIPER'S OPERA HOUSE                | 07/19/2019   | Regular      | 0.00            | 343.00                |        |
| 101435        | PITNEY BOWES GLOBAL (LEA)          | 07/19/2019   |              | 0.00            | 56.00                 |        |
| 103032        | POWERPLAN                          | 07/19/2019   | Regular      | 0.00            | 1,020.99              |        |
| 403329        | PROTECTION DEVICES INC             | 07/19/2019   | Regular      | 0.00            | 97.87                 | 96591  |
| 102589        | PUBLIC AGENCY COMPENSATIO          |              | Regular      | 0.00            | 864.70                |        |
| 103221        |                                    | 07/19/2019   | Regular      | 0.00            | 337,661.74            | 96593  |
| 100348        | PUBLIC EMPLY RETIREMENT RETIRE     |              | Regular      | 0.00            | 2,359.53              | 96594  |
| 103306        | PURCELL TIRE & RUBBER CO           | 07/19/2019   | Regular      | 0.00            | 681.60                | 96595  |
| 405458        | PURCHASE POWER                     | 07/19/2019   | Regular      | 0.00            | 1,900.00              | 96596  |
| 402937        | Rapid Space, LLC                   | 07/19/2019   | Regular      | 0.00            | 330.40                | 96597  |
| 102388        | RAY MORGAN CO INC (CA)             | 07/19/2019   | Regular      | 0.00            | 590.46                | 96598  |
|               |                                    | 07/19/2019   | Regular      | 0.00            | 150.00                | 96599  |
| 404863        |                                    | 07/19/2019   | Regular      | 0.00            | 667.63                | 96600  |
| 101521        | RENO DRAIN OIL SERVICE             | 07/19/2019   | Regular      | 0.00            | 100.00                | 96601  |
| 101520        | RENO PAINT MART                    | 07/19/2019   | Regular      | 0.00            | 219.74                |        |
| 403621        | ROADSHOWS INC                      | 07/19/2019   | Regular      | 0.00            | 3,000.00              |        |
| 405095        | ROBERTS, BOBBI JEAN                | 07/19/2019   | Regular      | 0.00            | 295.08                |        |
| 101535        | ROCKY MOUNTAIN AMBULANCE           | 07/19/2019   | Regular      | 0.00            | 75.72                 |        |
| 10026         | RUPPCO INC                         | 07/19/2019   | Regular      | 0.00            |                       | 96606  |
| 200395        | SAINT MARYS ARTCENTER INC          | 07/19/2019   | Regular      | 0.00            | 32.00                 |        |
| 103241        | SBC GLOBAL SERVICES IN LD          | 07/19/2019   | Regular      | 0.00            | 38.24                 |        |
|               |                                    |              | ·-           | 4.43            | 30.24                 | J 3000 |

| Vondor Number           |                                    |              |              | Packet: APPKI   | UU959-2019-07-19 P  | ayment Proces |
|-------------------------|------------------------------------|--------------|--------------|-----------------|---|---------------|
| Vendor Number<br>101210 | Vendor Name                        | Payment Date | Payment Type | Discount Amount | Payment Amount  | Number        |
| 101210                  | SBC GLOBAL SERVICES INC            | 07/19/2019   | Regular      | 0.00            | 4,442.97  |               |
| 405001                  | **Void**                           | 07/19/2019   | Regular      | 0.00            | 0.00  | 96610         |
| 405081                  | SHERMARK DISTRIBUTORS INC          | 07/19/2019   | Regular      | 0.00            | 318.00  |               |
| 404187<br>403891        | SHOAF, BRIAN ALLEN                 | 07/19/2019   | Regular      | 0.00            | 10.50   | 96612         |
| 102462                  | SHOLER, KATHLEEN M                 | 07/19/2019   | Regular      | 0.00            | 750.00  | 96613         |
|                         | SIERRA ENVIRONMENTAL MONITOR       |              | Regular      | 0.00            | 148.00  | 96614         |
| 101630                  | SIERRA PACIFIC POWER CO            | 07/19/2019   | Regular      | 0.00            | 41.92   | 96615         |
| 403384                  | SMITHS FOOD & DRUG CENTER          | 07/19/2019   | Regular      | 0.00            | 286.62  |               |
| 101710                  | ST CO TREASURER                    | 07/19/2019   | Regular      | 0.00            | 303.00  |               |
| 405475                  | Staples Contract & Commercial, Inc | 07/19/2019   | Regular      | 0.00            | 274.90  | 96618         |
| 405223                  | STEELE & ASSOCIATES, LLC           | 07/19/2019   | Regular      | 0.00            | 23,000.00   | 96619         |
| 405425                  | Storey County Sheriff              | 07/19/2019   | Regular      | 0.00            | 100.00  | 96620         |
| 403892                  | SUN PEAK ENTERPRISES               | 07/19/2019   | Regular      | 0.00            | 2,810.00  | 96621         |
| 404675                  | SUPERIOR POOL PRODUCTS             | 07/19/2019   | Regular      | 0.00            | 135.47  |               |
| 405244                  | SUTTON HAGUE LAW CORP              | 07/19/2019   | Regular      | 0.00            | 1,384.50  | 96623         |
| 405124                  | TERRY, SHIRLEY                     | *07/19/2019  | Regular      | 0.00            | 1,749.00  | 96624         |
| 404615                  | THE ANTOS AGENCY                   | 07/19/2019   | Regular      | 0.00            | 1,700.00  | 96625         |
| 404845                  | THOMAS PETROLEUM LLC               | 07/19/2019   | Regular      | 0.00            | 4,268.77  | 96626         |
| 404030                  | TIJSSELING, DICK G                 | 07/19/2019   | Regular      | 0.00            | 480.00  | 96627         |
| 405112                  | TYLER TECHNOLOGIES, INC            | 07/19/2019   | Regular      | 0.00            | 13,800.00   |               |
| 403728                  | UNITED SITE SERVICES OF NEVADA     | 07/19/2019   | Regular      | 0.00            |   | 96629         |
| 101845                  | US POSTOFFICE (VC)                 | 07/19/2019   | Regular      | 0.00            | 76.00   |               |
| 403983                  | VCTC                               | 07/19/2019   | Regular      | 0.00            | 152.85  | 96631         |
| 405250                  | VIEVU LLC                          | 07/19/2019   | Regular      | 0.00            |   | 96632         |
| 403894                  | VIRGINIA & TRUCKEE RR CO, INC.     | 07/19/2019   | Regular      | 0.00            | 4,517.00  |               |
| 403894                  | VIRGINIA & TRUCKEE RR CO, INC.     | 07/19/2019   | Regular      | 0.00            | 0.000 mm - 10.000 | 96634         |
| 403894                  | VIRGINIA & TRUCKEE RR CO, INC.     | 07/19/2019   | Regular      | 0.00            |   |               |
| 403894                  | VIRGINIA & TRUCKEE RR CO, INC.     | 07/19/2019   | Regular      | 0.00            |   | 96635         |
| 403894                  | VIRGINIA & TRUCKEE RR CO, INC.     | 07/19/2019   | Regular      | 0.00            |   | 96636         |
| 403893                  | VIRGINIA CITY TOURS INC            | 07/19/2019   | Regular      | 0.00            |   | 96637         |
| 402820                  | WALKER & ASSOCIATES                | 07/19/2019   | Regular      | 0.00            |   | 96638         |
| 101932                  | WASHOE CO SHERIFFS OFFICE          | 07/19/2019   | Regular      | 0.00            |   | 96639         |
| 103009                  | WASHOE COUNTY SENIOR SERV          | 07/19/2019   | Regular      | 0.00            | 300.00  |               |
| 103080                  |                                    | 07/19/2019   | Regular      | 0.00            |   | 96641         |
| 405523                  | 1.1. 10                            | 07/19/2019   | Regular      |                 |   | 96642         |
| 103237                  |                                    | 07/19/2019   | Regular      | 0.00            | 18  | 96643         |
| 405226                  | WARRY C. STETENSON CO. CO. CO.     | 07/19/2019   | Regular      | 0.00            |   | 96644         |
| 404295                  | 1115115-1-5                        | 07/18/2019   | Bank Draft   | 0.00            |   | 96645         |
|                         |                                    | - , -0, -0-3 | Dank Diait   | 0.00            | 8,673.92  | DFT0000276    |

### Bank Code AP Bank Summary

| Payment Type   | Payable<br>Count | Payment<br>Count | Discount | Payment      |
|----------------|------------------|------------------|----------|--------------|
| Regular Checks | 231              | 150              | 0.00     | 1,278,847.80 |
| Manual Checks  | 0                | 0                | 0.00     | 0.00         |
| Voided Checks  | 0                | 1                | 0.00     | 0.00         |
| Bank Drafts    | 18               | 1                | 0.00     | 8,673.92     |
| EFT's          | 17               | . 1              | 0.00     | 233,922.53   |
|                | 266              | 153              | 0.00     | 1,521,444.25 |

Approved by the Storey County Board of Commissioners:

| Chairman    | Commissioner | Commissioner |
|-------------|--------------|--------------|
| Comptroller | Date         | _            |
| Treasurer   | Date         | _            |

### **Fund Summary**

 Fund
 Name
 Period
 Amount

 999
 Pooled Cash Account
 7/2019
 1,521,444.25

 1,521,444.25
 1,521,444.25

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Packet: PRPKT00386 - 2019-07-26 Payroll cw

Payroli Set: Storey County - 01

| Туре            | Count | Amount     |
|-----------------|-------|------------|
| Regular Checks  | 8     | 5,169.42   |
| Manual Checks   | 0     | 0.00       |
| Reversals       | 0     | 0.00       |
| Voided Checks   | 0     | 0.00       |
| Direct Deposits | 164   | 324,449.34 |
| Total           | 172   | 329,618.76 |

Payroll Check Register
Report Summary
Pay Period: 7/8/2019-7/21/2019

| Approved by the St | torey County Board of Comi | missioners:  |
|--------------------|----------------------------|--------------|
| Chairman           | Commissioner               | Commissioner |
| Comptroller        | Date                       | _            |
| Treasurer          | Date                       |              |



# **By Vendor Name Vendor History Report**

Posting Date Range -

Payment Date Range 07/26/2019 - 07/26/2019

11,015.77

11,015.77

0.00

0.00

0.00

11,015.77

Vendors: (1) Report Total:

| Payment                               | <b>11,015.77</b><br>11,015.77   | 11,015.77                                     |
|---------------------------------------|---|---|
| Net                                   | <b>11,015.77</b><br>11,015.77   | 71,015.77 11,015.77                           |
| Discount                              | <b>0.0</b> 0  | 0.00  |
| Tax                                   | <b>0.00</b>   | 0.0   |
| Shipping<br>ount                      | <b>0.00</b><br>0.00<br>5.77   | 0.00  |
| Amount Shipping<br>Dist Amount        | 11,015.77<br>11,015.77<br>11,015.77   | 11,015.77 0.00                                |
| Payment Date<br>Account Name          | 7/26/2019<br>Insurances   | indors: (1) Total 01 - Storey County Vendors: |
| 1099 Payment Number<br>Account Number | DFT0000281<br>001-29506-000   | Vendors: (1) Total 01 -                       |
| Acco                                  |   | >   |
| Post Date<br>Amount                   | 7/26/2019   |   |
| Price                                 | 0.00  |   |
| Description<br>Units                  | r Vendors<br>er FDIC<br>HSA Contributions<br>0.00   |   |
| Payable Number<br>Item Description    | Vendor Set: 01 - Storey County Vendors 405424 - Optum Bank, Member FDIC INVO005725 HSA Cont |   |



By Check Number

|   | ****                  |                                     |              |                                       |                 |                |  |
|---|-----------------------|-------------------------------------|--------------|---------------------------------------|-----------------|----------------|--|
|   | <b>Vendor Number</b>  | Vendor Name                         | Payment Date | Payment Type                          | Discount Amount | Payment Amount | Maranhau                               |
|   | Bank Code: AP Bank-Al | P Bank                              | •            | · · · · · · · · · · · · · · · · · · · | Discount Amount | rayment Amount | Number                                 |
|   | 404869                | SCSO EMPLOYEES ASSOCIATIO           | 07/26/2019   | EFT                                   | 0.00            | 579.00         | 10034                                  |
|   | 300007                | USAA 529 College Savings Plans      | 07/26/2019   | EFT                                   | 0.00            | 50.00          | 10034                                  |
|   | 300003                | AFLAC                               | 07/26/2019   | Regular                               | 0.00            | 1,248.42       | 96646                                  |
|   | 300008                | AFSCME Union                        | 07/26/2019   | Regular                               | 0.00            | 613.22         | 96647                                  |
|   | 405519                | Cigna Health and Life Insurance Con | 07/26/2019   | Regular                               | 0.00            | 6.346.95       | 96648                                  |
|   | 300001                | Colonial Life & Accident            | 07/26/2019   | Regular                               | 0.00            | 111.69         | 96649                                  |
|   | 404704                | DVM INSURANCE AGENCY                | 07/26/2019   | Regular                               | 0.00            | 141.26         | 15 5 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 |
|   | 405264                | FIDELITY SEC LIFE INS CO            | 07/26/2019   | Regular                               | 0.00            |                | 96650                                  |
|   | 300011                | Nevada State Treasurer              | 07/26/2019   | Regular                               | 0.00            | 67.30          | 96651                                  |
|   | 103233                | PUBLIC EMPLY RETIREMENT SYSTEM      | 07/26/2019   | Regular                               | 0.00            | 4.00           | 96652                                  |
| į | 300010                |                                     | 07/26/2019   | Regular                               | 0.00            | 46.66          | 96653                                  |
|   | 300006                | Storey Co Fire Fighters Assoc       | 07/26/2019   | Regular                               |                 | 197.70         | 96654                                  |
| į |                       | VOYA RETIREMENT INS                 | 07/26/2019   |                                       | 0.00            | 1,300.00       | 96655                                  |
|   | 200005                | Washington National Ins             | 07/26/2019   | Regular                               | 0.00            | 8,046.50       | 96656                                  |
|   |                       | Trasmibron Marional IIIs            | 07/20/2019   | Regular                               | 0.00            | 518.99         | 96657                                  |

#### **Bank Code AP Bank Summary**

| Payment Type   | Payable<br>Count | Payment<br>Count | Discount | Payment   |
|----------------|------------------|------------------|----------|-----------|
| Regular Checks | 21               | 12               | 0.00     | 18,642.69 |
| Manual Checks  | 0                | 0                | 0.00     | 0.00      |
| Voided Checks  | 0                | 0                | 0.00     | 0.00      |
| Bank Drafts    | 0                | 0                | 0.00     | 0.00      |
| EFT's          | 2                | 2                | 0.00     | 629.00    |
|                | 23               | 14               | 0.00     | 19,271.69 |

| Approved by the Storey County Board of Commissioners: |              |              |  |  |  |
|---|--------------|--------------|--|--|--|
| Chairman  | Commissioner | Commissioner |  |  |  |
| Comptroller   | Date         |              |  |  |  |
| Treasurer   | Date         |              |  |  |  |

### **Fund Summary**

 Fund
 Name
 Period
 Amount

 999
 Pooled Cash Account
 7/2019
 19,271.69

 19,271.69
 19,271.69



## Storey County Board of County Commissioners Agenda Action Report

| Meeting date: August 6, 2019  | ]  | Estimate of time required: 0-5 mins  |  |  |  |  |
|---|--|--|--|--|--|--|
| Agenda: Consent [X] Regular a   | earing required []   |  |  |  |  |  |
| 1. Title: For Possible Action – Ap<br>Unsecured Tax Roll                                    | pproval – Assessor'  | s Recommended Corrections to 2018-19   |  |  |  |  |
| 2. Recommended motion: Appr   | oval   |  |  |  |  |  |
| 3. Prepared by: Tobi Whitten  |  |  |  |  |  |  |
| Department: Assessor's Office   | æ  | <b>Telephone:</b> 847-0961   |  |  |  |  |
| results of a Tax Managem<br>not to participate or provided<br>request an audit review after | ent Assoc. personal<br>de any requested do<br>ter receiving the 201<br>account's assets. The | t was billed with an estimate based on the property audit in which the taxpayer elected cumentation. The taxpayer called our office to 18-19 bill, and the review indicated a much e tax bill requires adjustment per NRS with adjusted tax amounts. |  |  |  |  |
| 5. Fiscal impact: Unknown   |  |  |  |  |  |  |
| Funds Available:  | Fund:  | Comptroller  |  |  |  |  |
| 7. Legal review required:   | District A   | ttomey   |  |  |  |  |
| County Manager  Board action:   | Other ag   | nent Name: Assessor's Office gency review:   |  |  |  |  |
| [] Approved [] Denied   | [] Approve   | ed with Modifications<br>ed  |  |  |  |  |
|   |  | Agenda Item No.  |  |  |  |  |
|   |  | 5 <u>T</u>   |  |  |  |  |



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

July 25, 2019

Memo to: Storey County Commissioners

Re: CM 001553, Arrow Construction

The above referenced unsecured account was processed and billed for the 2018-19 tax year based on the discoveries of an audit performed by Tax Management Associates for the four prior tax years. The taxpayer declined participation in the audit and the auditors had to estimate the assets in the absence of requested documentation. The taxpayer finally contacted this office and requested an audit review after the 2018-19 bill had been issued, and the review indicated a much lower actual asset value than had been estimated. The corrected amounts should be as follows:

| 2018-19                            | Original        | A        | djustment   | Α  | mended |
|------------------------------------|-----------------|----------|-------------|----|--------|
| Personal Property Acquisition Cost | 9,999,990       |          | (9,919,665) |    | 80,325 |
| Personal Property Assessed Value   | 1,803,927       | 0 20 202 | (1,792,673) |    | 11,254 |
| Improvements Assessed Value        | <u> </u>        |          | -           |    | -      |
| Abatement (in Tax \$\$)            |                 |          |             |    |        |
| 2018-19 Unsecured Tax Bill Amt     | \$<br>70,005.36 | \$       | (69,615.89) | \$ | 389.47 |

Please approve these corrections, and advise the Treasurer and/or Assessor to make the changes and issue an amended 2018-19 unsecured tax bill. No refund is required as payment has not been received at this time.

Thank You,

Tobi Whitten
Deputy Assessor

Storey County Assessor's Office



## Storey County Board of County Commissioners Agenda Action Report

| Meeting date: August 6, 2019  | Estimate of time required: 0-5 mins                                |
|---|--|
| Agenda: Consent [X] Regular agenda [  | ] Public hearing required [ ]                                      |
| 1. <b>Title:</b> For Possible Action – Approval 2017-18, 2018-19 and 2019-20 U                        | Assessor's Recommended Corrections to 2016-17, insecured Tax Rolls |
| 2. Recommended motion: Approval   |  |
| 3. Prepared by: Tobi Whitten  |  |
| Department: Assessor's Office   | <b>Telephone:</b> 847-0961   |
| home was uninhabitable and had aware of the situation after being. The tax bills require adjustment p |  |
| 5. Supporting materials: Please see atta  | ached letter with adjusted tax amounts.                            |
| 6. Fiscal impact: Unknown   |  |
| Funds Available: Fu   | and:Comptroller  |
| 7. Legal review required:  8. Reviewed by:  | _ District Attorney  |
| 8. Reviewed by: Department Head   | Department Name: Assessor's Office                                 |
| County Manager  | Other agency review:   |
| P. Board action:  [ ] Approved [ ]  [ ] Denied [ ]  | Approved with Modifications Continued  Agenda Item No.             |



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

July 22, 2019

Memo to: Storey County Commissioners

Re: MH 000225

The above referenced account has been billed for the 2016-17, 2017-18, 2018-19 and 2019-20 tax years in error. This home was uninhabitable and the owners vacated and abandoned it in its current location in 2015 due to its condition. Our office was made aware of this on July 15, 2019 by the mobile home park where the home is located. Correction per NRS 361.768 is necessary.

At this time, the Assessor and Treasurer concur that penalties and interest should also be waived pursuant to NRS 361.4835 due to extenuating circumstances.

| Tax Year | Taxes<br>Owing |    | Penalties<br>Owing |    | Total Owing |    | Total Owing |  | mended<br>Taxes | Amended Penalties | nended<br>Total |
|----------|----------------|----|--------------------|----|-------------|----|-------------|--|-----------------|-------------------|-----------------|
| 2006 07  | ć 07.10        | ٠, | 42 74              | 4  | 100.00      |    | 07.40       |  | Owing           |                   |                 |
| 2006-07  | \$ 87.12       | \$ | 13.71              | \$ | 100.83      | \$ | 87.12       |  | \$<br>87.12     |                   |                 |
| 2007-08  | \$ 87.39       | \$ | 13.74              | \$ | 101.13      | \$ | 87.39       |  | \$<br>87.39     |                   |                 |
| 2008-09  | \$ 87.07       | \$ | 14.71              | \$ | 101.78      | \$ | 87.07       |  | \$<br>87.07     |                   |                 |
| 2009-10  | \$ 87.42       | \$ | 12.74              | \$ | 100.16      | \$ | 87.42       |  | \$<br>87.42     |                   |                 |
| 2010-11  | \$ 92.81       | \$ | 13.28              | \$ | 106.09      | \$ | 92.81       |  | \$<br>92.81     |                   |                 |
| 2011-12  | \$ 95.60       | \$ | 12.87              | \$ | 108.47      | \$ | 95.60       |  | \$<br>95.60     |                   |                 |
| 2012-13  | \$ 98.45       | \$ | 13.02              | \$ | 111.47      | \$ | 98.45       |  | \$<br>98.45     |                   |                 |
| 2013-14  | \$ 101.41      | \$ | 14.75              | \$ | 116.16      | \$ | 101.41      |  | \$<br>101.41    |                   |                 |
| 2014-15  | \$ 92.78       | \$ | 13.89              | \$ | 106.67      | \$ | 92.78       |  | \$<br>92.78     |                   |                 |
| 2015-16  | \$ 110.47      | \$ | 14.76              | \$ | 125.23      | \$ | 110.47      |  | \$<br>110.47    |                   |                 |
| 2016-17  | \$ 113.67      | \$ | 15.08              | \$ | 128.75      | \$ | =           |  | \$<br>-         |                   |                 |
| 2017-18  | \$ 116.76      | \$ | 11.68              | \$ | 128.44      | \$ | *           |  | \$<br>-         |                   |                 |
| 2018-19  | \$ 117.11      | \$ | 17.10              | \$ | 134.21      | \$ | -           |  | \$<br>•         |                   |                 |
| 2019-20  | \$ 117.70      | \$ | -                  | \$ | 117.70      | \$ |             |  | \$<br>-         |                   |                 |
|          |                |    |                    | \$ | 1,587.09    |    |             |  | \$<br>940.52    |                   |                 |

Please approve these corrections, and advise the Treasurer and/or Assessor to make the changes and issue an amended bill. No refund is necessary at this time as payment has not been received.

Thank You,

Tobi Whitten

Deputy Assessor Storey County Assessor's Office



# Storey County Board of County Commissioners Agenda Action Report

| Meeting date: August 6, 2019   |  | Estimate of time required: 0-5 mins   |
|--|--|---|
| Agenda: Consent [X] Regular ag   | genda []   | Public hearing required [ ]   |
| 1. Title: For Possible Action – Ap<br>Secured Tax Roll for Exen  |  | - Assessor's Recommended Corrections to 2019-20   |
| 2. Recommended motion: Appro   | oval   |   |
| 3. Prepared by: Tobi Whitten   |  |   |
| Department: Assessor's Offic   | e  | <b>Telephone:</b> 847-0961  |
| certain criteria. Exemption before June 15th of each fis cause a delay and, as a resu the Assessor's Office feels exemption application or recausing the exemption to n Clerk-Treasurer at the direct affected taxpayer.  5. Supporting materials: Please: | applicated applicated applicated applicated application of the application applicati | property tax exemptions to individuals who meet ions and renewals are typically due to our office on or but circumstances beyond a taxpayer's control may temption not being applied to the tax bill. In cases where taxpayer could not have reasonably filed their by the deadline, or if there is an unforeseeable error plied correctly, the tax bill may be amended by the the Board and a new tax bill or a refund be mailed to the thed letter with adjusted assessed values. |
| 6. Fiscal impact: Unknown  |  |   |
| Funds Available:   | Fun  | d: Comptroller  |
| 7. Legal review required:  |  | District Attorney   |
| 8. Reviewed by:  |  | December of Name Access 2 Office  |
| Department Head  |  | Department Name: Assessor's Office  |
| County Manager   |  | Other agency review:  |
| 9. <b>Board action:</b> [ ] Approved [ ] Denied  | []   | Approved with Modifications Continued  Agenda Item No.  |



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

July 29, 2019

Memo to: Storey County Commissioners

Re: Correction for Exemption

The owner of the property listed below should have had a personal exemption applied to their property for the 2019-20 tax year. The owner was not aware of the availability of the exemption until after the close of the tax roll. Therefore, the exemption was not applied to the tax bill. The adjusted net assessed values and the **net assessed value overrides** should be:

| <u>APN</u> | Current Net Assessed | Exemption Amount | Exemption NRS | Adjusted Net Assessed | PYGAV Override | Tax Cap % | **New** Assessed<br>Value | Current Year Net Assessed Value Override |
|------------|----------------------|------------------|---------------|-----------------------|----------------|-----------|---------------------------|--|
| 2-021-03   | 61,125               | 2,800 *          | 361,090       | 58,325                | 56,312         | 3.0%      |                           | 53,512                                   |

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

Thank You,

Tobi Whitten
Deputy Assessor

Storey County Assessor's Office



# Storey County Board of County Commissioners Agenda Action Report

| Meeting date: 08-06-2019  |                      | Estimate of time required: 0 - 5  |  |  |  |  |
|---|----------------------|---|--|--|--|--|
| Agenda: Consent [X] Regular age   | nda []               | Public hearing required []  |  |  |  |  |
| 1. Title: Business License First Rea  | dings                | - Approval  |  |  |  |  |
| 2. <b>Recommended motion:</b> None reapprove all first readings (if                   | quired (<br>remove   | (if approved as part of the Consent Agenda) I move to d from consent agenda by request).                    |  |  |  |  |
| 3. Prepared by: Ashley Mead   |                      |   |  |  |  |  |
| Department: Community Develo  | opment               | <b>Telephone:</b> 847-0966  |  |  |  |  |
| 4. Staff summary: First readings of on the consent agenda. The ameeting for approval. | f submit<br>applicat | tted business license applications are normally approved ions are then submitted at the next Commissioner's |  |  |  |  |
| 5. Supporting materials: See attack   | hed Age              | enda Letter   |  |  |  |  |
| 6. Fiscal impact:   |                      |   |  |  |  |  |
| Funds Available:  | Fund                 | d: Comptroller  |  |  |  |  |
| 7. Legal review required:   | 1                    | District Attorney   |  |  |  |  |
| 8. Reviewed by: X Department Head   | 4                    | 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



110 Toll Road ~ Gold Hill Divide P O Box 526 ~ Virginia City NV 89440 (775) 847-0966 ~ Fax (775) 847-0935 CommunityDevelopment@storeycounty.org

To: Vanessa Stephens, Clerk's office

Austin Osborne, County Manager

August 2, 2019 Via Email

Fr:

Ashley Mead

Please add the following item(s) to the AUGUST 6, 2019,

**COMMISSIONERS** Consent Agenda:

# LICENSING BOARD FIRST READINGS:

- A. A-1 Mobile Fleet Service LLC General / 1514 Crestview ~ Fernley, NV
- B. Affordable Carpentry and Handyman General / 2300 Cartwright ~ Reno, NV
- C. Arrow Sign Company Contractor / 1051 46th Ave ~ Oakland, CA
- D. ENGworks, Inc. General / 108 West 13th St. ~ Wilmington, DE
- E. Fast Way Xpress, Inc. General / 1425 Maritime St. ~ Oakland, CA
- F. General Cleaning Service, Corp General / 1090 E. Huffaker Ln ~ Reno, NV
- G. Hilltop Farm Home / 2589 Keystone Circle ~ Virginia City, NV
- H. Jonesey's, Inc. General / PO Box 52470 ~ Sparks, NV
- I. Microcafsautomation General / 29463 S. River Rd ~ Harrison Twp, MI
- J. P & F Consulting General / PO Box 1369 ~ Verdi, NV
- K. Paw Professional Services, LLC Home / PO Box 846 ~ Virginia City, NV
- L. Ramen4real DBA General / 400 W. 5th St. ~ Reno, NV
- M. Sunlit USA, Inc. General / 1400 Waltham Way ~ McCarran, NV
- N. Tay and Jarrad's LLC General / 986 Spice Island Drive ~ Sparks, NV
- O. Timberline Electric Contractor / PO Box 2511 ~ Minden, NV
- P. Vertical Construction Erectors, LLC Contractor / 1260 Furneaux Rd ~ Olivehurst, CA
- Q. Vision Control Associates of NV Contractor / 730 W. Cheyenne Ave Ste. 110 ~ N. Las Vegas, NV
- R. White Industries Incorporated Contractor / 7741 Autumn Ridge Circle ~ Reno, NV
- S. Zayo Group, LLC General / 1821 30th St. ~ Boulder, CO
- T. CTR Roofing Contractor / 906 Nicole St. ~ Dayton, NV

Ec: Community Development Commissioner's Office

Planning Department Comptroller's Office

Sheriff's Office



# Storey County Board of County Commissioners Agenda Action Report

(A)

| Meeting date: 08/06/19 at 10:30 a.                         | m.                   | Estimate of time required: 20 min.   |
|--|----------------------|--|
| Agenda: Consent [] Regular agend                           | da [x] Public heari  | ng required [x]  |
|  |                      | earing to consider objections to proposed at 800 South C Street in Virginia City, NV |
| 2. <b>Recommended motion:</b> No                           | recommended moti     | on.  |
| 3. Prepared by: Austin Osborne on                          | behalf of P.A.W. Pr  | rofessional Services, LLC.   |
| 4. <b>Department:</b> County Manager                       |                      | <b>Telephone:</b> 775.847.0968   |
| 5. Staff summary: See Board Reso                           | ution 19.548.        |  |
| 6. Supporting materials: Board Res                         | solution 19.548.     |  |
| 7. Fiscal impact: None on local gove                       | ernment.             |  |
| Funds Available:   | Fund:                | Comptroller  |
| 8. <u>Legal review required:</u><br>9. <u>Reviewed by:</u> | yes District A       | ttorney  |
| Department Head  | Department           | Name:  |
| County Manager   | Other agend          | cy review:   |
| 10. Board action:  [ ] Approved [ ] Denied                 | Approved v Continued | vith Modifications  Agenda Item No.  |

### **RESOLUTION NO. 19-548**

RESOLUTION

Declaring Intention of Storey County to Lease Real Property and Improvements Located at 800 South C Street in Virginia City, Nevada

WHEREAS, NRS 244.2833 authorizes the Board of County Commissioners of Storey County to lease real property belonging to the County which is less than 25,000 square feet without first offering the property to the public and for less than fair market value, if applicable, if the Board determines in a resolution that such lease is in the best interests of the County; and,

WHEREAS, NRS 244.2833 further requires that notice of the proposed lease and of a date for a public hearing on the proposed lease be published in a newspaper of general circulation in the County; and

WHEREAS, The land and improvements located at 800 South C Street in Virginia City, Nevada, commonly known as the Divide Building is real property anticipated to be owned by Storey County prior to the public hearing; and,

WHEREAS; The County is proposing to lease that portion of the Divide Building commonly known as Divide Fitness (the Property), to Divide Fitness, Inc. for a rental amount of \$1,500.00 per month

#### NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS:

 That the proposed lease of the Property to Divide Fitness, Inc., without first offering the Property to the public, and for less than fair market value is in the best interests of the County.

- 2. Subject to Close of Escrow on or before August 5, 2019, a hearing to consider the proposed lease will be held on the 6th day of August at the hour of 1:05 p.m. at the Virginia City Courthouse at 26 South B Street in Virginia City, Nevada
- 3. Notice of the time and date for the public hearing to consider the proposed lease must be published in a newspaper of general circulation published in Storey County at least once not less than 10 days nor more than 20 days before the hearing.

| <b>DOPTED</b> this _ | , day of, 2019                         |           |
|----------------------|--|-----------|
|                      | BOARD OF COUNTY COMMISSIONERS OF STORI | EY COUNTY |
|                      | By:MARSHALL McBRIDE, Chairman          |           |
| ATTEST:              |  | £         |
| VANESSA ST           | EPHENS                                 |           |

Storey County Clerk/Treasurer



**Meeting date:** 08/06/19

## Storey County Board of County Commissioners Agenda Action Report

Estimate of time required: 20 min.

(B)

| Agenda: Consent [] Regular agenda   | [x] Public hearing required [x]   |
|---|---|
| a proposed lease of a portion of a build<br>in Virginia City, NV to Divide Fitness<br>of up to 2 years subject to earlier terms<br>commencing on the Effective Date and<br>the building, commonly referred to as<br>is currently occupied by Divide Fitness<br>through delays in close of escrow, the | tion: Consideration and possible action on approval/denial of ding owned by Storey County located at 800 South C Street, Inc., for a monthly rental of \$1,500.00 per month at a term ination by Lessee upon 30 days of notice to Lessor and dending two years from the effective date. The portion of the Divide Building, is approximately 5,590 square feet and s, Inc. Should the County not yet own the Divide Building Board of County Commissioners may consider approval and transfer of ownership to the County. |
| building owned by Storey County loca<br>Fitness, Inc., for a monthly rental of \$1<br>earlier termination by Lessee upon 30<br>Date and ending two years from the eff   | nmissioner] motion to approve a lease of a portion of a ted at 800 South C Street in Virginia City, NV to Divide ,500.00 per month at a term of up to 2 years subject to days of notice to Lessor and commencing on the Effective fective date. The portion of the building, commonly referred ately 5,590 square feet and is currently occupied by Divide  |
| 3. Prepared by: Austin Osborne on be  | half of P.A.W. Professional Services, LLC.  |
| 4. <b>Department:</b> County Manager  | <b>Telephone:</b> 775.847.0968  |
| 5. Staff summary: See prior board ac  | tion and correspondence.  |
| 6. Supporting materials: Board Resol  | ution 19.548. Lease agreement draft.  |
| 7. Fiscal impact: None on local govern  | nment.  |
| Funds Available:  | Fund: Comptroller   |
| 8. Legal review required:  9. Reviewed by:  Department Head  County Manager  10. Board action:  | District Attorney  Department Name:  Other agency review:   |
| [] Approved [] [] Denied []   | Approved with Modifications Continued Agenda Item No. (   |

#### LEASE AGREEMENT

| THIS LEASE AGREEMENT ("Lease") is made and entered into by and between              | n   |
|---|-----|
| Divide Fitness Inc. a Nevada corporation ("Lessee"), and Storey County, a political |     |
| subdivision of the State of Nevada ("Lessor") this day of, 2019 (its effecti        | ive |
| date).  |     |

#### **BACKGROUND**

Divide Fitness Inc. conducts a membership gymnasium business in a portion of the building located at 800 South C Street in Virginia City, Nevada, pursuant to a lease it has with The Divide LLC which is the owner of the building. Storey County has recently purchased the building owned by The Divide LLC and proposes to use a portion of the building to house the Virginia City Justice's Court and staff, Storey County Communications and staff and Storey County IT and staff. That portion of the building presently occupied by Divide Fitness llc is not currently intended for use by Storey County and is therefore available for continued use as membership gym business. Inasmuch as the portion of the property used by Divide Fitness is approximately 5,590 square feet, the property may be leased by Storey County to Divide Fitness without having to be offered to the public and for less than fair market value pursuant to NRS 244.2833. Divide Fitness desires to continue to use that portion of the property as a membership gym business and Storey County is willing to lease that portion of the property used by Divide Fitness to it as a membership gym business.

NOW THEREFORE, the parties hereto in consideration of the mutual covenants, terms and conditions, do hereby agree as follows:

#### ARTICLE I LEASED PREMISES

Section 1.01. <u>Leased Premises</u>. The term "Leased Premises" means a portion of the real property and improvement owned by LESSOR located at 800 South C Street, consisting of approximately 3,720 square feet on the first floor and an additional 1,876 square feet in a mezzanine area overlooking the first floor area more particularly described in Exhibit

A attached hereto and incorporated by reference herein.

Section 1.02. <u>Demise of Leased Premises</u>. LESSOR hereby leases to LESSEE, and LESSEE hereby leases from LESSOR, the Leased Premises, on the terms and conditions set forth in this Lease.

#### ARTICLE II TERM

Section 2.01. <u>Effective Date</u>. The effective date of the Lease ("Effective Date") will be as set forth above under Lease Agreement.

Section 2.02. <u>Term</u>. The term of this Lease will be for a period of up to two years subject to earlier termination by Lessee upon 30 days notice to Lessor and commencing on the Effective Date and ending two years from the Effective Date;

## ARTICLE III RENTAL AND RELATED CHARGES

Section 3.01. <u>Rent</u>. LESSEE shall pay to LESSOR as rent for the Leased Premises, the sum set of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) per month.

All rent and other sums payable to LESSOR under this Lease shall be paid to LESSOR at LESSOR's address for notices under this Lease or to such other person or at such other place as LESSOR may from time to time designate in writing.

### ARTICLE IV USE OF LEASED PREMISES

Section 4.01. <u>Use of Leased Premises</u>. LESSEE shall use the Leased Premises as a membership fitness business which may be used by members up to 24 hours per day and seven days per week.

Section 4.02. <u>Parking lot and maintenance</u>. Lessee shall have the right to utilize available parking for Divide Fitness Inc. members and staff. Lessor shall provide parking lot maintenance including snow removal with the understanding that snow removal may be limited to a Monday thru Friday basis due to County staff availability.

#### ARTICLE V UTILITIES AND SERVICES

Section 5.01. <u>Utilities</u>. LESSOR shall pay for water, gas, heat, light, and power, supplied to the premises and used by LESSEE.

Section 5.02. <u>Interruption of Service</u>. In no event shall LESSOR be liable for an interruption or failure in the supply of any utilities or services to the Leased Premises, not within the control of LESSOR.

## ARTICLE VI CONDITION AND MAINTENANCE OF LEASED PREMISES

Section 6.01. <u>Maintenance</u>. LESSEE shall, at its sole cost and expense, keep and maintain the Leased Premises and all improvements thereon in good order, condition, and repair, ordinary wear and tear excepted.

Section 6.02. <u>Hazardous Wastes</u>. LESSEE agrees to comply with applicable federal, state and local law dealing with hazardous or toxic material during its tenancy. LESSEE's obligation to LESSOR, however, shall be limited to containing and disposing of such materials as a result of LESSEE's operations during its use and occupancy of the Leased Premises both before and after the Effective Date of this lease. LESSEE shall not be

responsible to LESSOR for containment, cleanup, or disposal of hazardous or toxic waste existing on the property prior to LESSEE's use of Lease thereof or subsequent thereto if not resulting from LESSEE's operation. LESSOR will indemnify, defend and hold LESSEE harmless from claims made against it by Third parties for cleanup and remediation costs. These indemnities are intended to operate as agreements pursuant to '107(e) of the comprehensive Environment of Responsive Compensation and Liability Act. LESSEE will indemnify, defend and hold LESSOR harmless from claims for and cost of remediation and cleanup resulting from LESSEE's operations.

Section 6.03. <u>Governmental Regulations</u>. LESSEE shall, at LESSEE's sole cost and expense, comply with all of the requirements of all federal, state, county, municipal and other applicable governmental authorities, now in force, or which may hereafter be in force, pertaining to the Leased Premises and shall faithfully observe in the use of the Leased Premises all statutes, laws, ordinances, rules and regulations, whether federal, state, county, or municipal.

#### ARTICLE VII LIABILITY FOR DAMAGE, TAXES AND ASSESSMENTS

Section 7.01. Loss and Damage. LESSOR shall not be liable for any damage to property of LESSEE or others located on the Leased Premises or in any building, nor for the loss of or damage to any property of LESSEE or others by theft or otherwise. LESSOR shall not be liable for any injury or damage to persons or property resulting from any casualty or cause whatsoever, save and except for damage caused by LESSOR's negligence or intentional acts. LESSOR shall not be liable for any such damage caused by other persons on the Leased Premises, occupants of adjacent property, or the public. All property of LESSEE kept or stored on the Leased Premises shall be so kept or stored at the risk of LESSEE only, and LESSEE shall hold LESSOR harmless from and hereby waives any claims arising out of damage to the same or damage to LESSEE's business, including subrogation claims by LESSEE's insurance carrier, unless such damage shall be caused by the willful act or gross neglect of LESSOR.

Section 7.02. <u>Taxes and Assessments.</u> LESSEE will pay all personal property taxes levied and assessed against LESSEES personal property as well as the value of the lease as

calculated and required by NRS 361.157; 361.227 and 361.2275.

### ARTICLE VIII INSURANCE

Section 8.01. Comprehensive Liability Insurance. Throughout the term of this Lease, LESSEE shall, at its sole cost and expense, maintain in full force a policy or policies of comprehensive liability insurance, including property damage insurance written by one or more insurance companies licensed to do business in Nevada that will insure LESSEE against liability for injury to persons and property and for the death of any person occurring on or about the Leased premises. The liability under such insurance shall not be less than One Million Dollars \$1,000,000,000 for any one person injured or killed, not less than One Million Dollars (\$1,000,000.00) for any one accident, and not less than One Million Dollars (\$1,000,000.00) for property damage sustained in any one occurrence. The insurance required under this Section may be furnished through general policies covering all of LESSEE's operations, wherever located. LESSEE shall provide LESSOR with certificates evidencing such policies.

Section 8.02. <u>Worker's Compensation Insurance</u>. LESSEE shall make adequate provision for accident or injury to LESSEE's employees and shall at all times during the Term and thereafter hold LESSOR harmless from all claims made by any person by reason of any injury, disability, or death of any employee of LESSEE resulting from LESSEE's operations.

### ARTICLE IX SURRENDER

Section 9.01. <u>Surrender of Leased Premises</u>. At the termination of this Lease, or any renewal hereof, LESSEE shall surrender the Leased Premises in the same condition as the Leased Premises were on the Effective Date, reasonable wear and tear excepted.

### ARTICLE X SUCCESSORS

Section 10.01. <u>Successors</u>. This Lease shall bind and inure to the benefit of the parties and their respective successors, assigns, legatees, designees, legal representative, executors and administrators, but neither LESSEE nor LESSOR shall assign or delegate this Lease or any of their or its rights, interests or obligations hereunder without the prior written consent of the other party and any attempted or purported assignment or delegation without such consent shall be void. Nothing in this Lease shall be construed as prohibiting LESSEE from subleasing all or a portion of the Leased Premises to a third party. This Lease is not intended, nor shall it be construed, to confer any enforceable rights on any person who is not a party hereto.

Section 10.02. <u>Transfer by LESSOR--Release</u>. LESSOR, at any time and from time to time, may make an assignment of its interest in this Lease and, in the event of such assignment and the assumption by the assignee of the covenants and agreements to be performed by LESSOR herein, LESSOR and its successors and assigns (other than the assignee of this Lease) shall be released from and all liability hereunder.

## ARTICLE XI MISCELLANEOUS

Section 11.01. <u>Amendments</u>. No provision of this Lease may be changed, modified, waived, discharged, or terminated, except by a written instrument executed and delivered by the parties.

Section 11.02. <u>Applicable Law; Jurisdiction</u>. This Lease and all questions of validity, construction, interpretation, performance and enforcement of the terms and conditions of this Lease and any other obligation secured hereby shall be governed by the applicable statutory and common law of the State of Nevada and the parties agree that any proceedings with respect to the performance or enforcement of this Lease shall be brought in a court of competent jurisdiction in the State of Nevada.

Section 11.03. <u>Brokers</u>. The parties acknowledge that neither party has retained a broker to assist in bringing about the transactions provided for hereunder. The parties agree to

indemnify, defend and hold one another harmless from and against all claims for brokerage commissions and finder fees arising by reason of this Lease.

Section 11.04. <u>Captions</u>. The captions, titles, headings and Section numbers appearing in this Lease are for reference proposes only and shall in no way limit, define, or otherwise affect the construction of this Lease.

Section 1.05. <u>Complete Agreement</u>. Except instruments incorporated herein by reference and documents executed simultaneously herewith there are no written and/or oral agreements between LESSOR and LESSEE additional to or different from this Lease, and this Lease supersedes and cancels any and all previous negotiations, arrangements, agreements, letters and understandings between LESSOR (or its agents, or representative) and LESSEE with respect to the subject matter of this Lease. There are no representations between LESSOR and LESSEE other than those contained in this Lease, and all reliance with respect to any representation is solely upon the representations contained in this Lease. This Lease shall be construed in a fair and equitable manner and shall not be construed against the party by whom it was drafted.

Section 11.06. <u>Counterparts</u>. This Lease may be executed in any number of counterparts, or by different parties in different counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, and in making proof hereof, it shall not be necessary to produce or account for more than one such counterpart.

Section 11.08. <u>Force Majeure</u>. Any covenants, conditions, provisions, or agreements on the part of Landlord to be performed shall not be deemed breached if Landlord is unable to furnish or perform the same by virtue of any cause whatsoever beyond Landlord's control, nor shall Tenant's rent be abated by reason of such inability on the part of Landlord.

Section 11.09. <u>No Partnership</u>. The parties expressly agree and acknowledge that LESSOR does not in any way or for any purpose become a principal or partner of LESSEE in the conduct of its business or a joint venturer or a member of a joint enterprise with LESSEE by reason of this Lease.

Section 11.010. <u>Notices</u>. All notices, requests, waivers, approvals, consents, demands and other communications hereunder shall be in writing and shall be deposited with the United States Postal Service, with all charges, fees and first-class postage prepaid, properly addressed as follows:

If to LESSEE:

Jessica Fain

P.O. Box 1128

Virginia City, NV 89440

If to LESSOR

Austin Osborne

P. O. Box 176

26 S. B Street

Virginia City NV 89440

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and year first above written.

**LESSOR** 

LESSEE

STOREY COUNTY

DIVIDE FITNESS INC.

By: Austin Osborne,

County Manager

By: Jessica Fain, President



#### Storey County Board of County Commissioners Agenda Action Report

| Meeting date: 08/06/19   |                                   | Estimate of time required: 20 min.  |  |  |  |
|--|-----------------------------------|---|--|--|--|
| Agenda: Consent [] Regular agend   | da [x]                            | Public hearing required [x]   |  |  |  |
| architecture, HVAC, electrical, struc<br>improvement work at 800 South C S   | tural, a<br>street, V<br>nis item | Approve contract with Dube Architectural Group for nd civil design services relating to the proposed tenant Virginia City, Nevada, for the provisions of county does not amend or affect the fee schedule for said.   |  |  |  |
| move to approve a contract with D<br>structural, and civil design services r<br>C Street, Virginia City, Nevada, for | Oube Arelating r the pr           | the recommendation by staff, I [county commissioner] rehitectural Group for architecture, HVAC, electrical, to the proposed tenant improvement work at 800 South rovisions of county facilities to include Justice Court. see schedule for said services approved by the board on |  |  |  |
| 3. Prepared by: Austin Osborne   |                                   |   |  |  |  |
| 4. <b>Department</b> : County Manager  |                                   | <b>Telephone:</b> 775.847.0968  |  |  |  |
| 5. Staff summary: The proposal has required for the project.   | s been 1                          | reviewed by staff and are appropriate to the services   |  |  |  |
| 6. Supporting materials: Proposed  | contrac                           | t. Fee scheduled approved by board on 07/02/19.   |  |  |  |
| 7. Fiscal impact: None on local gove   | ernmen                            | t.  |  |  |  |
| Funds Available:   | Fund                              | : Comptroller   |  |  |  |
| <ul><li>8. <u>Legal review required</u>:</li><li>9. <u>Reviewed by</u>: Department Head</li></ul>                    | yes_                              | _ District Attorney  Department Name:   |  |  |  |
| County Manager   |                                   | Other agency review:  |  |  |  |
| 10. Board action:  [ ] Approved [ ] Denied   | []                                | Approved with Modifications Continued  Agenda Item No. 10   |  |  |  |



#### Standard Short Form of Agreement Between Owner and Architect

**AGREEMENT** made as of the Seventeenth day of July in the year Two Thousand Nineteen (July 17, 2019) (In words, indicate day, month and year.)

#### **BETWEEN** the Owner:

(Name, legal status, address and other information)

Storey County 26 S. B Street | P.O. Box 176 Virginia City, NV 89440

and the Architect: (Name, legal status, address and other information)

Dubé Group Architecture 458 Court Street Reno, NV 89501

for the following Project:
(Name, location and detailed description)

Storey County Justice Court | Divide Bldg. T.I. Virginia City, NV

The Owner and Architect agree as follows.

#### **ADDITIONS AND DELETIONS:**

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An Additions and Deletions Report that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

(1131827285)

#### **ARTICLE 1 ARCHITECT'S RESPONSIBILITIES**

The Architect shall provide architectural services for the Project as described in this Agreement. The Architect shall perform its services consistent with the professional skill and care ordinarily provided by architects practicing in the same or similar locality under the same or similar circumstances. The Architect shall perform its services as expeditiously as is consistent with such professional skill and care and the orderly progress of the Project. The Architect shall assist the Owner in determining consulting services required for the Project. The Architect's services include the following consulting services, if any:

Structural, mechanical, and electrical engineering.

During the Design Phase, the Architect shall review the Owner's scope of work, budget and schedule and reach an understanding with the Owner of the Project requirements. Based on the approved Project requirements, the Architect shall develop a design, which shall be set forth in drawings and other documents appropriate for the Project. Upon the Owner's approval of the design, the Architect shall prepare Construction Documents indicating requirements for construction of the Project and shall coordinate its services with any consulting services the Owner provides. The Architect shall assist the Owner in filing documents required for the approval of governmental authorities, in obtaining bids or proposals, and in awarding contracts for construction.

During the Construction Phase, the Architect shall act as the Owner's representative and provide administration of the Contract between the Owner and Contractor. The extent of the Architect's authority and responsibility during construction is described in AIA Document A105TM-2017, Standard Short Form of Agreement Between Owner and Contractor. If the Owner and Contractor modify AIA Document A105-2017, those modifications shall not affect the Architect's services under this Agreement, unless the Owner and Architect amend this Agreement.

#### ARTICLE 2 OWNER'S RESPONSIBILITIES

The Owner shall provide full information about the objectives, schedule, constraints and existing conditions of the Project, and shall establish a budget that includes reasonable contingencies and meets the Project requirements. The Owner shall provide decisions and furnish required information as expeditiously as necessary for the orderly progress of the Project. The Architect shall be entitled to rely on the accuracy and completeness of the Owner's information. The Owner shall furnish consulting services not provided by the Architect, but required for the Project, such as surveying, which shall include property boundaries, topography, utilities, and wetlands information; geotechnical engineering; and environmental testing services. The Owner shall employ a Contractor, experienced in the type of Project to be constructed, to perform the construction Work and to provide price information.

#### **ARTICLE 3 USE OF DOCUMENTS**

Drawings, specifications and other documents prepared by the Architect are the Architect's Instruments of Service. and are for the Owner's use solely with respect to constructing the Project. The Architect shall retain all common law. statutory and other reserved rights, including the copyright. Upon completion of the construction of the Project. provided that the Owner substantially performs its obligations under this Agreement, the Architect grants to the Owner a license to use the Architect's Instruments of Service as a reference for maintaining, altering and adding to the Project. The Owner agrees to indemnify the Architect from all costs and expenses related to claims arising from the Owner's use of the Instruments of Service without retaining the Architect. When transmitting copyright-protected information for use on the Project, the transmitting party represents that it is either the copyright owner of the information, or has permission from the copyright owner to transmit the information for its use on the Project.

#### ARTICLE 4 TERMINATION, SUSPENSION OR ABANDONMENT

In the event of termination, suspension or abandonment of the Project by the Owner, the Architect shall be compensated for services performed. The Owner's failure to make payments in accordance with this Agreement shall be considered substantial nonperformance and sufficient cause for the Architect to suspend or terminate services. Either the Architect or the Owner may terminate this Agreement after giving no less than seven days' written notice if the Project is suspended for more than 90 days, or if the other party substantially fails to perform in accordance with the terms of this Agreement. Except as otherwise expressly provided herein, this Agreement shall terminate one year from the date of Substantial Completion.

Init.

#### ARTICLE 5 MISCELLANEOUS PROVISIONS

This Agreement shall be governed by the law of the place where the Project is located. Terms in this Agreement shall have the same meaning as those in AIA Document A105-2017, Standard Short Form of Agreement Between Owner and Contractor. Neither party to this Agreement shall assign the contract as a whole without written consent of the other.

Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Owner or the Architect.

The Architect shall have no responsibility for the discovery, presence, handling, removal or disposal of, or exposure of persons to, hazardous materials or toxic substances in any form at the Project site.

#### ARTICLE 6 PAYMENTS AND COMPENSATION TO THE ARCHITECT

The Architect's Compensation shall be:

Fixed fee Ninety Two Thousand Nine Hundred Fifty Dollars (\$92,950.00). Reimbursable expenses not to exceed Three Thousand Five Hundred Dollars (\$3,500.00).

The Owner shall pay the Architect an initial payment of zero dollars (\$0.00) as a minimum payment under this Agreement. The initial payment shall be credited to the final invoice.

The Owner shall reimburse the Architect for expenses incurred in the interest of the Project, plus Twenty percent (20 %).

Payments are due and payable upon receipt of the Architect's monthly invoice. Amounts unpaid Forty Five (45) days after the invoice date shall bear interest from the date payment is due at the rate of percent (%), or in the absence thereof, at the legal rate prevailing at the principal place of business of the Architect.

At the request of the Owner, the Architect shall provide additional services not included in Article 1 for additional compensation. Such additional services may include, but not be limited to, providing or coordinating services of consultants not identified in Article 1; revisions due to changes in the Project scope, quality or budget, or due to Owner-requested changes in the approved design; evaluating changes in the Work and Contractors' requests for substitutions of materials or systems; providing services necessitated by the Contractor's failure to perform; and the extension of the Architect's Article 1 services beyond Twelve (12) months of the date of this Agreement through no fault of the Architect.

#### **ARTICLE 7 OTHER PROVISIONS**

(Insert descriptions of other services and modifications to the terms of this Agreement.)

1. Fee proposal dated June 17, 2019 is hereby incorporated into this agreement and attached as Exhibit A.

2. Standard billing rates are hereby incorporated into this agreement and attached as Exhibit B.

| This Agreement entered into as of the day and y | ear first writter above.                               |
|---|--|
| OWNER (Signature)                               | ARCHITECT (Signature)                                  |
| Austin Osborne, County Manager                  | Peter R. Dubé, Principal Architect # 2333              |
| (Printed name and title)                        | (Printed name, title, and license number, if required) |

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Init.

#### Additions and Deletions Report for

AIA® Document B105<sup>™</sup> – 2017

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 10:23:08 ET on 07/17/2019.

#### PAGE 1

User Notes:

AGREEMENT made as of the Seventeenth day of July in the year Two Thousand Nineteen (July 17, 2019)

Storey County 26 S. B Street | P.O. Box 176 Virginia City, NV 89440

<u>Dubé Group Architecture</u> 458 Court Street Reno, NV 89501

Storey County Justice Court | Divide Bldg. T.I. Virginia City, NV PAGE 2

Structural, mechanical, and electrical engineering. PAGE 3

Fixed fee Ninety Two Thousand Nine Hundred Fifty Dollars (\$92,950.00). Reimbursable expenses not to exceed Three Thousand Five Hundred Dollars (\$3,500.00).

The Owner shall pay the Architect an initial payment of <u>zero dollars</u> (\$ 0.00 ) as a minimum payment under this Agreement. The initial payment shall be credited to the final invoice.

The Owner shall reimburse the Architect for expenses incurred in the interest of the Project, plus <u>Twenty</u> percent (<u>20</u>%).

Payments are due and payable upon receipt of the Architect's monthly invoice. Amounts unpaid <u>Forty Five (45)</u> days after the invoice date shall bear interest from the date payment is due at the rate of percent (%), or in the absence thereof, at the legal rate prevailing at the principal place of business of the Architect.

At the request of the Owner, the Architect shall provide additional services not included in Article 1 for additional compensation. Such additional services may include, but not be limited to, providing or coordinating services of consultants not identified in Article 1; revisions due to changes in the Project scope, quality or budget, or due to Owner-requested changes in the approved design; evaluating changes in the Work and Contractors' requests for substitutions of materials or systems; providing services necessitated by the Contractor's failure to perform; and the

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| extension of the Architect's Article 1 services beyon fault of the Architect.  | ond <u>Twelve</u> (12 ) months of the date of this Agreement through                                   |
|--|--|
| ***  |  |
| <ol> <li>Fee proposal dated June 17, 2019 is hereby inc.</li> <li>Standard billing rates are hereby incorporated i</li></ol> | orporated into this agreement and attached as Exhibit A. nto this agreement and attached as Exhibit B. |
|  |  |
| Austin Osborne, County Manager   | Peter R. Dubé, Principal Architect # 2333  |

(1131827285)

#### Certification of Document's Authenticity

AIA® Document D401™ - 2003

I, Peter R. Dubé, NCARB, AIA, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 10:23:08 ET on 07/17/2019 under Order No. 3703634035 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document B105<sup>TM</sup> – 2017, Standard Short Form of Agreement Between Owner and Architect, as published by the AIA in its software, other than those additions and deletions shown in the associated Additions and Deletions Report.

(Signed)

Avchitect

(Title)

(Dated)



June 17, 2019

Pat Whitten, County Manager Storey County 26 S. B Street | P.O. Box 176 Virginia City, NV 89440

RE: Storey County Justice Court | Divide Bldg. Tenant Improvements Proposal for A/E Design & Construction Documents

#### Dear Pat:

Thank you for the opportunity to work with you, county staff, and the board of commissioners on this project. Our team will provide professional architecture, structural, mechanical, plumbing, and electrical engineering services for the design of tenant improvements to convert MxTrophies.com's 5,250 sf of warehouse space into offices for the justice court, IT, and Dispatch, and the scope of work will include adding a roughly 1,850 sf mezzanine.

#### **Project Team**

We have assembled the following team that has a track record of working together on projects throughout Nevada (including Storey County):

- Dubé Group Architecture will provide project management and architecture
- P&F Consultants will provide structural engineering
- SGF Engineering will provide mechanical and plumbing engineering
- Dinter Engineering will provide electrical engineering

#### **Scope of Services**

Project management responsibilities shall include:

- general coordination between all design disciplines (structural, mechanical, plumbing, and electrical), other consultants retained by the Owner (civil, geotechnical, and survey), and the Owner
- direct and manage the design team's production schedule
- oversee all aspects of design and construction process
- manage production of required deliverables

#### Architectural design services shall include the design of:

- · building interiors, including programming, layout of spaces, and circulation
- building life safety
- architectural building systems consisting of flooring, interior walls and finishes, openings, casework, and ceilings

#### Structural consulting engineering services shall include the design of:

- design of new mezzanine, including vertical loading
- design of new generator pad and enclosure
- · head off existing column in courtroom
- miscellaneous connections and details

#### Mechanical consulting engineering services shall include design of:

- design of an HVAC system consisting of split-system gas-fired furnaces, restroom exhaust, air distribution, HVAC controls
- heat loss calculations

#### Plumbing consulting engineering services shall include design of:

- design of a domestic water system including a gas-fired water heater, domestic hot and cold water distribution, and miscellaneous plumbing equipment
- design of a waste and vent piping system including cast iron waste and vent piping, and miscellaneous plumbing equipment
- design of a propone piping system

#### Electrical consulting engineering services shall include design of:

- interior building lighting
- empty raceways stub-ups only for voice/data outlet locations
- power services and connections to systems designed by others including specialty lighting, fire alarm/life safety systems, low voltage information technology and A/V systems
- emergency power (back-up generator)

#### **Project Budget**

Per our discussion, it is our understanding the total project cost should not exceed \$2,000,000, inclusive of hard costs (property acquisition, construction, generator, contingency) and soft costs (a/e fees, FF&E, connection fees).

#### **Preliminary Timeline**

Based on an assumed Notice to Proceed date of no later than July 1, 2019, the following is a proposed schedule for consideration. Please note that as the work progresses, we will advise you of changes and provide an updated schedule monthly but we anticipate completion within 30 weeks (210 days), or no later than January 27, 2020.

| A/E Design & Construction Documents | 45 Days  |
|-------------------------------------|----------|
| Agency Plan Review                  | 14 Days  |
| Issue Bid Documents                 | 5 Days   |
| Bidding                             | 21 Days  |
| Contracting                         | 5 Days   |
| Construction                        | 120 Days |

#### **Proposed Fee**

We will provide architectural / engineering services enumerated above for a fixed fee of \$92,950.00. A breakdown by individual task is as follows:

| Task 1<br>Task 2 | Design & Construction Documents Bidding Assistance | 5     | \$<br>72,700.00<br>5,900.00 |
|------------------|--|-------|-----------------------------|
|                  | Construction Administration                        |       | \$<br>14,350.00             |
|                  |  | Total | \$<br>92.950.00             |

In addition to fixed costs, we recommend an allowance of \$3,500.00 to cover reimbursable expenses, which will be billed at cost plus 20 percent. Please note our fee includes periodic site visits but does not cover regularly (weekly or biweekly) scheduled Owner / Architect / Contractor (OAC) meetings during construction. If our attendance is required, we will bill hourly in accordance with rate schedule attached.

#### Deliverables

We will submit the following deliverables at 50% and Final submittals:

- Design & Construction Plans (prepared using AutoCad version 2017 or more current), 24x36 layout, in PDF or other digital format
- Project Specifications (prepared using MasterSpecs or similar CSI formatted model specifications), in PDF, or other digital format
- Preliminary Opinion of Probable Cost

#### **Assumptions & Exclusions**

Our proposal assumes civil engineering, surveying, geotechnical engineering, and landscape architecture will be provided by others. The following services are expressly excluded: architectural site design, including ADA accessible parking and routes; fire sprinkler design and review of fire sprinkler protection drawings; lightening protection systems; review of fire alarm shop drawing submittals; preparation of record drawings.

A/E Proposal for Design & Construction Documents Storey County Justice Court Divide Bldg. TI Page 4 of 4

Again, on behalf of our team, thank you for allowing us to provide this proposal. Do not hesitate to call me if you have any questions or concerns.

Sincerely,

**DUBÉ GROUP ARCHITECTURE** Peter R. Dubé, NCARB, AIA Architect

NV Architect License No. 2443

#### **Vanessa Stephens**

From:

Glover, Michael <mglover@dot.nv.gov>

Sent:

Thursday, May 9, 2019 9:49 AM

To:

Vanessa Stephens

Cc:

Bonner, Robert

Subject:

Storey County Commission Agenda Request



#### STOREY COUNTY COMMISSION AGENDA REQUEST

#### To Whom It May Concern:

Each year the Nevada Department of Transportation is honored to meet with your county commission to present future planning efforts for the statewide transportation program. This is an ongoing effort to stay connected to the needs and concerns of your county.

We request to be scheduled on the August 6, 2019 Commission meeting agenda as close to the beginning of the meeting as possible. There is no request for a time certain agenda item and if acceptable we ask that you hear our agenda item when we arrive. This helps to minimize travel time and staff being away from the office.

NDOT also requests that **this be listed as an action item** so that the commission may take action on the following two items:

- 1. Accept the annual work program.
- 2. Validate the top two concerns based on previous discussions.

If there are specific items you would like us to address please let us know. We look forward to being with you again this year as we work together to create a safe and connected transportation system for the State of Nevada.

#### Regards,

Lee Bonner | PMP, CSSBB Government | Tribal Liaison State Railroad Coordinator

State of Nevada | Nevada Department of Transportation

O: (775) 888-7122 C: (775)434-4548 | E: lbonner@dot.nv.gov



Murph Glover Government | Tribal Liaison Associate

State of Nevada | Nevada Department of Transportation

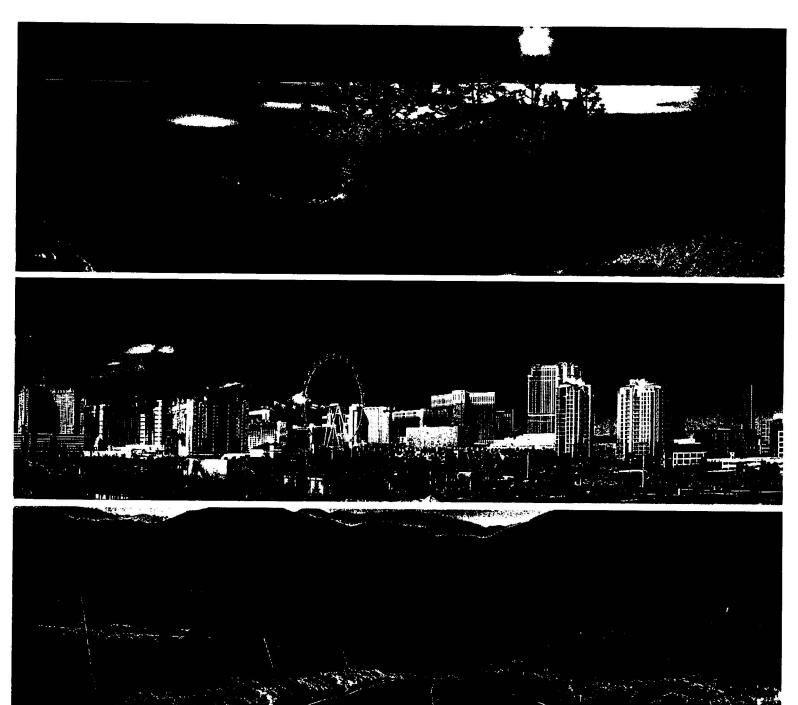
O: (775) 888-7123 C: (775)720-2022 E: mglover@dot.nv.gov



1)







Douglas County
2019 Transportation Improvement Program

Statewide Transportation Improvement Program
Annual Work Program





#### NDOT Mission, Vision, Core Values, and Goals

#### **Our Vision:**

To be a leader and partner in delivering effective transportation solutions for a safe and connected Nevada.

#### **Our Mission:**

Provide and preserve a transportation system that enhances safety, quality of life and economic development through innovation, environmental stewardship and a dedicated workforce.

#### **Core Values:**

- Respect Treat others with dignity and value their contributions
- Integrity Do the right thing
- Accountability Take pride in our work and be accountable for our actions
- Communication Communicate with transparency and responsiveness
- Teamwork Foster collaborative and effective partnerships
- Flexibility Be responsive to changing conditions and open to new ideas

#### Our Goals:

- Safety first
- · Cultivate environmental stewardship
- Efficiently operate and maintain the transportation system in Nevada
- · Promote internal and external customer service
- · Enhance organization and workforce development



#### **Board of Directors**





Kate Marshall Lt Governor



Steve Sisolak Governor



Catherine Byrne State Controller



Frank Martin District 1



Virginia Valentine District 1



Len Savage District 2



Emil "B.J" Almberg District 3

#### **Senior Staff**



Kristina L. Swallow Director



Cole Mortensen Deputy Director



Tracy Larkin-Thomason Deputy Director

Vacant Deputy Director



Robert Nellis Administration



Sondra Rosenberg Planning

Mary Martini

District 1



Mike Fuess District 2



Vacant

Boyd Ratliff District 3

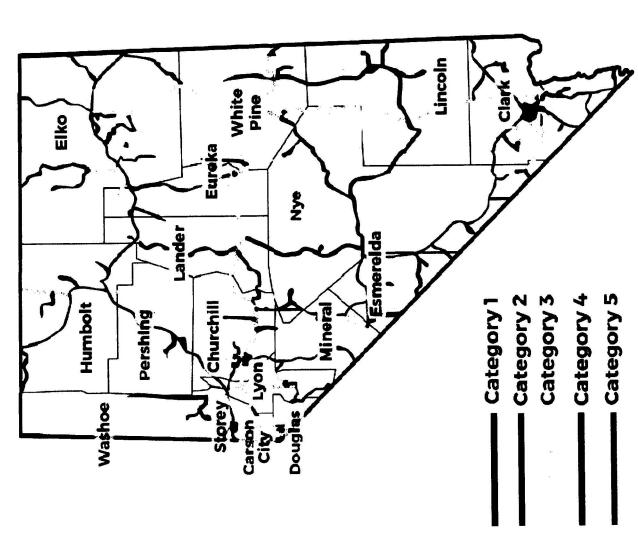
Vacant Engineering

## County

# COUNTY PRIORITIES

|                          | PRIORITY DESCRIPTION | Evaluate interchange I 80 at Lockwood for safety improvements, including lengthening on westbound acceleration lane | Install stormwater management system including gutter, curb and sidewalk and road relinquishment | Identify mitigation strategies for horses entering SR 341 and SR 342 corridors causing wildlife vehicle collisions. This area is in the top 5 of wildlife vehicle collisions. | Interchange on LGD at Waltham Way requires a redesign due to increased traffic from TRI Center | Install signage on US 50 and SR 341 for no trucks on CR 79 (Six Mile Canyon Rd). NDOT needs a county ordinance to move this forward (11-5-18) | Revise bridge height at Painted Rock where emergency response vehicles are too high to cross under | Evaluate and remedy deteriorating bridge structures. ST20170004, B-1427: Peri Ranch Rd @ Canyon Way ST20170005, B-1848B: Cercle de la Cerese, ST20170006, B-1849: Ave. of the Colors | Revise / replace retaining well on Saymour property. Integrity of NDOT ROW. NDOT to request third party for a title search (11-5-18) | Evaluate speed limits on SR 439/USA Pkwy to address safety concerns. Possible 55 MPH from US 50 to current 55 MPH zone |
|--------------------------|----------------------|---|--|---|--|---|--|--|--|--|
| STOREY COUNTY PRIORITIES | PRIORITY TITLE       | i 80 Safety Concerns at Lockwood Interchange  | SR 341 install stormwater management   | SR 341 and SR 342 Wild Horse Management   | l 80 Redesign Interchange at Waltham Way   | SR 341 and US 50 Install 'No Truck' Signage   | Painted Rock bridge revision   | Bridge B1427, B1848B, B1849  | Revise retaining well on Seymour property  | SR 439/USA Pkwy Speed limit evaluation   |

\*\*Denotes Top 2 Concern



Category 1: Interstates, freeways, and expressways with limited access and high traffic speeds

Category 2: High traffic volumes and heavy truck loads

Category 3: Relatively high traffic and truck loads

Category 4: Lower volume state routes

Category 5: Roads with low traffic volumes

#### **ROAD CATEGORIES**

| COUNTY | ROUTE | MILES  | DESCRIPTION   | CATEGORY |
|--------|-------|--------|---|----------|
| ST     | SR341 | 7.720  | SR341, Virginia City Road, from 0.016 miles South of the junction with SR342 to the ST/WA County Line | 3        |
| ST     | SR342 | 2.943  | SR342 from the LY/ST County Line to SR341   | 3        |
| ST     | SR439 | 10.284 | SR439, USA Parkway, from the LY/ST county line to the ST/WA county line                               | 3        |
|        |       | 20.947 |   |          |
| ST     | SR341 | 3.120  | SR341, Virginia City Road, from the LY/ST County Line to 0.016 miles South of the junction with SR342 | 4        |
|        |       | 3.120  |   |          |

Category 1
Category 2
Category 3
Category 4
Category 5

## Safety

#### **STOREY**



#### **2017 Crash Totals**

| Property Damage Only Crashes | 139 |
|------------------------------|-----|
| Injury Crashes               | 47  |
| Fatal Crashes                | 0   |
| Total Crashes                | 186 |
| Fatalities                   | 0   |
| Injuries                     | 57  |

**0.3%** of Nevada's <u>Total Crashes</u> occurred in Storey.

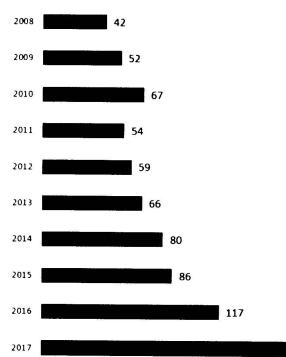
**0.0%** of Nevada's <u>Fatal Crashes</u> occurred in Storey.

**0.2%** of Nevada's <u>Injury Crashes</u> occurred in Storey.

High Crash Density

Low Crash Density

## TOTAL CRASHES IN STOREY ANNUALLY





2017 Storey Crash Density Map

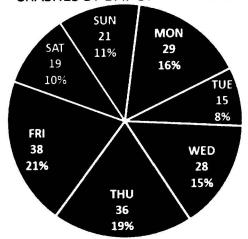
#### Weather, Time, and Day

In 2017 the majority of Storey County crashes occurred between the time of 3:00 PM and 6:00 PM.

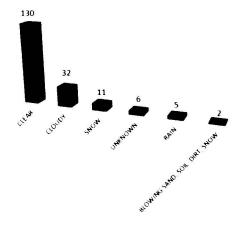
Thursday and Friday saw the most crashes attributing to 40% of total crashes.

January saw the highest amount of crashes in 2017 with 24, March the least with 9.

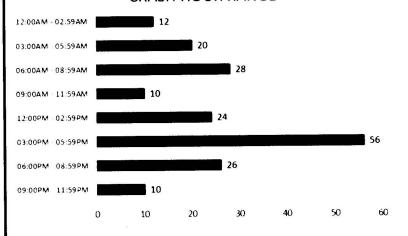
#### CRASHES BY DAY OF THE WEEK



#### **CRASHES BY WEATHER TYPE**



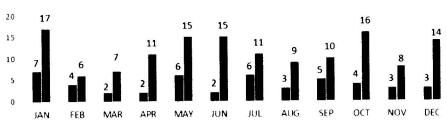
#### **CRASH HOUR RANGE**



#### **FATAL CRASHES BY MONTH**



#### INJURY AND PDO CRASHES BY MONTH



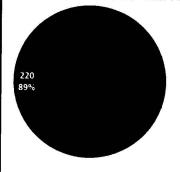


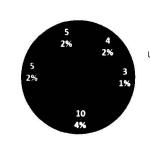




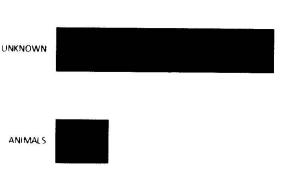
#### Drivers and Vehicles

#### **TOP DRIVER FACTORS**



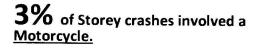






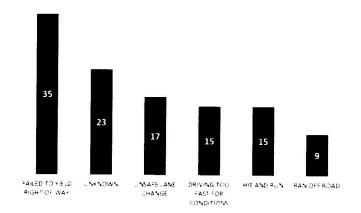
- APPARENTLY NORMAL 89%
- OTHER IMPROPER DRIVING 2%
- OBSTRUCTED VIEW 2\*
- HAD BEEN DRINKING 4%
- INATTENTION/DISTRACTED 2%
- # FELL ASLEEP, FAINTED, FATIGUED, ETC 1%

#### TOP CONTRIBUTING FACTORS

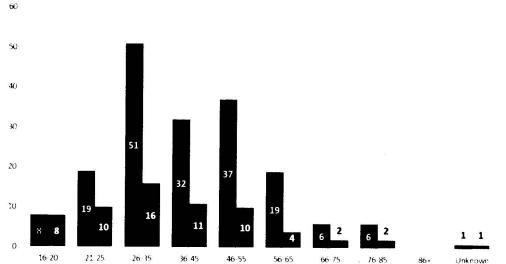


**41%** of Storey crashes involved a <u>Lane Departure</u>.

**62%** of Storey crashes occurred at an <u>Intersection.</u>



#### DRIVER AGE RANGE



■ Male ■ Female





#### NON MOTORIST ACTIONS IN CRASHES

In Storey County 1 Non-Motorist was involved in a crash. As a result, there were 0 fatalities and 1 injury.



NON MOTORIST FACTORS IN CRASHES



The total number of Non-Motorist fatalities did not change from 0 in 2016 to 0 in 2017.

NON MOTORIST INJURY SEVERITY

Non-Motorist in the 46-55 age range were involved in the most crashes at 1.



NON MOTORIST AGE RANGE

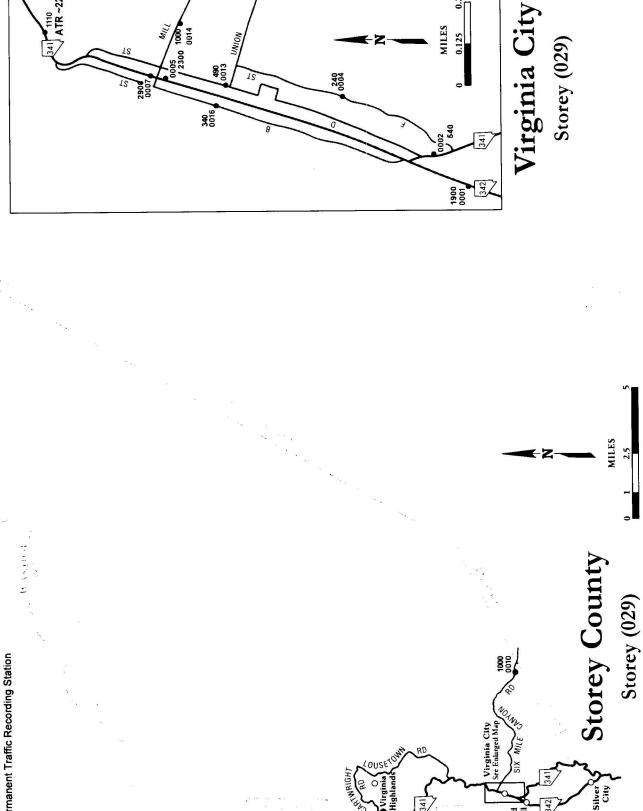


## **Traffic Counts**

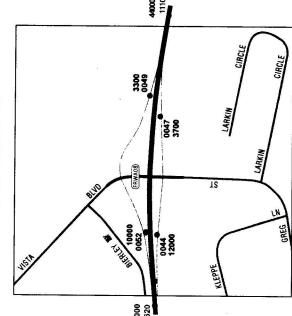
Red Dot - Temporary Traffic Station Blue Number - Average Annual Daily Traffic Counts

Blue Dot - Permanent Station Number Purple ATR - Permanent Traffic Recording Station

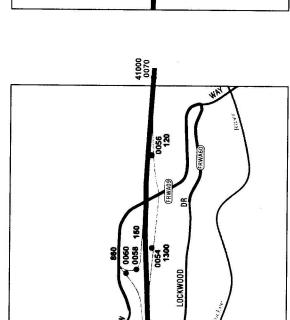
ATR ~2200



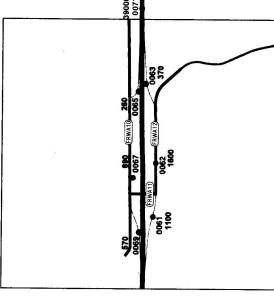
# Vista Blvd 21



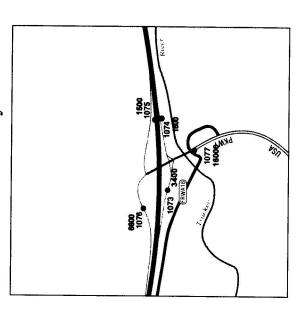
## Lockwood 22



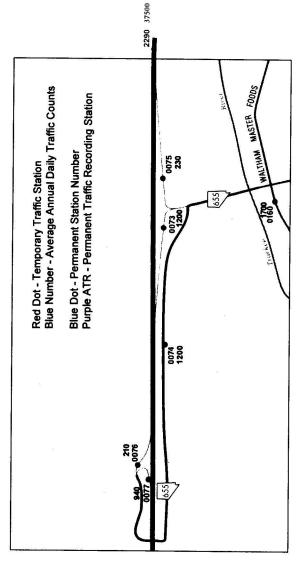
## Mustang 23



## **USA Pkwy**



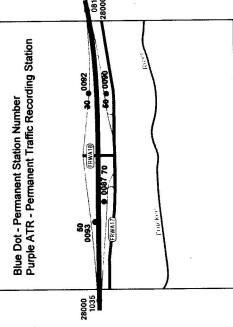
## Patrick 28



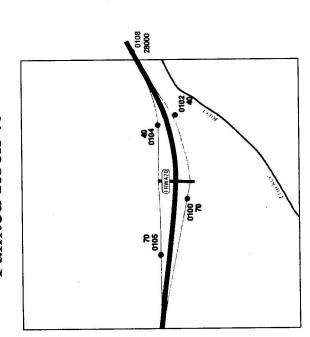
## Interstate (30) Interchanges

## Thisbe-Derby Dam 36

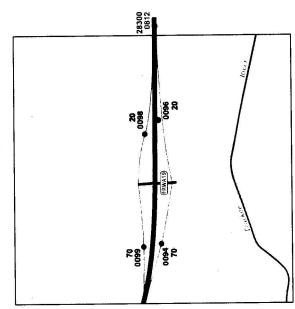
Red Dot - Temporary Traffic Station Blue Number - Average Annual Daily Traffic Counts



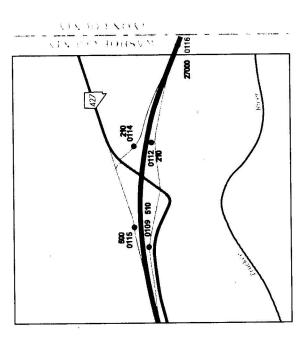
## Painted Rock 40



### Orchard 36

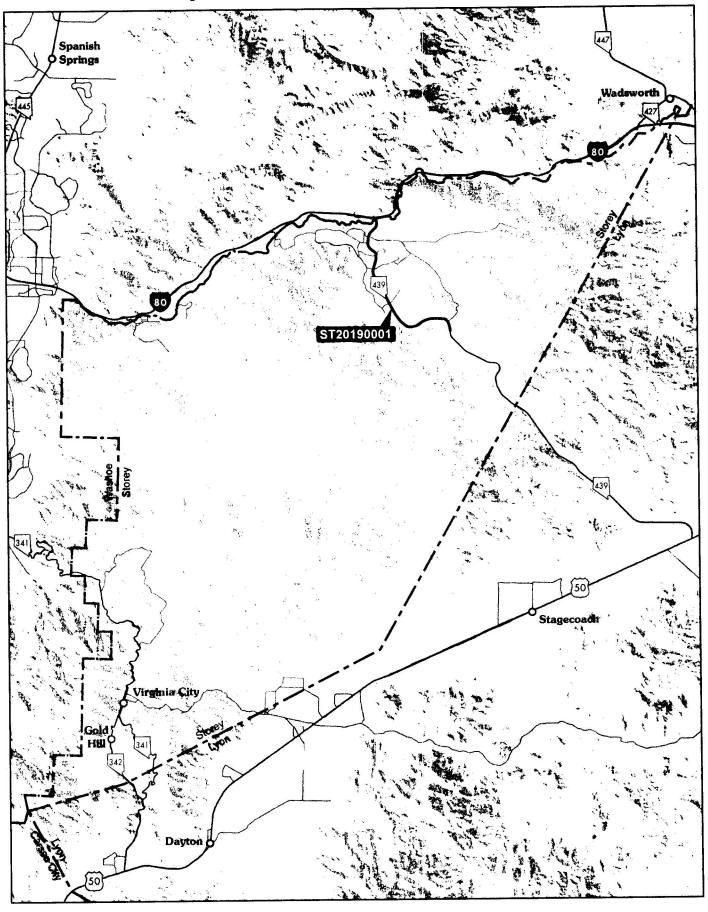


## Wadsworth Pyramid Lake 43



### Work Program

### **Storey County FFY2020 Work Program**



Prepared by: Nevada Department of Transportation July, 2019



This Map is for display purposes only. No liability is assumed for the information displayed hereon.

# PROPOSED STOREY COUNTY DRAFT 2020 WORK PROGRAM REPORT

FISCAL YEAR 2020 PROPOSED STOREY COUNTY DRAFT 2020 WORK PROGRAM REPORT

| STIP ID    | Location/Description (Phase) - Fund Source | PHASE | 2020        |  |
|------------|--|-------|-------------|--|
| ST20190001 | 01 Title: SR 439 Cape & Chip Seal & Micro  | CON   | \$1,230,000 |  |

Description: Cape and chip seal and micro on top

Location: From 0.22 Miles South of ST/WA County Line to 4.26

Miles North of LY/ST County Line of Distance (mile) 6.11 Milepost

begins at 4.26 ends at 10.37

Type: Betterments

Funding: STATE

TOTAL

\$1,230,000

List Subject to Change



### Storey County Board of County Commissioners

| Meeting date: August 6, 2019  | A  | Estimate of time required: 5-10 minutes   |
|---|--|---|
| Agenda: Consent [] Regular agen   | da [ <b>X</b> ] Pu   | blic hearing required []  |
| 1. Title: DISCUSSION/POSSIBLE Census.   | E ACTION   | Proclamation Supporting the 2020 United States  |
| 2. Recommended motion: I move States Census in Storey Cou   | to approve<br>nty, Nevad   | the Proclamation Supporting the 2020 United a.  |
| 3. Prepared by: Cherie Nevin Department: Community Relation   | ons  | <b>Telephone:</b> 847-0986  |
| helping planners determine where to year in federal and state funding is al data ensures fair Congressional, State goals and ideals of the 2020 Census support Census takers as they help support a Complete Count Commit group of folks from Storey County Ambassadors and play an integral implement local outreach campaign this time the following folks have ag County: Cherie Nevin (Storey Co County), Kim Hames (School Dishlands), Louise Pena (Lockwood | locate vita<br>located to see<br>te and local<br>and encounter commu-<br>tee for Storepresenting<br>role in the<br>seand raise<br>reed to part<br>unty), Stacestrict), Adraly, Michael | l vital to our community and residents' well-being by l programs and services. More than \$675 billion per tates and communities based on census data. Census representation. We are asking that you support the rage individuals in Storey County to participate and mity complete an accurate count and encourage and rey County. The Complete Count Committee is a gravious sectors of the County who act as Census 2020 Census. This committee exists to plan and awareness of the census and drive participation. At icipate in the Complete Count Committee for Storey y York (Storey County), Kathy Canfield (Storey York (Storey County), Kathy Canfield (Storey Lazzarino (Community Chest.) |
| <ol> <li>Supporting materials: Proclama</li> <li>Fiscal impact: NONE</li> </ol>   | tion   |   |
| Funds Available:  | Fund:  | Comptroller   |
| 7. Legal review required:   | Dist   | rict Attorney   |
| 8. Reviewed by:  CMN Department Head County Manager   | De   | epartment Name: Community Relations her agency review:  |
| 9. <b>Board action:</b> [ ] Approved [ ] Denied   |  | oproved with Modifications ontinued   |



### A PROCLAMATION SUPPORTING THE 2020 UNITED STATES CENSUS STOREY COUNTY, NEVADA

WHEREAS, an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate vital programs and services; and

WHEREAS, more than \$675 billion per year in federal and state funding is allocated to states and communities based on census data; and

WHEREAS, census data ensure fair Congressional representation by determining how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county commissions, and voting districts; and

WHEREAS, the 2020 Census creates jobs that stimulate growth and increase employment opportunities in our state and region; and

WHEREAS, the information collected by the Census is protected by law and remains confidential for 72 years; and

**WHEREAS**, we support the goals and ideals of the 2020 Census and encourage individuals in our community to participate; and

WHEREAS, we support Census takers as they help our community complete an accurate count; and

WHEREAS, we encourage and support a Complete Count Committee for Storey County; and

**NOW, THEREFORE**, We, the Storey County Board of Commissioners, do hereby proclaim the County of Storey as a "2020 United States Census Bureau Partner" and hereby set my hand and cause the official seal of Storey County to be affixed this 6<sup>th</sup> day of August 2019.

**ADOPTED** this 6<sup>th</sup> day of August, 2019

| (Signature and Seal of Official) |      |
|----------------------------------|------|
|                                  | 50 M |



### Storey County Board of County Commissioners Agenda Action Report

| Meeting date: August 6, 20   | 19 Estimate of time required: 10 min.  |
|--|--|
| Agenda: Consent [] Regula  | r agenda [] Public hearing required [X]  |
| 1. <b>Title:</b> Discussion and pos<br>State of Nevada Attorney Go   | sible action on Resolution No. 19-549 requesting the assistance of the eneral in the prosecution of a criminal matter. |
| 2. Recommended motion: I   | move to approve Resolution No. 19-549.   |
| 3. Prepared by: Anne M. La Department: District Atto   |  |
| criminal case against an indivi<br>County Sheriff. Further, the Dagainst Storey County. The Storey to the rules governing the ethic<br>Conduct and the National Pros<br>5. Supporting materials: Res |  |
| Attorney General's Office  | torney's Office would have to pay any expenses incurred by the   |
| 7. Legal review required: Y  | es <u>AML</u> District Attorney  |
| 8. Reviewed by: Department Head  | Department Name: District Attorney   |
| County Manager   | Other agency review:   |
| 9. Board action: [] Approved [] Denied   | [ ] Approved with Modifications [ ] Continued  |
|  | Agenda Item No. 13   |

### **RESOLUTION NO 19-549**

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**RESOLUTION** Requesting the assistance of the Attorney General in the prosecution of a criminal matter.

WHEREAS, the Storey County District Attorney's Office ("District Attorney") is responsible for the prosecution of criminal offenses which occur within Storey County; and

WHEREAS, the District Attorney has recently been called upon to determine charges and, if appropriate, prosecute certain crimes; and

WHEREAS, in the proposed case, the victim is a Storey County Deputy Sheriff who has an active civil litigation against Storey County; and

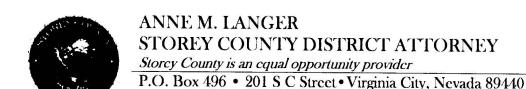
WHEREAS, the Storey County District Attorney cannot proceed with the litigation of the criminal conduct that has occurred due to the rules governing the ethics of the Nevada Rules of Professional Conduct and the National Prosecution Standards from the National District Attorney's Association of lawyers; and

WHEREAS, it is essential that a party who is interested in pursuing criminal charges against another party and the general public feel that the prosecutor is free of any conflict of interest or impropriety.

**NOW, THEREFORE**, be it resolved by the Board of County Commissioners of Storey County as follows:

1. That the Board joins in the request of the District Attorney that in accordance with the provisions of NRS 228.130, the Nevada Attorney General is to assume complete responsibility for any criminal prosecution commenced in the case of First Judicial District Court Case No. 16 CR 00008 1E.

|          | A  |
|----------|--|
| 1        | 2. That should the Attorney General agree to assume responsibility for the             |
| 2        | handling of the aforementioned case, the Treasurer of Storey County will, upon         |
| 3        | submission of a duly verified claim, pay from the general fund of Storey County all    |
| 4        | expenses that the Attorney General incurs in the handling and prosecution of said case |
| 5        | <b>ADOPTED</b> this day of, 2019.  |
| 6        | BOARD OF COMMISSIONERS OF STOREY COUNTY  |
| 7 8      | By:MARSHALL McBRIDE, Chairman  |
| 9        |  |
| 10       | ATTEST:  |
| 11       |  |
| 12       | Vanessa Stephens<br>Storey County Clerk/Treasurer                                      |
| 13       |  |
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July 11, 2019

Christine Brady, Bureau Chief State of Nevada Attorney General 100 North Carson Street Carson City NV 89701-4717

Re: Prosecution of Charles Albert Stutts

First Judicial District Court Case No. 16 CR 00008 1E - Storey County

Dear Bureau Chief Christine Brady:

Our office is seeking assistance from the Attorney General's office in the prosecution of the above-referenced matter as there is a conflict of interest wherein the alleged victim Deputy Mitchell Hammond has an active civil litigation pending against the County.

I am enclosing Resolution Number 19-549 which will be presented to the Storey County Board of Commissioners requesting that your office assume responsibility for any and all proceedings against Charles Albert Stutts. The Resolution will be presented to the Commission at our **August 6, 2019,** meeting. I will forward a copy of the Resolution to you once it is approved.

Please contact our office as soon as possible to advise if your office will accept this case, and if there is anything I or my staff can do to assist.

Sincerely,

Anne M. Langer, Storey County District Attorney

Enclosure as Stated



### Storey County Board of County Commissioners Agenda Action Report



| <b>Meeting date:</b> 08/06/19  |  | Estimate of time required: 20 min.  |  |  |
|--|--|---|--|--|
| Agenda: Consent [] Regular ag  | genda [x]  | Public hearing required [x]   |  |  |
| the Director of the State of Nevada I industrial development revenue bond \$50,000,000 for the purpose of assis constructing, improving and equippi renewable fuel products located on a Tahoe-Reno Industrial Center, Store facility used for preliminary sorting | Department of the ing a facility of the ing a facility of County, and process Court in Medical Department of the ing a facility of the ingression of the ing | pproval of Resolution No. M.550 adopting the findings by at of Business and Industry pertaining to the issuance of or more issues in an aggregate amount not to exceed financing or a refinancing of a portion of the costs of (i) ty to be used for converting municipal solid waste into mately 19.4-acre site located at 3600 Peru Drive in the Nevada and/or (ii) the improvements to and equipping of a ssing of municipal solid waste located on an approximately flustang, Storey County, Nevada. Approval of the County is    |  |  |
| approve Resolution No a of Business and Industry pertaining issues in an aggregate amount not to refinancing of a portion of the costs converting municipal solid waste in located at 3600 Peru Drive in the improvements to and equipping of a                    | dopting the to the issue of exceed \$ s of (i) conto renewa Tahoe-Renated in 10.0-acres  | e findings by the Director of the State of Nevada Department ance of industrial development revenue bonds in one or more \$50,000,000 for the purpose of assisting in the financing or a instructing, improving and equipping a facility to be used for ble fuel products located on an approximately 19.4-acre site no Industrial Center, Storey County, Nevada and/or (ii) the sed for preliminary sorting and processing of municipal solid site located at 350 Saddle Court in Mustang, Storey County, ursuant to NRS 349.580(2). |  |  |
| 3. Prepared by: Austin Osborne   |  |   |  |  |
| 4. <b>Department:</b> County Manager   |  | <b>Telephone:</b> 775.847.0968  |  |  |
|  | h financing  | rum Sierra Holdings qualify for state industrial development g or refinancing certain construction, improvement, and -fuel refinery facility at TRIC.   |  |  |
| 6. Supporting materials: Enclosure   | es: (A) Res  | olution Draft; (B) Findings Report; (C) Resources.  |  |  |
| 7. Fiscal impact:  |  |   |  |  |
| Funds Available:   | Fund   | d: Comptroller  |  |  |
| <ul><li>8. <u>Legal review required</u>:</li><li>9. <u>Reviewed by</u>: Department Head</li></ul>  |  | District Attorney tment Name:   |  |  |
| County Manager  10. Board action:  |  | Other agency review:  |  |  |
| Approved Denied  | []   | Approved with Modifications Continued   |  |  |

### STATE OF NEVADA



### DEPARTMENT OF BUSINESS AND INDUSTRY OFFICE OF THE DIRECTOR

### **MEMORANDUM OF FINDINGS**

TO:

Nevada State Board of Finance and Storey County Board of County

Commissioners

FROM:

Terry J. Reynolds, Deputy Director, State of Nevada Department of Business

and Industry

DATE:

July 26, 2019

RE:

Memorandum of the Director Substantiating Findings Pursuant to Nevada

Revised Statutes 349.580(2) and 349.590 relating to the issuance of industrial revenue bonds for the Fulcrum Biorefinery and Feedstock Processing Facility

Project

### BACKGROUND

Nevada Revised Statutes (NRS) 349.400 through 349.670, inclusive, (the "Act") authorize the Director of the State of Nevada Department of Business and Industry (the "Director") to issue industrial development revenue bonds for financing projects owned, operated, or used by one or more obligors for industrial uses, including assembling, fabricating, manufacturing, processing or warehousing.

The Nevada State Board of Finance (the "Board of Finance") and the Board of County Commissioners of Storey County, Nevada (the "County Commissioners") are being asked to approve findings of the Director in connection with a proposed issuance of approximately \$50,000,000 Director of the State of Nevada Department of Business and Industry Environmental Improvement Revenue Bonds (Fulcrum Sierra Holdings, LLC Project), Series 2019 (Green Bonds) in one or more series or issues (the "Bonds"). Currently the Director expects to issue the Bonds in August or September 2019, contingent upon its receipt of 2019 volume cap and an opinion of bond counsel. Fulcrum Sierra Holdings, LLC, a Delaware limited liability company, validly authorized to do business under the laws of the State of Nevada ("Fulcrum") has requested that the Director issue the Bonds on its behalf. Proceeds from the sale of the Bonds will be used for the

purpose of assisting in the financing or refinancing of a portion of the costs of (i) constructing, improving and equipping a facility owned by Fulcrum Sierra BioFuels, LLC (the "Project Company") and operated by Fulcrum BioEnergy, Inc. (the "Operator") to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (the "Biorefinery") and/or (ii) the improvements to and equipping of the facility owned by the Project Company and operated by the Operator used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada (the "Feedstock Processing Facility" and, together with the Biorefinery, the "Project").

The additional improvements to the Project being financed or refinanced with the proceeds of the Bonds and other moneys are expected to include (i) the construction of an expansion of the Feedstock Processing Facility to increase and enhance the quality of the Feedstock Processing Facility's production, (ii) the acquisition and installation of feedstock drying equipment at the Biorefinery to increase the Biorefinery's efficiency, (iii) the installation of an oxygen supply facility at the Biorefinery to improve the Biorefinery's gasification process, (iv) the acquisition and installation of electrical equipment at the Biorefinery to enable the Biorefinery to purchase solar energy, and (v) the acquisition and installation of fuel upgrading equipment at the Biorefinery to allow the Biorefinery to produce a finished fuel product. Proceeds of the Bonds will be used to finance the improvements to the Project, pay capitalized interest on the Bonds, fund certain reserves relating to the Bonds, and pay certain issuance expenses of the Bonds. The Operator will also make an equity contribution of approximately \$5.9 million for the costs of the Project. Bonds in the aggregate principal amount of up to \$50,000,000 (excluding any original issue premium or discount) may be issued with respect to either component of the Project identified herein; however, the aggregate amount of Bonds to be issued for the Project will not be greater than \$50,000,000.

The Board of Finance and the County Commissioners previously approved certain findings of the Director, dated July 14, 2017, relating to the Director's \$150,000,000 Environmental Improvement Revenue Bonds (Fulcrum Sierra BioFuels, LLC Project), Series 2017 (Green Bonds) issued on October 27, 2017, and certain findings of the Director, dated November 27, 2017, relating to the Director's \$21,960,000 Environmental Improvement Revenue Bonds (Fulcrum Sierra BioFuels, LLC Project), Series 2017A (Green Bonds) issued on December 21, 2017 and the Director's \$3,040,000 Environmental Improvement Revenue Bonds (Fulcrum Sierra BioFuels, LLC Project), Series 2018 (Green Bonds) issued on March 6, 2018 (collectively, the "Project Bonds"). The proceeds of the Project Bonds were loaned to the Project Company to finance a portion of the costs of the acquisition, construction, and equipping of the Project. Fulcrum is the sole member of Fulcrum Sierra Finance Company, LLC, a Delaware limited liability company ("Sierra Finance"), which is the sole member of the Project Company.

The Board of Finance and the County Commissioners also previously approved certain findings of the Director, dated July 25, 2018, relating to the Director's \$44,000,000 Environmental Improvement Revenue Bonds (Fulcrum Sierra Holdings, LLC Project), Series 2018 (Green Bonds)

issued on September 6, 2018 (the "Initial Holdings Bonds"). The proceeds of the Initial Holdings Bonds were loaned to Fulcrum to finance a portion of the additional costs of certain upgrades to the Project. Such upgrades included (i) the construction of a water treatment facility that will enable the Project Company to recycle water and reduce its water consumption by approximately 48 million gallons per year (or approximately 50% of its expected water consumption per year), which will address the growing concern with respect to the increased burden on local groundwater wells and the Truckee River and decrease the burden on local sewage and treatment facilities and (ii) the acquisition and installation of additional trommel screens and dryers that will enhance the processing of the feedstock.

Fulcrum submitted its application for this industrial development bond financing to the Director on May 17, 2019 (the "Application"). A summary memorandum of the Application and proposed financing prepared by the financial advisor to the Director is attached hereto as Exhibit A. The Director and Fulcrum signed a Letter Agreement dated July 10, 2019, setting forth certain requirements and fees to be paid by Fulcrum for the bond financing. Pursuant to NRS 349.585 the Director expects to receive approval of the Office of Economic Development to finance or refinance the Project in the form attached hereto as Exhibit B. A public hearing to receive public comment regarding the issuance of the Bonds and necessary to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "TEFRA Hearing") was held on June 28, 2019. Upon approval of the Findings, the Director expects to issue a certificate of private activity bond volume cap allocation for the Project. The Director also expects to receive a resolution in support of the Project from the County adopted in the form attached hereto as Exhibit C prior to the final approval of the Board of Finance. Subject to final approval from the Board of Finance and the County Commissioners, the Bonds will be sold in a negotiated, limited public offering and are expected to be issued in August or September 2019, subject to market conditions.

As a further condition to the issuance of the Bonds, Fulcrum must obtain the consent from the beneficial owners of at least a majority of the principal amount of the Initial Holdings Bonds (the "Majority Holders") and Indian Harbor Insurance Company (the "Performance Insurer") to amend the definition of "Additional Obligations" contained in the Financing Agreement, dated as of September 1, 2018 (the "Original Financing Agreement"), which was entered into in connection with the issuance of the Initial Holdings Bonds, to allow Fulcrum to incur Additional Obligations up to an amount of \$50,000,000 prior to substantial completion of the Project provided that Fulcrum and Leidos Engineering, LLC, the engineer for the Project, deliver certificates (based on reasonable projections known at the time of the delivery of such certificates of revenues and operating expenses of Fulcrum) stating that for each fiscal year during which the Bonds will be outstanding, the Project's debt service coverage ratio is projected to exceed 3.00:1.00. Fulcrum has projected that the Project's debt service coverage ratio will exceed 3:00:1:00 due to (i) the proposed upgrades to the Project including a reduction in the Biorefinery's carbon intensity score relating to the ability to purchase solar energy after the proposed installation of electrical equipment at the Biorefinery and (ii) an approximately \$3.2 million equity contribution from the Operator to Fulcrum that will be used to defease a portion of the outstanding Initial Holdings

Bonds to reduce debt service in 2020 and 2021 by approximately \$44,600 and \$3.15 million, respectively. See Exhibit A for a copy of the projections of the Company and a summary of the status of the Project. As of the date hereof, the Majority Holders have consented to amend the definition of Additional Obligations contained in the Original Financing Agreement as described above, and the Director and Fulcrum intend to enter into a First Amendment to Financing Agreement, to be dated on or prior to the date of issuance of the Bonds (the "First Amendment to Financing Agreement"), a form of which is on file with the Ex-Officio Secretary of the Board of Finance and the County Manager of Storey County as described herein.

The Bonds and the interest due thereon will not be an obligation, debt or liability of the State of Nevada or the Director and will not constitute or give rise to any pecuniary liability or charge against the credit of the Director or the credit or taxing power of the State of Nevada, but will be a limited obligation payable solely from loan payments made by Fulcrum, the guaranty of the Operator and other revenues derived from the financing. Unlike the Project Bonds, which are secured by a mortgage covering the Project, the Bonds cannot be secured by a mortgage on the Project due to certain restrictions required by the owners of the Project Bonds and, pursuant to NRS 349.620(1)(a), the Director has not required that a mortgage be delivered to cover the Project. However, in order to provide additional security for the Bonds, Fulcrum will deliver a technology performance insurance policy with respect to the Bonds from the Performance Insurer and a pledge of the membership interests of the Operator in Fulcrum and Fulcrum in Sierra Finance.

As a prerequisite to the issuance of the Bonds, attached are findings of the Director as required by NRS 349.580(2) (the "Findings") for approval by the Board of Finance and the County Commissioners. Additional considerations of the Director as set forth in NRS 349.590 (the "Additional Considerations") are also attached.

Additional documents relevant to the Findings and Additional Considerations have been placed on file with the Ex-Officio Secretary of the Board of Finance and the County Manager of Storey County and are available for review by the Board of Finance and the County Commissioners. A list of such additional documents is attached to the Findings. The Findings are based on the totality of the record, and the Director has not attempted to list each element of the record which has led to each of the determinations made in the Findings. The Director, in consultation with financial professionals, legal counsel and bond counsel, represents that the Findings comply with NRS 349.580(2) and recommends approval of the Findings by the Board of Finance and the County Commissioners for the issuance of the Bonds.

If the Board of Finance and the County Commissioners approve the Findings as required by law, the financing may proceed. Issuance of the Bonds as tax-exempt obligations is contingent upon the satisfaction of the following conditions:

1. Receipt of a Certificate of the Governor of the State of Nevada approving the issuance of the Bonds in the form attached to the Findings as Exhibit E and necessary to satisfy the TEFRA Hearing requirements.

- 2. Receipt of the approval of the Office of Economic Development to finance or refinance the Project in the form attached to the Findings as Exhibit B and necessary to satisfy NRS 349.585.
- 3. Receipt of a resolution in support of the Project from Storey County in the form attached to the Findings as Exhibit C.
- 4. Receipt of an unqualified opinion from Gilmore & Bell, P.C., bond counsel to the State of Nevada Department of Business and Industry, that interest on the Bonds will be tax-exempt for federal tax purposes. This opinion will be in a standard form acceptable to the financial market. The financing will not go forward unless such opinion is delivered.
- 5. The issuance by the Director of a certificate of private activity bond volume cap allocation.
- 6. Receipt of the consent of the Majority Holders and the Performance Insurer to the execution and delivery of the First Amendment to Financing Agreement.
- 7. The final agreements related to the Bonds will be in forms acceptable to the Director and its legal counsel.

FINDINGS OF THE DIRECTOR OF THE STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY PURSUANT TO NEVADA REVISED STATUTES 349.580(2) RELATING TO THE FINANCING OF AN INDUSTRIAL DEVELOPMENT PROJECT TO BE LOCATED IN STOREY COUNTY, NEVADA

WHEREAS, Fulcrum Sierra Holdings, LLC, a Delaware limited liability company validly authorized to do business under the laws of the State of Nevada ("Fulcrum") has submitted its application dated May 17, 2019, as amended (the "Application"), to the Director of the State of Nevada Department of Business and Industry (the "Director") for the issuance of industrial development revenue bonds in an amount not to exceed \$50,000,000 (excluding any original issue premium or discount) (the "Bonds"); and

WHEREAS, proceeds from the sale of the Bonds will be used for the purpose of assisting in the financing or refinancing of a portion of the costs of (i) constructing, improving and equipping a facility owned by Fulcrum Sierra Biofuels, LLC (the "Project Company") and operated by Fulcrum BioEnergy, Inc. (the "Operator") to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (the "Biorefinery") and/or (ii) the improvements to and equipping of the facility owned by Fulcrum and operated by the Operator used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada (the "Feedstock Processing Facility" and, together with the Biorefinery, the "Project"). The additional improvements to the Project being financed or refinanced with the proceeds of the Bonds and other moneys are expected to include the construction of an expansion of the Feedstock Processing Facility to increase and enhance the quality of the Feedstock Processing Facility's production, the acquisition and installation of feedstock drying equipment at the Biorefinery to increase the Biorefinery's efficiency, the installation of an oxygen supply facility at the Biorefinery to improve the Biorefinery's gasification process, the acquisition and installation of electrical equipment at the Biorefinery to enable the Biorefinery to purchase solar energy, and the acquisition and installation of fuel upgrading equipment at the Biorefinery to allow the Biorefinery to produce a finished fuel product. Bonds in the aggregate principal amount of up to \$50,000,000 (excluding any original issue premium or discount) may be issued with respect to either component of the Project identified herein; however, the aggregate amount of Bonds to be issued for the Project will not be greater than \$50,000,000; and

WHEREAS, the Director has authority to issue the Bonds pursuant to the Nevada Revised Statues, including Sections 349.400 through 349.670, inclusive, thereof (the "Act"); and

WHEREAS, Fulcrum, the Project Company, the Operator, and other interested parties have prepared and submitted to the Director certain reports, records and other information related to the Project, and the Director has reviewed such reports, records and other information and has otherwise investigated the facts concerning the Project to enable the Director to make the following findings in accordance with the Act;

NOW, THEREFORE, pursuant to Section 349.580(2) of the Act, the Director hereby finds and determines as follows (the "Findings"):

- 1. Pursuant to Section 349.580(2)(a) of the Act, based on the Application and other documents on file with the Director, the Project consists of land, buildings and other improvements and all real and personal property necessary in connection therewith (excluding inventories, raw materials, and working capital) which is suitable for construction, improvement, preservation, restoration, rehabilitation or redevelopment of an industrial or other commercial enterprise.
- 2. Pursuant to Section 349.580(2)(b) of the Act, based on the Application, and other documents on file with the Director, the Project will provide significant public benefits. The public benefits include an approximately \$470.3 million investment in the Project (\$50.5 million of which is attributable to the proposed financing) located in Storey County, Nevada (the "County") which is expected to add approximately (a) 695 construction jobs (140 of which are attributable to the proposed financing); (b) 123 permanent, direct jobs (three of which are attributable to the proposed financing); and (c) more than 1,150 indirect jobs (50 of which are attributable to the proposed financing) and provide other economic benefits to the County. In addition, a portion of the Bonds will be used to acquire and install electrical equipment that is necessary to utilize renewable solar power from a solar project located in the Tahoe-Reno Industrial Center that will enable the Biorefinery and the Feedstock Processing Facility to source 100% of its electricity requirements from clean, renewable solar power. See Exhibit A for a summary of estimated economic benefits.
- 3. Pursuant to Section 349.580(2)(c) of the Act, based on the Application, financial statements of Fulcrum, the Project Company, and the Operator, a technology performance insurance policy to be entered into by Indian Harbor Insurance Company, The Bank of New York Mellon Trust Company, N.A., as collateral agent (the "Collateral Agent"), and the Borrower in connection with the issuance of the Bonds, and other documents on file with the Director, Fulcrum, the Project Company and the Operator have sufficient financial resources to place the Project in operation, continue or cause the operations conducted at the Project to be continued, and meet the obligations of (a) Fulcrum under the Financing Agreement, dated as of September 1, 2018, which was entered into in connection with the issuance of the Initial Holdings Bonds, as amended by a First Amendment to Financing Agreement to be entered into prior to the issuance of the Bonds, and as further amended by a Second Amendment to Financing Agreement to be entered into in connection with the issuance of the Bonds (the "Financing Agreement"), and (b) the Operator under the Guaranty Agreement to be entered into in connection with the issuance of the Bonds (the "Guaranty").
- 4. Pursuant to Section 349.580(2)(d) of the Act, based on the Financing Agreement, the Trust Indenture, dated as of September 1, 2018, as supplemented by a First Supplement to Trust Indenture to be entered into by the Director and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee") in connection with the issuance of the Bonds (together, the "Indenture"), and other financing documents on file with the Director, there are sufficient safeguards to assure that all money provided by or through the State of Nevada Department of

Business and Industry will be expended solely for the purposes of the Project, including (a) certain provisions in the Financing Agreement and other financing documents that have been or will be entered into in connection with the issuance of the Bonds which set forth procedures ensuring that such moneys shall only be used to pay for certain costs relating to the acquisition, construction, improvement and equipping of the Project, and (b) the appointment of The Bank of New York Mellon Trust Company, N.A., as the Trustee and the Collateral Agent with respect to the Bonds to ensure such procedures are correctly followed. See Exhibit F hereto for related document extracts.

- 5. Pursuant to Section 349.580(2)(e) of the Act, based on the Application, a special use permit issued by the County and other documents on file with the Director, the Project will be compatible with the existing facilities in the area adjacent to the location of the Project.
- 6. Pursuant to Section 349.580(2)(f) of the Act, based upon the Application, including the table of governmental approvals and opinions of counsel to Fulcrum attached thereto, the certificate of Fulcrum attached hereto as Exhibit G and other documents on file with the Director, the Project has received all approvals by local, state and federal governments which may be necessary at this time to proceed with the construction, improvement, rehabilitation or redevelopment of the Project.
- 7. Pursuant to Section 349.580(2)(g) of the Act, by submission of the Application for financing, Fulcrum has requested the Director to issue the Bonds to assist in the financing or refinancing of the Project.

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ADDITIONAL CONSIDERATIONS OF THE DIRECTOR OF THE STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY PURSUANT TO NEVADA REVISED STATUTES 349.590 RELATING TO THE FINANCING OF AN INDUSTRIAL DEVELOPMENT PROJECT TO BE LOCATED IN STOREY COUNTY, NEVADA

Pursuant to NRS 349.590, as additional considerations required for the approval and issuance of the Bonds, the Director has determined the following (the "Additional Considerations"). The Director hereby requests the Board of Finance to make the same determinations.

- 1. Pursuant to Section 349.590(1) of the Act, based upon the Application, and other documents on file with the Director, the total amount of funds necessary to be provided by the Director through the issuance of the Bonds shall not exceed \$50,000,000 (exclusive of any original issuance premium or discount).
- 2. Pursuant to Section 349.590(2)(a) of the Act, the Director has received a 5-year operating history from each of Fulcrum, the Project Company, and the Operator, either on an individual or consolidated basis. Further the Director has received assurances based on covenants in the Indenture that all the Bonds will be sold only to qualified institutional buyers as defined in Rule 144A promulgated under the Securities Act of 1933, as amended (the "Securities Act") and/or accredited investors as defined in Rule 501(a)(1), (2), (3) or (7) promulgated under the Securities Act in minimum denominations of \$100,000.
- 3. Pursuant to Section 349.590(3) of the Act, based upon the Application and other documents on file with the Director, Fulcrum, the Project Company, and the Operator are not currently rated by Moody's Investors Service, S&P Global Ratings, or Fitch Ratings, Inc.
- 4. Pursuant to Section 349.590(4) of the Act, based upon the Application and other documents on file with the Director, there are no existing facilities of a like nature within the County. The Director is not prohibited from financing the Project as provided in NRS 349.565.
- 5. Pursuant to Section 349.590(5) of the Act, the Director has considered the extent to which the Project is affected by various federal, state and local governmental action, activities, programs and development and has determined to issue the Bonds, including the consideration that the U.S. Department of Defense is providing a grant of up to \$70 million for the Project and that the Project is deemed a National Security Program.
- 6. Pursuant to Section 349.590(6) of the Act, none of Fulcrum, the Project Company, or the Operator have maintained facilities appropriate to the community in Nevada for longer than ten years, but have maintained facilities since 2016.

These Findings and Additional Considerations are made only for the purposes of Sections 349.580 and 349.590, respectively, of the Act and do not constitute a guarantee of financial results

with respect to the Project or otherwise with respect to the business prospects of Fulcrum, the Project Company, or the Operator. These Findings are not intended as an analysis of the Bonds as investments or intended to be relied upon by investors.

(Remainder of Page Intentionally Left Blank)

NOW, THEREFORE, the Director hereby requests, pursuant to Sections 349.580 and 349.590 of the Act, that the Nevada State Board of Finance and the Board of County Commissioners of Storey County, Nevada approve the Findings as set forth above and evidence such approval by execution of the certificate and adoption of the resolution, respectively, each in the respective form attached hereto as Exhibit H.

Dated this <u>25</u>day of \_\_\_\_\_\_, 2019

DIRECTOR OF THE STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY

Rerry J. Reynold

### LIST OF EXHIBITS

| EXHIBIL Y        | Financial Advisor Memorandum  |
|------------------|---|
| EXHIBIT B        | Form of Office of Economic Development Approval                                 |
| <b>EXHIBIT C</b> | Form of County Support Resolution   |
| EXHIBIT D        | Reserved  |
| <b>EXHIBIT E</b> | Form of Governor's Certificate regarding the issuance of the Bonds for TEFRA    |
|                  | Hearing Purposes  |
| <b>EXHIBIT F</b> | Document Extracts Regarding Use of Funds  |
| <b>EXHIBIT G</b> | Certificate of Fulcrum Regarding Federal, State & Local Approvals               |
| EXHIBIT H        | Form of Certificate of Approval by the State Board of Finance and Resolution of |
|                  | Approval by the County Commissioners  |
|                  |   |

### ADDITIONAL DOCUMENTS ON FILE

- 1. Revenue Bonds for Industrial Development Act (NRS 349.400 349.670)
- 2. Regulations Pertaining to the Act (NAC 349.010-349.080)
- 3. Fulcrum Application

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- 4. Trust Indenture, dated as of September 1, 2018, between the Director and the Trustee
- 5. First Supplement to Trust Indenture (draft), between the Director and the Trustee
- 6. Financing Agreement, dated as of September 1, 2018, between the Director and Fulcrum
- 7. First Amendment to Financing Agreement (draft), between the Director and Fulcrum
- 8. Second Amendment to Financing Agreement (draft), between the Director and Fulcrum

  9. Amended and Restated College Agreement Agreement (draft)
- 9. Amended and Restated Collateral Agency and Account Agreement (draft), between Fulcrum and the Collateral Agent
- 10. Preliminary Limited Offering Memorandum (draft), relating to the Bonds
- 11. Bond Purchase Agreement (draft), among the Director, Fulcrum and the underwriters named therein
- 12. Guaranty Agreement, dated as of September 1, 2018, of the Operator
- 13. First Amendment to Guaranty Agreement (draft), of the Operator

### **EXHIBIT A**

### FINANCIAL ADVISOR MEMORANDUM

(Attached)



An independent municipal pinancial advisory

And consulting firm

July 25, 2019

Terry J. Reynolds
Deputy Director
Nevada Department of Business & Industry
1830 College Pkwy Ste# 100
Carson City, NV 89706

Re:

Fulcrum Sierra Holdings, LLC (Fulcrum BioEnergy, Inc.)

**Environmental Improvement Revenue Bonds** 

### **Deputy Director Reynolds:**

Acting in its capacity as Financial Advisor ("FA") to the Nevada Department of Business & Industry ("B&I"), Lewis Young Robertson & Burningham, Inc. ("LYRB") is providing this letter to complement your Findings to be submitted to the Board of Finance addressing the Fulcrum Sierra Holdings, LLC ("Fulcrum Holdings") financing application and the proposed issuance by the Director of the B&I of approximately \$50,000,000 Environmental Improvement Revenue Bonds (Fulcrum Sierra Holdings, LLC Project), Series 2019 ("Series 2019 Bonds") (industrial development revenue bonds) to finance the Project, as more fully described below.

The proposed financing of the Series 2019 Bonds is in concert with the previous four financings completed since 2017 totaling \$219,000,000 of Environmental Improvement Revenue Bonds. As Fulcrum continues to discover efficiencies in engineering and operations of the plant, along with reducing dependency on outside services and vendors, Fulcrum Holdings is seeking additional funding to fund construction of capital improvements required to access renewable power from a nearby solar project along with project enhancements, including the Feedstock Processing Facility ("FPF"), construction of the Air Separation Unit, as well as provide additional contingency. These enhancements will continue to make the plant more efficient through reduced operating costs which increases the cash flow and security for all bondholders while streamlining the processing of materials onsite. These additional improvements will also provide more opportunity to distribute biofuels within the Nevada market.

Fulcrum Holding's assets consist of its ownership interest in its subsidiaries and the realized revenues from those projects. As such, Fulcrum Holdings is limited in its ability to secure additional bonds. The Series 2019 Bonds will be secured as described below. LYRB is tasked, along with Gilmore & Beil, P.C., with reviewing Fulcrum Holding's application and supplemental materials with respect to the validity of the application in concert with your Findings. This letter highlights segments of the review process.

### **<u>Criginal Project Introduction</u>**

Fulcrum Sierra BioFuels, LLC (the "Project Company") is a single-purpose Delaware limited liability company formed in 2008, to develop, construct, install, equip, commission, own and operate the Sierra





BioFuels Plant which is composed of the Feedstock Processing Faiclity ("FPF") and the Biorefinery (each as defined below) ("Slerra"), in Storey County, Nevada.

Sierra will convert approximately 175,000 tons per year of processed municipal solid waste ("MSW"), or household garbage, into approximately 11.0 million gallons per year of syncrude utilizing gasification and Fischer-Tropsch ("FT") technologies. The syncrude can then be processed into lowcarbon transportation fuel products by standard refining subsystems. Sierra will be constructed in two phases.

Phase 1 of Sierra is the feedstock processing facility (the Processing System "FPF") where MSW delivered by the Project Company's



waste services partners will be sized, sorted and processed into a prepared MSW feedstock. The FPF is being constructed in two stages, the first of which has been in operation since 2016 and achieved FPF Substantial Completion on January 1, 2018. Construction of the first stage of the FPF ("Stage 1") was financed through equity contributions by Fulcrum and refinanced in part with proceeds of the DoD Award. Stage 2 began in the second quarter of 2018 and included improvements to the FPF and the acquisition and installation of additional equipment at the FPF to prepare MSW feedstock for the Biorefinery.

Phase 2 of Sierra is the biorefinery (the "Biorefinery") where the prepared MSW feedstock produced at the FPF will be converted into a low-carbon, renewable synthetic crude oil ("syncrude"). The syncrude product will then be sold to Tesoro Refining and Marketing Company, LLC ("Andeavor Offtaker"), a subsidiary of Andeavor ("Andeavor"), and transported to an Andeavor refinery to be further processed into transportation fuels, including gasoline and diesel fuel. In October 2018, Marathon Petroleum Corp. ("Marathon") acquired Andeavor, which included the acquisition of Andeavor Offtaker. The acquisition created the largest refining company in the United States in terms of capacity. Marathon is now the leading refining, midstream, and marketing company in the U.S.. This merger expanded Marathon's operations across key markets nationwide, combining the strong position it has historically enjoyed east of the Mississippi with the western United States presence that Andeavor has built over time. In refining, Andeavor's facilities in California, the Mid-Continent and the Pacific Northwest complement Marathon's existing Gulf Coast and Midwest footprint, and will make the combined company the No. 1 U.S. refiner by capacity and a top five refiner globally with throughput capacity of more than 3 million barrels per day.

Fulcrum entered into an Engineering, Procurement and Construction ("EPC") Contract with Aquatech International, LLC as the EPC Contractor for the construction of the Biorefinery and a full notice to proceed was delivered to the EPC Contractor on October 31, 2017. The Biorefinery is expected to begin operations in February 2020. A more detailed timeline summary is outline below.

### Sierra Project Costs

The total estimated cost for Sierra remains at approximately \$406 million, \$229 million of which has already been spent as scheduled. Costs remaining to be spent through start-up operations and performance testing are approximately \$177 million, with more than \$177 million of funds available to the project. The issuance of the Series 2019 Bonds will allow the Project Company to free up cash-onhand to allow it to fund additional equity contributions to Sierra to fund construction of certain enhancements. Total costs to be spent are reviewed by the Holder's independent engineer, Leidos Engineering, LLC ("Leidos") prior to expenditure. Sierra's current project pro forma financial projections



remain consistent with the projections in the Limited Offering Memorandum and continue to project a debt service coverage ratio ("DSCR") of more than three times.

In addition to the description of the construction of Sierra, as discussed herein, the status of construction of Sierra has been the subject of, and is consistent with, the monthly Construction Report and the monthly Progress Report prepared by Fulcrum.

### **Project Status**

### Biorefinery Construction Progress by EPC Contractor (as of May 31, 2019)

| Discipline                           | <b>Actual Cumulative</b> |  |  |
|--------------------------------------|--------------------------|--|--|
|                                      | Progress (%)             |  |  |
| Engineering                          | 90.3                     |  |  |
| Procurement                          | 98.1                     |  |  |
| Fabrication and Offsite Construction | 68.1                     |  |  |
| Onsite Construction                  | 10.4                     |  |  |

Major milestones achieved to date or targeted by the EPC Contractor for the construction of the Biorefinery are shown in the table below:

| Milestone Description            | Actual or<br>Targeted Date |
|----------------------------------|----------------------------|
| EPC Notice to Proceed            | October 31, 2017           |
| Scheduled Mechanical Completion  | January 29, 2020           |
| Start Acceptance Testing         | April 26, 2020             |
| Scheduled Substantial Completion | June 5, 2020               |

### Past Bond Financing Summary

Fulcrum has investigated a variety of funding sources for improvements to the Project. Upon initial feedback from various lending sources and its underwriter, along with experience in selling the previous Bonds (outline below), Fulcrum is requesting the B&I to issue additional bonds to achieve the lowest cost of capital which will enable Fulcrum to maximize cash flow and maintain overall financial strength.

The B&I has successfully facilitated the issuance of four prior series of bonds in the aggregate amount of \$219,000,000 as follows:

| Borrower                            | Project<br>Reference | Date       | Amount        | Purpose  |
|-------------------------------------|----------------------|------------|---------------|--|
| Fulcrum Sierra<br>BioFuels, LLC     | I                    | 10/26/2017 | \$150,000,000 | Original Project Costs to finance a biorefinery facility that disposes of solid waste and converts |
| (subsidiary or<br>Fulcrum Holdings) |                      |            | <br> <br>     | it to renewable fuel products that can be further refined into to gas, diesel fuel or jet fuel.    |



| Fulania Ctaria                   | <del></del> | 42.424.422  | 1 42                                  |  |
|----------------------------------|-------------|-------------|---------------------------------------|--|
| Fulcrum Sierra<br>BioFuels, LLC  | И           | 12/21/2017  | \$21,960,000                          | Due to the original financing in 2017 being so   |
| (subsidiary or Fulcrum Holdings) |             |             |                                       | successful, additional bonds were issued to continue to fund the Original Project scope. Project Financings II & III were split into 2 series  |
| Fulcrum Sierra<br>BioFuels, LLC  | 111         | 2/27/2018   | \$3,040,000                           | due to availability of private activity bond allocation  |
| (subsidiary or Fulcrum Holdings) |             |             | # # # # # # # # # # # # # # # # # # # | See above description above  |
| Fulcrum Sierra<br>Holdings, LLC  | IV          | 9/5/2018    | \$44,000,000                          | Fulcrum sought additional funding to integrate an onsite water treatment facility along with incorporating strategic trommels and dryers into the process. These enhancements resulted in enhanced plant efficiency, reduced operating costs and streamlined processing of materials onsite.                     |
| Fulcrum Sierra<br>Holdings, LLC  | V           | (Sept 2019) | \$50,000,000                          | Seeking funding for construction of certain enhancements, including capital improvements required to access the renewable power from the nearby solar project, Sierra project enhancements, including to the FPF, construction of the Air Separation Unit, as well as provide Sierra with additional contingency |

### Use of Proceeds from the Series 2019 Bonds

Fulcrum Holdings will contribute the net proceeds from the issuance of the Series 2019 Bonds to the Project Company as equity, significantly strengthening the capital position of the Project Company. The expected Sources & Uses of Bonds are shown in the table below:

| Sources                                  |        |      |
|--|--------|------|
| Bonds                                    | \$     | 50.0 |
| Interest Income                          | Ś      | 0.5  |
| Total Sources of Funds                   | <br>\$ | 50.5 |
| Uses                                     |        |      |
| EPC Costs                                |        |      |
| Fixed-Price Biorefinery EPC Contract     | \$     | 9.2  |
| Feedstock Processing Facility EPC Costs  | \$     | 7.9  |
| Subtotal - EPC Costs                     | \$     | 17.1 |
| Non-EPC Costs                            |        |      |
| Development                              | \$     | 1.7  |
| Other Costs                              | \$     | 12.7 |
| Technology Performance Insurance Premium | \$     | 1.2  |
| Commission, Start-up and Taxes           | \$     | 0.6  |
| Subtotal - Non-EPC Costs                 | \$     | 16.2 |



| Financing Costs              |    |      |
|------------------------------|----|------|
| Capitalized Interest         | \$ | 10.4 |
| Debt Service Reserve Account | \$ | 5.0  |
| Issuance Costs               | \$ | 1.8  |
| Subtotal - Non-EPC Costs     | \$ | 17.2 |
| Total Uses of Funds          | Ś  | 50.5 |

### Summary of the 2019 Project:

The Series 2019 Bonds proceeds will be used to finance capital improvements required for the Sierra Project to access renewable power from a nearby solar project with other enhancements such as construction of the Air Separation Unit, as well as provide Sierra with additional contingency. Remaining contingency funds will be contributed to Sierra for the engineering and construction of the on-site upgrading systems which will enable the fuel produced at Sierra to be upgraded to 100% jet fuel. Such upgrades will also potentially allow Fulcrum to distribute this fuel within the State of Nevada.

### Renewable Power Contract and Improved Sierra Cash Flows

To further enhance the operations of the Project, Fulcrum has begun to proceed with several project enhancements to improve cash flows and economies of the Project, including a goal of operating Sierra with 100% renewable power. Fulcrum is currently negotiating with a Nevada company that will provide Sierra with renewable power from a solar project located in the Tahoe-Reno Industrial Center. Under the proposed terms of the eighteen-year power purchase agreement ("PPA"), 100% of the electricity requirements of the Biorefinery and FPF will be met with clean, renewable solar power.

Purchasing renewable power under this PPA will dramatically reduce the environmental footprint of the Project. Currently, Fulcrum is expected to reduce carbon emissions on a lifecycle basis by more than 80% when compared to traditional petroleum-based fuel production. Utilizing the renewable power purchased under the PPA, Sierra's carbon emissions reduction will be more than 100%. Stated differently, fuel produced at Sierra will have less than zero carbon emissions on a lifecycle basis. It is possible to achieve a carbon intensity score of less than zero because the Project avoids landfill emissions by processing plastics and other materials that would otherwise off gas. With the help of using solar power as opposed to more traditional power, Sierra's process produces less CO2 than it avoids, resulting in net negative carbon emissions.

As a result of the improvement in Sierra's carbon footprint, which further improves Sierra's GHG Carbon Intensity ("Cl") score under California's Low Carbon Fuel Standard ("CS LCFS"), annual cash flows of Sierra will increase significantly due to higher revenue received under the CA LCFS program.

### Improved Project Economies for the Series 2018 Bonds and the 2019 Bonds

The increased cash flows will enable Sierra to maintain the existing three-times debt service coverage ratio ("DSCR") after the issuance of the Additional Bonds, which is consistent with the DSCR provided to the Holders of the Series 2018 Bonds. With the relatively fixed nature of the CA LCFS revenue, the quality of the cash flows generated by Sierra are also enhanced.

By maintaining the same DSCR following the issuance of the Additional Bonds and improving the quality of Sierra's cash flows, the position of the Holders of the Series 2018 Bonds is enhanced. In addition, the



position of the Holders of the Project Company's first lien bonds is also significantly enhanced with the increased cash flow and DSCR.

The Borrower's increased cash flow projections will be reviewed by Leidos and Argus Consulting Services, the revenue consultant. The issuance of the Additional Bonds will be contingent upon a certification by Leidos as to such cash flow projections and satisfaction of the DSCR.

### **Construction & Permits**

Fulcrum has confirmed that site preparation and construction-related activities have commenced as appropriate to the overall construction schedule. Construction of various infrastructure facilities at the Biorefinery and enhancement of the FPF continue to proceed as planned and are all expected to be completed prior to Mechanical Completion of the Biorefinery. Engineering activities are nearing completion. Orders for all major equipment have been placed and fabrication is either completed or in progress. As an example, the following major equipment and vessels have already been delivered to the site: the steam reformer, carbon trim cell, syngas compressor, POx vessel, deaerator, and auxiliary boiler.

As for the new 2019 Project components, Fulcrum and its related parties have confirmed that all pertinent permits and approvals are in place. Considering the 2019 Project components, the Nevada Division of Environmental Protection ("NDEP") has confirmed that no other water pollution control permits from the NDEP will be required for the construction or operation of the Biorefinery with the exception of, the storm water permits already in process.

### **Economic Impact to Nevada**

Fulcrum anticipates that overall, the Project will have a significant economic impact by creating skilled, high-paying jobs in both the initial construction phase and from full-time permanent jobs which will generate new property and sales tax revenues. These jobs and revenues will generate additional economic value within the community with its employees utilizing local services. In summary, Fulcrum anticipates the following benefits to the local economy:

### T Construction

- o \$406 million to fund construction of the Feedstock and Biorefinery projects
- Subsequently, Fulcrum expects to spend approximately \$20-30 million to install a jet fuel upgrading system
- o Future plans include a 30-million gallon per year expansion totaling \$450 million

### 7 Job Creation

- Fulcrum projects it will create approximately 690 construction jobs and more than 1,150 indirect jobs in the area.
- Fulcrum projects it will create approximately 120 non-construction permanent jobs, all
  of which will be filled by local residents but for one person being transferred

| Construction    |     |     | Permanent Operation | 1        |    |
|-----------------|-----|-----|---------------------|----------|----|
| Biorefinery     |     | 426 | Biorefinery         |          | 46 |
| Civil           | 36  |     | Managers            | 5        | †  |
| Mechanics       | 50  |     | Operators           | 20       | +  |
| Piping          | 168 |     | Maintenance         | 21       | 1  |
| Electricians    | 96  |     |                     |          | 1  |
| Instrumentation | 76  |     |                     | <u> </u> | _  |
| FPF             |     | 44  | FPF                 |          | 44 |



| Managers                   | 4  |     | Managers              | 2  | 1  |
|----------------------------|----|-----|-----------------------|--|--|
| Electricians               | 6  |     | Operators             | 18   |  |
| Iron Workers               | 15 |     | Maintenance           | 13   | 1  |
| <b>Equipment Operators</b> | 6  |     | Other                 | 11   |  |
| Laborers                   | 12 |     |                       | +  | 1  |
| Planner                    | 1  |     |                       | <del> </del>                                     | <del>                                     </del> |
| Water Treatment Plant      |    | 49  | Water Treatment Plant | 1  | 10   |
| Civil Work                 | 14 |     | Manager               | 1  | <del>  -</del>                                   |
| Mechanics                  | 20 |     | Operators             | 7  |  |
| Electricians               | 10 |     | Mechanic              | 1  | <del>                                     </del> |
| Other                      | 5  |     | E-1&C Tech.           | 1  |  |
| Air Separation Unit        |    | 20  |                       | +=   | +  |
| Civil Work                 | 12 |     |                       | 1  |  |
| Mechanics/Electricians     | 8  |     |                       | 1  | † -  |
| Solar Power Project        |    | 140 | Solar Power Project   | <del>                                     </del> | 3  |
| Electrical Substation      | 1  | 6   | Trucking              | 1-   | 20   |
| Natural Gas Lines          |    | 10  |                       | ·  |  |
| Total Expected Jobs        |    | 695 | Total Expected Jobs   | _  | 123  |

Fulcrum is committed to spending more than \$330 million to fund construction of Sierra. The project is, and remains, fully funded. The issuance of the Additional Bonds will fund \$54 million more in construction which will lead to additional jobs as included in the numbers above. Hourly wages will average between \$30 and \$46 for these skilled roles, before overtime rates and benefits. Abengoa, the largest EPC contactor working on Sierra, has estimated that approximately \$50 million dollars of their contract will be for labor working locally. In addition to providing a living wage to laborers, this infusion of money into the local and regional economy will indirectly benefit restaurants, hotels, gas stations, grocery stores and other local service-oriented businesses which Fulcrum believes equates to an additional 1,150 indirect jobs. Fulcrum has estimated permanent jobs relating to Sierra will earn at least \$7 million annually.

所 Taxes

o Property taxes are estimated at \$13 million over a 10-year tax abatement period

|                    |                            |                              | -                          | -                               |
|--------------------|----------------------------|------------------------------|----------------------------|---------------------------------|
| (\$ In Millions)   | Amount Paid<br>10-Yr Total | Amount Abated<br>10-Yr Total | Amount Paid Annual Average | Amount Abated<br>Annual Average |
| Biorefinery        | \$11.50                    | \$11.50                      | \$1.15                     | \$1.15                          |
| Feedstock Facility | 1.50                       | 1.50                         | 0.15                       | 0.15                            |
| Total              | \$13.00                    | \$13.00                      | \$1.30                     | \$1.30                          |

- Sales taxes of approximately \$11 million generated during construction and over the 10year tax abatement period
  - Additional sales tax will be generated through normal operations of the Project and from employees living within the community

| Amount Paid | Amount Abated |  |
|-------------|---------------|--|
|             | -             |  |
| \$3.90      | \$10.90       |  |
| 0.34        | 0.95          |  |
|             | \$3.90        |  |



| 10 Yrs. of Operations |         | ;       |
|-----------------------|---------|---------|
| Biorefinery           | \$6.20  | \$0.00  |
| Feedstock Facility    | 0.60    | 1 0.00  |
| Total                 | \$11.04 | \$11.85 |

### Benefit to the Local Utility District

- With the Water Treatment Facility, the District will retain valuable resources that can be applied to other growth and development in TRIC.
- Additionally, the Water Treatment Facility will enable Fulcrum to not use local resources to deliver or treat water and sewer. It will not be creating a new demand on the District which could impact its operations and/or capital improvement plan

### Original Appraisal and Market Study

Fuicrum originally engaged Duff & Phelps, LLC (D&P) to provide an estimate of the fair market value of the Project, a plant located in the Tahoe-Reno Industrial Center, Storey County, Nevada, as if complete, as of May 31, 2017 (Valuation Date). Based on D&P's analysis as detailed in its report and exhibits, the Fair Market Value of the Plant is reasonably estimated at \$340 million as of the Valuation Date. It would be expected that the 2018 Project will only increase the estimated value of the Plant and its assets.

Fulcrum engaged Argus Consulting Services and Nexant, Inc. to prepare market study reports. The reports' findings are as follows:

### স Quality:

o "In summary, the Project's FT Syncrude's primary qualities overall are superior for production of transportation fuels when compared to conventional crude oils being processed at Tesoro's Martinez refinery. Secondary characteristics, including poor cold-flow properties, a highly paraffinic naphtha fraction, and oxygen content, make the FT Syncrude somewhat more challenging to refine to finished products. However, the plan to blend Fulcrum's FT Syncrude in small percentages with conventional crude oils will mitigate these issues and, based on a review of FT Syncrude's characteristics, Nexant concludes that the Project's FT Syncrude overall is an easier and less costly refinery feedstock to process than the types of conventional crude oils typically processed at Tesoro's Martinez refinery and, in the quantities being considered, will not require any modifications to the existing Martinez refinery."

### The Competition:

- "The Project is one-of-a-kind facility processing municipal solid waste into FT syncrude product that will be sold to Tesoro's Martinez refinery located in the San Francisco Bay area. Nexant evaluated the competitiveness of the Project against U.S. competitive facilities and international imports."
- o National: Nexant reviewed the potential competitiveness of the Project versus the ongoing U.S. projects and concluded that there is almost no competition to the Project. California refiners, especially in the targeted San Francisco area, are an attractive market for the Project's FT syncrude since the Project will have advantages due to superior logistics, attractive costs for refiners, and limited competition from other FT-based facilities.



o International: All the worldwide FT syncrudes produced today are captively processed into intermediate or finished products on site. None of the synthesis activities suggest that there is a potential for them to supply FT syncrude to the United States. As such, Nexant does not foresee any international competition for the Project's FT syncrude.

### ল Price Sensitivity:

Since the Cellulosic Waiver Credit ("CWC") price is inversely correlated to gasoline prices, the CWC creates an effective hedge against gasoline and oil prices. Even in a low oil price environment of \$35 per barrel, the effective floor for Fulcrum's Cellulosic RIN will exceed \$3.50 per gallon. This Renewable Fuel Standard mechanism that is established under law provides Fulcrum with price stability in any oil price environment. Because the CWC is inversely correlated to gasoline prices, the CWC creates an effective hedge against gasoline and oil prices (see the "Market Overview—Renewable Fuel Standard" section in the Preliminary Limited Offering Memorandum). As oil prices go down, cellulosic RIN prices go up.

While the information in this section pertains more to the Original Project scope, I include this reference to allow the reader to understand the dynamics and thought invested into the creation of the Project.

### **Revenues & Expenditures Summary**

Fulcrum anticipates generation of meaningful revenues from the Project in FY 2020 with full operations commencing in 2023. Fulcrum will increase production over a 3-year period beginning with 3.6 million gallons in 2020 increasing to approximately 11.1 million gallons in 2023. Approximately 80-85% of the revenues will be derived from generating the syncrude with the balance coming from tipping fees, portfolio energy credits and recyclables being the largest revenue component. As for expenditures, approximately 80% are comprised of plant labor & maintenance, purchased natural gas & power and other operating and General & Administrative expenses. Other expenditures include catalyst and chemicals, an operating cost contingency, property taxes, insurance and transportation.

Fulcrum has engaged third-party consultants to determine the feasibility and integrity of the model by stressing the variables and inputs. Conservative inflators were incorporated accordingly.

Fulcrum has worked closely with its engineering and industry professionals to optimize the operations of the Project, i.e. water treatment plant and solar energy concepts amongst others. As such, incorporating these enhancements has delayed the Project construction and output which subsequently delayed revenue generation. As a biproduct, this has reduced the debt service coverage in the initial 2 years from original projections. However, these enhancements have improved the overall operations and cash flow of the Project which has increased the long-term viability and strengthened the debt service coverage over the life of the bonds. As such, Fulcrum has taken a slight reduction in early year's debt service coverage to enhance long-term cash flow and debt service coverage. This was a cognizant decision for the long-term sustainability of the Project. Fulcrum has received feedback from its professionals and investment partners that these decisions by Management have been prudent and properly implemented.

In servicing the debt, Fulcrum Sierra BioFuels, LLC projects 1.2x, 1.3x and 2.0x coverage respectively in the first three years of operation, with an average of 2.96x coverage for the subsequent 5-year period. This is conservative in nature with contingencies incorporated into the model which allow flexibility in managing future cash-flows. The excess revenues will be available for the repayment of the Series 2019 Bonds.

The projected debt service coverage for the Fulcrum Holdings' Series 2018 & 2019 Bonds is 3.0x in 2022, increasing to 3.2x, 3.8x and 4.0x in subsequent years.



### **Financing Security:**

As alluded to above, Fulcrum Holdings has limited assets that could be pledged to secure the Series 2019 Bonds in its ownership interest in its subsidiaries. Accordingly, the following items have been pledged the security for the Series 2018 & 2019 Bonds:

o All revenues and funds of Fulcrum Holdings under the Trust Indenture and Collateral Agreement which include the following:

| Fund                      | Series 2018   | Series 2019   |
|---------------------------|---------------|---------------|
| Debt service reserve fund | \$4,400,000   | \$5,000,000   |
| Capitalized interest fund | ~\$15,000,000 | ~\$10,400,000 |

- o Fulcrum provides a Parent Guaranty on the timely repayment of the Series 2019 Bonds of all principal, interest and other payments due under the Financing Agreement.
- o Although the EPC Contract is with Fulcrum BioFuels, it contains specific Project performance security measures, including a guarantee of cost, schedule and performance, a standby letter-ofcredit, and a guarantee by the EPC Contractor's parent company, Abengoa, for the Project each as more particularly described below:
  - That the Biorefinery will meet all the performance guarantees set forth in the EPC Contract, satisfy all other conditions set forth in the EPC Contract, and cause the Biorefinery to achieve Final Completion
  - An unconditional, irrevocable (subject to the terms thereof) standby letter-of-credit in the amount of approximately \$18.2 million has been issued by Weils Fargo Bank, N.A.
  - On October 27, 2017, the EPC Contractor furnished to Fulcrum BioFuels a parent guarantee from Abengoa which guarantees the payment and performance of EPC Contractor's obligations under the EPC Contract.
- As for the Water Treatment Facility, there is a separate EPC contract with Aquatech International, LLC that will guarantee specific performance measures, including necessary costs, schedule and general Facility performance. This EPC is still being finalized as of the date of this letter but will be in place prior to the marketing and sale of the Series 2019 Bonds.
- The trommels are being purchased under a fixed-price agreement that guarantees price, schedule and performance. The contract for the dryers has yet to be finalized but will also include such guarantees.
- o in addition to the EPC Contractor's guarantees, Fulcrum has provided \$10 million of contingent equity capital and has committed up to an additional \$12.2 million of contingent equity capital pursuant to the Fulcrum Project Support Agreement to cover additional costs of the Project.
- o Fulcrum Holdings secured a technology performance insurance policy from Indian Harbor Insurance Company (the "Performance Insurer") that insures against losses resulting from defective, faulty or incomplete performance of the Biorefinery at Mechanical Completion. The Performance Insurance Policy will provide funds for the mandatory redemption of the Series 2019 Bonds (up to the lesser of (A) the maximum principal amount of the Series 2019 Bonds outstanding as of the Mechanical Completion Date, together with capitalized interest accrued but not paid prior to the Mechanical Completion Date or (B) the par amount of Series 2019 Bonds



should, among other required loss triggers, projected cash flows not meet the minimum loan-life coverage ratio of 1.20 as calculated in the Performance Insurance Policy prior to the Mechanical Completion Date due to defective, faulty or incomplete performance of the Biorefinery. The Performance Insurance Policy does not guarantee payment on the Series 2019 Bonds and is NOT a municipal bond insurance policy.

- o The Series 2019 Bonds are exclusive obligations of Fulcrum Holdings and are not guaranteed by any of its subsidiarles. Because Fulcrum Holdings is a holding company with no material assets other than its ownership interests in its subsidiarles, and all of its operations are conducted by its subsidiaries, the Series 2019 Bonds are structurally subordinated to all existing and future debt, trade credit and other liabilities of those subsidiaries including Fulcrum BioFuels and Fulcrum Holdings' rights, and hence the rights of the Series 2019 Bondholders, to participate in any distribution of assets of the Fulcrum BioFuels upon liquidation or reorganization or might otherwise be subject to the prior claims of such subsidiary's creditors, except to the extent that Fulcrum Holdings' claims as a creditor of such subsidiary may be recognized.
- o In addition to the EPC Contractor's guarantees, Fulcrum has committed \$10 million in equity capital as contingency to cover costs incurred in excess of the EPC Contractor's \$18.2 million liability during performance testing of the Blorefinery.
- o As discussed above, integrating solar power will reduce expenses which will enhance cash flow.

### Series 2019 Bond Sale Summary

With approval of the Board of Finance, Fulcrum Holdings expects to release the preliminary limited offering memorandum to investors shortly after the August Board meeting. Upon such release, the underwriter will immediately market the bonds with an anticipated closing date within a few weeks of approval.

In speaking with the underwriter, due to the unique structure and credit quality of the Series 2019 Bonds, it is likely that existing bond holders of the Fulcrum BioFuels Project Financings would be prime candidates to invest in the Series 2019 Bonds.

### Summary

Fulcrum continues to make significant progress with the construction of the Project, which remains on schedule to achieve Mechanical Completion of the Biorefinery by January 29, 2020.

With the completion of the renewable power purchase agreement ("PPA"), the cash flows generated by the Project are significantly increased allowing the Fulcrum to maintain the same three times DSCR.

The net proceeds from the issuance of the Series 2019 Bonds will be contributed as equity to the Project, further strengthening the financial position of Fulcrum and providing additional contingency and capital to fund enhancements to the Project.

The position of the holders of the Bonds will be significantly enhanced with additional fixed cash flows, greater collateral and an improved DSCR.

The economic impact of the Project will lead to over 800 construction and permanent jobs and infuse over \$145 million into the local economy over the next ten years.



### Conclusion

The Fulcrum group has created a unique project that, if successful, will bring great economic and environmental benefits to the region. The Project is creating new jobs while reducing landfill waste all to produce renewable energies. The anticipated Project enhancements funded with the Series 2019 Bonds will further reduce the carbon footprint thus making the Project "greener" and more efficient. Moreover, there is now a greater likelihood that the biofuels could stay within the State of Nevada. There are structural components to this financing that are less secure than the original Fulcrum BioFuels financings however, Fulcrum Holdings has sought additional measures to counter the unique nature of the financing. Namely that these enhancements improve the operations and cash flow that will increase the long-term viability of the Project. This is all supported by the strong, diverse partnerships Fulcrum has cultivated to make success realistic.

Since the Series 2019 Bonds have a variety of security features creating operational enhancements to increase cash flow while reducing the impact on local service providers, particularly water, sewer and electrical, I concur with you and Bond Counsel that this Financing Application is appropriate for your consideration and should be allocated private activity bond resources.

LYRB also concurs with the B&I and Bond Counsel that the Fulcrum Project meets the requisite Nevada Revised Statutes and should be presented to the Board of Finance for its approval.

We welcome the opportunity to discuss the Fulcrum financing application. Please contact me at (801) 456-3903 or by cell (801) 647-4823 or by e-mail <u>david@lewisyoung.com</u>.

Sincerely,

David Robertson Vice President

D.D. Robert



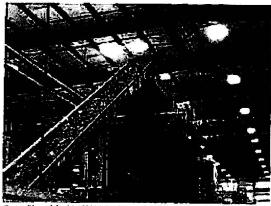
#### APPENDIX A - PROJECT PHOTOS AND LAYOUT WITH CONSTRUCTION UPDATES

#### **FEEDSTOCK AND BIOREFINERY PHOTOS**

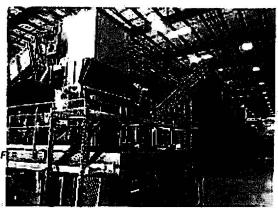
Biorefinery site (current)



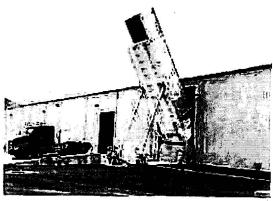
Tipping floor



Fost-Shredded MSW Moving Into the Processing System



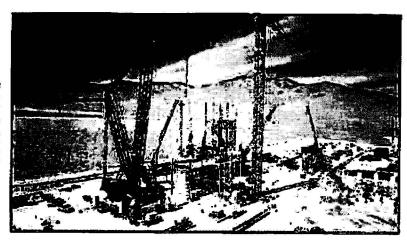
MSW Shredder and Conveyor Moving MSW into the Processing System



Waste tipper

## Steam Reformer lift in progress at the Sierra Biorefinery site on May 6, 2019

Construction of various infrastructure facilities at the Biorefinery and enhancement of the FPF continue to proceed as planned and are expected to be completed prior to Mechanical Completion of the Biorefinery.







#### **Water Treatment Plant**

The civil contractor by the Project Company continues to pour foundations, install balance of underground piping and electrical and erect numerous tanks. Construction of the Water Treatment Plant, located at the Biorefinery, is expected to be completed in December 2019.

#### Air Separation Unit

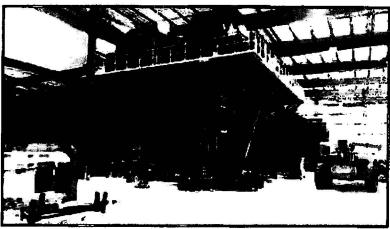
The EPC Contractor was retained by the Project Company to perform the civil work associated with the Air Separation Unit and began excavation in May 2019 for the foundations and trenching for the underground electrical conduits. Construction of the Air Separation Unit, located at the Biorefinery, is expected to be completed in January 2020.



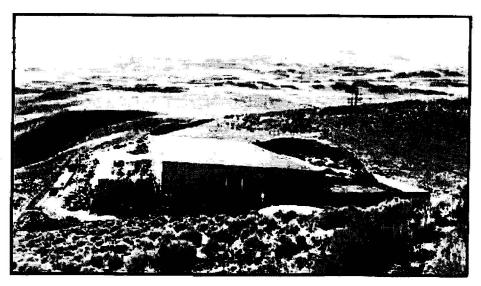
#### Feedstock Processing Facility

Van Dyk Baler Corporation was retained by the Project Company for the engineering, design, installation and commissioning of additional MSW equipment and systems at the FPF. All equipment has been delivered to the site and is in the process of being installed. Work continues at the FPF on the "balance of plant" work including the construction of a larger tipping floor, a residual material building, new tipper, new scale and associated civil work.

Mechanical Completion of the balance of plant work and installation of the additional MSW equipment and systems is scheduled for August 23, 2019 at which time acceptance testing will begin with Substantial Completion targeted for September 19, 2019.







FPF site enhancements; construction of new residual load-out building (left) and construction of new, larger MSW tip floor (right)

#### **EXHIBIT B**

#### FORM OF OFFICE OF ECONOMIC DEVELOPMENT APPROVAL

(Attached)

# DETERMINATION AND APPROVAL OF THE STATE OF NEVADA OFFICE OF ECONOMIC DEVELOPMENT PURSUANT TO NEVADA REVISED STATUTES 349.585 RELATING TO THE FINANCING OR REFINANCING OF A PROJECT LOCATED IN STOREY COUNTY, NEVADA

WHEREAS, Fulcrum Sierra Holdings, LLC, a Delaware limited liability company ("Fulcrum"), a wholly owned subsidiary of Fulcrum Bioenergy, Inc. (the "Operator") has submitted the attached application dated May 17, 2019 (the "Application") to the Director of the State of Nevada Department of Business and Industry (the "Director") for the issuance of industrial development revenue bonds in an amount not to exceed \$70,000,000 (the "Bonds") for the purpose of assisting in the financing or refinancing of a portion of the additional costs of (i) constructing, improving and equipping a facility to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada and (ii) the improvements to and equipping of the facility owned by the Project Company and operated by the Operator used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site at 350 Saddle Court in Mustang, Storey County, Nevada (collectively, the "Project"); and

WHEREAS, the Director has authority to issue the Bonds pursuant to the Nevada Revised Statues, including Sections 349.400 through 349.670 thereof (the "Act"); and

WHEREAS, Fulcrum, the Operator, and other interested parties have prepared and submitted to the Director certain reports, records and other information related to the Project, and the Director has reviewed such reports, records and other information and has otherwise investigated the facts concerning the Project so as to enable the Director to make certain findings in accordance with the Act; and

WHEREAS, pursuant to Section 349.585 of the Act, the State of Nevada Office of Economic Development (the "Office") must, prior to the issuance of the Bonds, determine that the Project is consistent with the State Plan for Economic Development and must approve the financing of the Project;

NOW, THEREFORE, pursuant to Section 349.585 of the Act, the Office hereby determines and approves as follows:

The Project is consistent with the State Plan for Economic Development developed by the Executive Director of the Office pursuant to Subsection 2 of Section 231.053 Nevada Revised Statutes.

Based upon the foregoing, the Project is hereby approved by the Office.

This determination and approval is made only for the purposes of Section 349.585 of the Act and does not constitute a guarantee of financial results with respect to the Project or otherwise with respect to the business prospects of Fulcrum, the Project Company, or the Operator. This

determination and approval is not intended as an analysis of the Bonds as investments or intended to be relied upon by investors. B-3

| IN WITNESS WHEREOF, the S DEVELOPMENT has caused this determine, 2019. | TATE OF NEVADA OFFICE OF ECONOMIC nation and approval to be made this day of |
|--|--|
|  | THE STATE OF NEVADA OFFICE OF ECONOMIC DEVELOPMENT                           |
|  | By:Executive Director  |

#### **EXHIBIT C**

#### FORM OF COUNTY SUPPORT RESOLUTION

(Attached)

| RESOLU | TION NO.  |
|--------|-----------|
|        | TTO11110. |

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF STOREY, NEVADA PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2019 PRIVATE ACTIVITY BOND VOLUME CAP TO THE DIRECTOR OF THE STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA AND SUPPORT FOR A FACILITY TO BE USED FOR FINANCING OF A SOLID WASTE DISPOSAL FACILITY PROJECT LOCATED IN THE COUNTY OF STOREY, STATE OF NEVADA

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the County of Storey, Nevada (the "County" and "State," respectively), tax-exempt private activity bond volume cap for year 2019 (the "2019 Bond Cap"); and

WHEREAS, the Director of the State of Nevada Department of Business and Industry (the "Director"), has requested that the County transfer the 2019 Bond Cap to the Director for the purpose of assisting in the financing or refinancing of a portion of the costs of constructing, improving and equipping of a facility (i) to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (the "Biorefinery") and/or (ii) the improvements to and equipping of a facility used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada (the "Feedstock Processing Facility" and, together with the Biorefinery, the "Project"); and

WHEREAS, the additional improvements to the Project being financed or refinanced with the proceeds of bonds and other moneys are expected to include the construction of an expansion of the Feedstock Processing Facility to increase and enhance the quality of the Feedstock Processing Facility's production, the acquisition and installation of feedstock drying equipment at the Biorefinery to increase the Biorefinery's efficiency, the installation of an oxygen supply facility at the Biorefinery to improve the Biorefinery's gasification process, the acquisition and installation of electrical equipment at the Biorefinery to enable the Biorefinery to purchase solar energy, and the acquisition and installation of fuel upgrading equipment at the Biorefinery to allow the Biorefinery to produce a finished fuel product; and

WHEREAS, the County is a "local government" as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to the Director, the 2019 Bond Cap to assist in the financing of an eligible project; and

WHEREAS, the Board of County Commissioners of the County has the responsibility for allocating private activity bond volume cap available to the County, including the 2019 Bond Cap.

- NOW, THEREFORE, the Board of County Commissioners of the County do hereby find, resolve, determine and order as follows:
  - Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.
- Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the County hereby transfers the 2019 Bond Cap to the Director for the Project, to be undertaken by Fulcrum Sierra Holdings, LLC ("Fulcrum Holdings").
- Section 3. Use of 2019 Bond Cap. The Director will use the 2019 Bond Cap for the Project in calendar year 2019, or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.
- Section 4. Support of County. The Board of County Commissioners of the County do hereby endorse and support Fulcrum Holdings' efforts to obtain bonding and funding support for the Project through the Nevada Department of Business and Industry.
- Section 5. Representative of County. Pursuant to NAC 348A.180(1), the Director may contact Marshall McBride regarding this Resolution at (775) 847-0968 or in writing at 26 S. B Street, P.O. Box 176, Virginia City, Nevada 89440.
- Section 6. Additional Action. The Board of County Commissioners of the County are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2019 Bond Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A. The Clerk-Treasurer of the Board of County Commissioners is hereby authorized and directed to mail a certified copy of this Resolution to the Director.
- Section 7. Obligation of the County: This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.
- Section 8. Enforceability. If any section, paragraph. clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

| ADOPTED, SIGNED AND APPROVE | ED this day of, 2019.    |
|-----------------------------|--------------------------|
|                             | COUNTY OF STOREY, NEVADA |
|                             | By:                      |
| ATTEST:                     |                          |
| By:                         | <u> </u>                 |

#### **EXHIBIT D**

#### **RESERVED**

#### **EXHIBIT E**

### FORM OF GOVERNOR'S CERTIFICATE REGARDING THE ISSUANCE OF THE BONDS FOR TEFRA HEARING PURPOSES

(Attached)

#### CERTIFICATE BY THE GOVERNOR

# REGARDING DIRECTOR OF THE STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY'S ISSUANCE OF ENVIRONMENTAL IMPROVEMENT REVENUE BONDS

I, Steve Sisolak, Governor of the State of Nevada, DO HEREBY CERTIFY:

A public hearing was held on June 28, 2019, at the principal office of the Nevada Department of Business and Industry Director's office located at 1830 E. College Parkway, Suite 200, Carson City, Nevada 89706 to hear public comment on plans for the issuance and sale of up to \$70,000,000 Environmental Improvement Revenue Bonds (Fulcrum Sierra Holdings, LLC Project) to be issued in one or more series or issues (the "Bonds") to assist in the financing or refinancing of a portion of the costs of constructing, improving and equipping a facility to be used for converting municipal solid waste into renewable fuel products (the "Biorefinery") and/or the improvements to and equipping of the facility used for preliminary sorting and processing of municipal solid waste (the "Feedstock Processing Facility"), each located in Storey County, Nevada (collectively, the "Project"). The additional improvements to the Project being financed or refinanced with the proceeds of the Bonds and other moneys are expected to include the construction of an expansion of the Feedstock Processing Facility to increase and enhance the quality of the Feedstock Processing Facility's production, the acquisition and installation of feedstock drying equipment at the Biorefinery to increase the Biorefinery's efficiency, the installation of an oxygen supply facility at the Biorefinery to improve the Biorefinery's gasification process, the acquisition and installation of electrical equipment at the Biorefinery to enable the Biorefinery to purchase solar energy, and the acquisition and installation of fuel upgrading equipment at the Biorefinery to allow the Biorefinery to produce a finished fuel product.

Notice for the hearing was given and the hearing was conducted in accordance with the Report of Hearing. Such Notice and Report of Hearing are attached hereto as Exhibit A. Solely for the purpose of satisfying the public approval requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, and for no other purpose, I hereby approve the plan of financing for the issuance of the Bonds. This approval is not to be construed as a pledge of the faith and credit of or by the State of Nevada, or of any agency, instrumentality, municipality, or subdivision of the State of Nevada.

IN WITNESS WHEREOF, I have set my hand this \_\_\_\_\_ day of \_\_\_\_\_\_, 2019.

STEVE SISOLAK
Governor, State of Nevada

#### Exhibit A

#### NOTICE AND REPORT OF HEARING

#### **EXHIBIT F**

#### DOCUMENT EXTRACTS REGARDING USE OF FUNDS

(Attached)

#### Extracts from the Indenture

#### Section 4.03. Delivery of Series 2019 Bonds and Other Moneys.

| () 0 1 0 1 0000 1 1 1 1  |
|--|
| (a) On the Series 2019 Bonds Closing Date, the Trustee shall deposit the proceeds of the Series 2019 Bonds, in the aggregate amount of \$ (representing \$50,000,000 of proceeds of the Series 2019 Bonds less the underwriting fee and expenses of \$), as follows:   |
| (i) \$, allocable to the proceeds of the Series 2019 Bonds, to the Series 2019 Capitalized Interest Account held by the Trustee;   |
| (ii) \$, allocable to the proceeds of the Series 2019 Bonds, to the Series 2019 Equity Capitalized Interest Account held by the Trustee;   |
| (iii) \$, allocable to the proceeds of the Series 2019 Bonds, to the Series 2019 Costs of Issuance Account held by the Trustee;  |
| (iv) \$, allocable to the proceeds of the Series 2019 Bonds, to the Series 2019 Construction Collateral Account within the Construction Collateral Fund held by the Collateral Agent; and  |
| (v) \$, allocable to the proceeds of the Series 2019 Bonds, to the Series 2019 Debt Service Reserve Account of the Debt Service Reserve Fund held by the Trustee.  |
| (b) On the Series 2019 Bonds Closing Date, the Trustee shall deposit \$ received from the Company as an equity contribution, to the Series 2019 Costs of Issuance Account held by the Trustee.   |
| Section 4.04. Project Fund.  |
| (a) Series 2019 Capitalized Interest Account; Series 2019 Equity Capitalized Interest Account. Amounts on deposit in the Series 2019 Capitalized Interest Account and the Series 2019 Equity Capitalized Interest Account shall be used to pay capitalized interest related to the Series 2019 Bonds through, 20 or to reimburse any affiliate of the Company for capitalized interest actually paid by or on behalf of the Company and eligible for reimbursement pursuant to the Tax Certificate. On any date upon which capitalized interest is due and payable, and prior to any payments under Section 5.05(a) of the Original Indenture, in accordance with the schedule attached as Exhibit C hereto, the Trustee shall, without further authorization, instruction or delivery by the Company of a Requisition, withdraw sufficient funds to make such payments first from the Series 2019 Capitalized Interest Account until such account is depleted and then from the Series 2019 Equity Capitalized Interest Account. Upon receipt of interest earnings, the Trustee shall, without further authorization, instruction or delivery by the Company of a Requisition, transfer any interest earned on the Series 2019 Capitalized Interest Account and the Series 2019 Equity Capitalized Interest Account to the applicable subaccount of the Construction Collateral Account held by the Collateral Agent for the payment or reimbursement of Tax-Exempt Project |

Costs pursuant to the Collateral Agency Agreement. Upon the acceleration of the Series 2019 Bonds pursuant to Section 7.03 of the Original Indenture, the amounts on deposit in the Series 2019 Capitalized Interest Account and the Series 2019 Equity Capitalized Interest Account shall be applied in accordance with Section 7.06 of the Original Indenture, provided that if such acceleration shall be rescinded before such application date, any unapplied amounts on deposit in such Series 2019 Capitalized Interest Account or the Series 2019 Equity Capitalized Interest Account shall continue to be applied as provided herein.

Notwithstanding the foregoing, if proceeds of the Series 2019 Bonds remain in the Series 2019 Capitalized Interest Account or the Series 2019 Equity Capitalized Interest Account on the earlier of (i) the date on which the Company reasonably determines that the Biorefinery and Stage 2 of the Feedstock Processing Facility will not be completed, or (ii) the later of the date on which the Biorefinery is placed in service for federal income tax purposes or the date on which Stage 2 of the Feedstock Processing Facility is placed in service for federal income tax purposes, in each case consistent with the principles set forth in the Tax Certificate, then to the extent the Company does not reasonably expect those proceeds of the Series 2019 Bonds will be allocated to costs of the Series 2019 Project consistent with the Tax Certificate, unless the Company obtains an opinion of Bond Counsel to the effect that a failure to redeem Tax-Exempt Bonds as contemplated by Section 7.3(c) of the Financing Agreement will not adversely affect the tax-exempt status of the Tax-Exempt Bonds, then proceeds of Series 2019 Bonds in the Series 2019 Capitalized Interest Account or the Series 2019 Equity Capitalized Interest Account may be used to redeem Series 2019 Bonds or other Tax-Exempt Obligations.

Subject to the requirements set forth in the Tax Certificate, any amount remaining in the Series 2019 Capitalized Interest Account and the Series 2019 Equity Capitalized Interest Account upon the final scheduled payment of capitalized interest on the Series 2019 Bonds, shall, without further authorization, instruction or delivery by the Company of a Requisition, be transferred by the Trustee to the Collateral Agent for deposit as follows: (i) if such transfer occurs prior to Trustee's receipt of written notice from the Company confirming the occurrence of the Final Completion Date, to the applicable subaccount of the Construction Collateral Account of the Construction Collateral Fund, and (ii) if such final disbursement occurs on or after the Trustee's receipt of a certification from the Company that the Final Completion Date has occurred, to the Revenue Fund.

Costs of Issuance Account shall be used to pay the costs of issuance of the Series 2019 Bonds or to reimburse the Company or any affiliate of the Company for costs of issuance of the Series 2019 Bonds actually paid by or on behalf of the Company and eligible for reimbursement, all in compliance with the Tax Certificate, upon receipt of an executed COI Requisition, in substantially the form attached hereto as <a href="Exhibit D">Exhibit D</a>. The Trustee shall from time to time withdraw sufficient funds from the Series 2019 Costs of Issuance Account to fund disbursements made with respect to the Series 2019 Bonds on the date of issuance of such Series 2019 Bonds. Any amounts remaining in the Series 2019 Costs of Issuance Account on the 90th day after the Series 2019 Bonds Closing Date shall be transferred by the Trustee to the applicable subaccount of the Construction Collateral Account held by the Collateral Agent.

Section 4.05. <u>Debt Service Fund</u>. Pursuant to the Financing Agreement, the Company shall pay or cause moneys to be paid by the Collateral Agent to the Trustee for deposit in the accounts within the Debt Service Fund described in Section 5.05 of the Original Indenture at the times and in the amounts necessary for the Trustee to make the transfers described in Section 5.05 of the Original Indenture. Such amounts shall be paid by the Company in accordance with <u>Exhibit C</u> hereto; provided, however, that the Company shall, from time to time, prepare and provide to the Trustee an amended <u>Exhibit C</u> as may be required in connection with any prepayments, optional redemptions or mandatory redemptions that result in a change in Debt Service hereunder.

Section 4.06. <u>Debt Service Reserve Fund</u>. (a) Each sub-account of the Debt Service Reserve Fund, when established, will be established solely for the benefit of the Trustee on behalf of the Holder of Bonds and shall not be subject to any Lien in favor of any Person other than the Trustee solely for the benefit of the Trustee on behalf of the Holders of Bonds and shall be held by the Trustee for the exclusive benefit of only such parties.

| (b) (i) On the Series 2019 Bonds Closing Date, the Series 2019 Debt Service Reserve                  |
|--|
| Account shall be initially funded from the proceeds of the Series 2019 Bonds in an amount equal      |
| to \$ Thereafter, the Collateral Agent shall cause amounts in the Revenue Fund, to the               |
| extent available, to be deposited in accordance with, and at the times specified by, Section 5.02(c) |
| of the Collateral Agency Agreement into the Series 2019 Debt Service Reserve Account as shall        |
| be necessary to achieve or maintain the Series 2019 Debt Service Reserve Required Balance. Any       |
| amounts on deposit in the Series 2019 Debt Service Reserve Account in excess of the Series 2019      |
| Debt Service Reserve Required Balance as of such date shall be deposited into the Revenue Fund       |
| in accordance with the requirements of Section 5.02(d) of the Collateral Agency Agreement;           |
| provided, however, that upon receipt of interest earnings prior to the earlier of the Final          |
| Completion Date or, 20, the Trustee shall, without further authorization, instruction                |
| or delivery by the Company of a Requisition, transfer any such excess amounts of interest earned     |
| on the Series 2019 Debt Service Reserve Account to the applicable subaccount of the Construction     |
| Collateral Account held by the Collateral Agent for the payment or reimbursement of Tax-Exempt       |
| Project Costs pursuant to the Collateral Agency Agreement; and (ii) any other sub-account of the     |
| Debt Service Reserve Fund shall be established and initially funded at the time and in the amount    |
| set forth in the applicable Additional Financing Documents pursuant to which Additional              |
| Obligations are issued. Thereafter, the Collateral Agent shall cause amounts in the Revenue Fund,    |
| to the extent available, to be deposited in accordance with, and at the times specified by, Section  |
| 5.02(c) of the Collateral Agency Agreement into the applicable sub-accounts of the Debt Service      |
| Reserve Fund. Any amounts on deposit in any sub-account of the Debt Service Reserve Fund in          |
| excess of its applicable Debt Service Reserve Required Balance shall be applied in accordance        |
| with the requirements of Section 5.02(c) of the Collateral Agency Agreement.                         |

#### Extracts from the Collateral Agency Agreement

#### Section 5.05 Construction Collateral Fund.

- Construction Collateral Account. On the Series 2018 Bonds Closing Date, the proceeds of the Series 2018 Bonds, net of all costs and expenses incurred in connection with the issuance thereof and the costs and expenses of the borrowing of Loans related to the issuance of the Series 2018 Bonds under the Financing Agreement, amounts for the payment of which shall be deposited into the Series 2018 Costs of Issuance Account under the Indenture, and net of the amounts to be deposited into the Series 2018 Capitalized Interest Account and the Series 2018 Debt Service Reserve Account, shall be deposited into a segregated subaccount of the Construction Collateral Account and thereafter, any interest earned on such proceeds shall be deposited into the Construction Collateral Account. Amounts on deposit in the Construction Collateral Account shall be used to pay Tax-Exempt Project Costs or to reimburse the Company or any affiliate of the Company for any Tax-Exempt Project Costs actually paid by the Company or on behalf of the Company and eligible for reimbursement, allocation or reallocation pursuant to the Tax Certificate. The Collateral Agent shall from time to time withdraw funds from the Construction Collateral Account in accordance with a Requisition delivered by the Company pursuant to Section 5.06. The Construction Collateral Account is created solely for the benefit of the Trustee on behalf of the owners of the Bonds and shall not be subject to any Lien in favor of any Person other than the Collateral Agent solely for the benefit of the Trustee on behalf of the owners of the Bonds and shall be held by the Collateral Agent for the exclusive benefit of only such parties.
- (b) <u>Disbursements from Construction Collateral Account and Series 2019</u>
  <u>Construction Collateral Account.</u> The Collateral Agent shall make withdrawals, transfers and payments from the Construction Collateral Account and Series 2019 Construction Collateral Account, or any additional Project Account or subaccount created within the Construction Collateral Fund as set forth in Section 5.01(a), in accordance with Sections 5.05(a) and 5.05(c) and in the amounts, at the times and only for the purposes specified in this Section 5.05.
- (c) <u>Series 2019 Construction Collateral Account.</u> On the Series 2019 Bonds Closing Date, the proceeds of the Series 2019 Bonds, net of all costs and expenses incurred in connection with the issuance thereof and the costs and expenses of the borrowing of Loans related to the issuance of the Series 2019 Bonds under the Financing Agreement, amounts for the payment of which shall be deposited into the Series 2019 Costs of Issuance Account under the Indenture, and net of the amounts to be deposited into the Series 2019 Capitalized Interest Account and the Series 2019 Debt Service Reserve Account, shall be deposited into a segregated subaccount of the Series 2019 Construction Collateral Account and thereafter, any interest earned on such proceeds shall be deposited into the Series 2019 Construction Collateral Account. Amounts on deposit in the Series 2019 Construction Collateral Account shall be used to pay Tax-Exempt Project Costs or to reimburse the Company or any affiliate of the Company for any Tax-Exempt Project Costs actually paid by the Company or on behalf of the Company and eligible for reimbursement, allocation or reallocation pursuant to the Tax Certificate. The Collateral Account in accordance with a Requisition delivered by the Company pursuant to Section 5.06. The Series 2019 Construction

Collateral Account is created solely for the benefit of the Trustee on behalf of the owners of the Bonds and shall not be subject to any Lien in favor of any Person other than the Collateral Agent solely for the benefit of the Trustee on behalf of the owners of the Bonds and shall be held by the Collateral Agent for the exclusive benefit of only such parties.

Equity Construction Account. From time to time, the proceeds of any subsequent equity contributions may be deposited into the Equity Construction Account or into a new sub-account of the Construction Collateral Fund pursuant to the terms hereof at the sole option of the Company. From time to time, on not less than ten (10) Business Days' notice to the Collateral Agent, the Company may deposit Additional Equity Letters of Credit with the Collateral Agent for deposit into the Equity Construction Account, and at the direction of the Company at the time of deposit of any such Additional Equity Letter of Credit, the Collateral Agent shall release an amount of cash from the Equity Construction Account equal to the stated amount of the Additional Equity Letter of Credit and transfer such released amount to such accounts or payees as set forth in such direction. For all purposes of this Section 5.05(d), each Additional Equity Letter of Credit shall be deemed to be an Equity Construction Letter of Credit. The Company hereby agrees and directs the Collateral Agent to execute and deliver to the issuer of the applicable Equity Construction Letter of Credit (i) promptly, upon five (5) Business Days prior written notice from the Company, a fully completed drawing certificate in the amount set forth in such written notice, and (ii) thirty (30) days prior to the expiration date of the Equity Construction Letter of Credit, a fully completed drawing certificate in an amount equal to the Equity Construction Letter of Credit's then-current stated amount (as determined in accordance with the terms thereof), only to the extent that the Company has not provided to the Collateral Agent prior to such date a substantially similar (in all material respects) letter of credit, or other letter of credit in form reasonably acceptable to the Collateral Agent, issued by an Acceptable Letter of Credit Bank with a stated amount equal to the undrawn amount of the Equity Construction Letter of Credit that such letter of credit replaces. The Collateral Agent shall promptly execute and deliver a fully completed drawing certificate under the Equity Construction Letter of Credit to the issuer thereof pursuant to a Direction Notice. All amounts drawn on any Equity Construction Letter of Credit shall be deposited in the Equity Construction Account and all amounts available under any such Equity Construction Letter of Credit shall be deemed to be on deposit in the Equity Construction Account for all purposes hereunder. Amounts on deposit in the Equity Construction Account shall be used to pay Project Costs (as defined in the Original Financing Agreement) or to reimburse the Company or any affiliate of the Company for any Project Costs (as defined in the Original Financing Agreement) actually paid by the Company or on behalf of the Company. The Collateral Agent shall from time to time withdraw funds from the Equity Construction Account in accordance with a Requisition delivered by the Company pursuant to Section 5.06. In the event that, on the Series 2018 Bonds Closing Date, the Company has not deposited an Equity Construction Letter of Credit, then any Additional Equity Letter of Credit thereafter delivered, in substitution for cash as provided in Section 5.05(d) above or otherwise, shall be a direct pay letter of credit and provide that the Collateral Agent shall make drawings thereunder for the purposes set forth in this Agreement and in the form of the Additional Equity Letter of Credit by sending a sight draft and drawing certificate in the form attached to such Additional Equity Letter of Credit signed by an authorized officer of the Collateral Agent under the circumstances described in this Section

5.05(d), within the time period specified in the Additional Equity Letter of Credit, and there shall be no other preconditions to any such drawing.

- (e) Reserved.
- (f) Reserved.
- (g) Final Project Costs. Subject to Section 5.05(l), pursuant to instructions of the Company, at any time on or prior to the Mechanical Completion Date, the Company shall direct the Collateral Agent in writing to retain in the Construction Collateral Fund or its sub-accounts amounts necessary for the payment or reimbursement of all remaining Project Costs (as defined in the Original Financing Agreement) reasonably expected to become due and payable on or prior to the Final Completion Date. On the Operations Date, the Collateral Agent shall pursuant to instructions of the Company transfer any remaining amounts in the Construction Collateral Fund (except for amounts to be retained therein or in any sub-account thereof pursuant to the first sentence of this Section 5.05(g)) to the Revenue Fund; provided, however, that Collateral Agent shall retain in the Construction Collateral Fund an amount equal to all remaining Project Costs (as defined in the Original Financing Agreement) certified in writing by the Company as reasonably expected to be due and payable in order to achieve the Final Completion Date.
- (h) Fund Transfer After Final Completion Date. Provided no Event of Default then exists, not more than sixty (60) days from the date of receipt by the Collateral Agent of (i) the Final Completion Certificate signed by an Authorized Company Representative in the form of Exhibit L attached hereto, (ii) a certification by the Engineer that Final Completion has been achieved, and that all Project Costs (as defined in the Original Financing Agreement) have been paid in full, and (iii) final unconditional lien waivers from EPC Contractor and all Subcontractors (as defined in the EPC Contract) in accordance with the requirements of the EPC Contract, or for any Subcontractor lien waivers not received, a bond or other security is provided by the EPC Contractor in an amount equal to at least 150% of the payment amount that would have been covered by such lien waiver, any balance remaining in the Construction Collateral Fund shall without further authorization, instruction or delivery by the Company of a Requisition to the Collateral Agent be transferred by the Collateral Agent to the Revenue Fund.
- (i) <u>Closing Date Costs</u>. Notwithstanding anything herein to the contrary, any disbursements requested to be made from the Equity Construction Account of the Construction Collateral Fund for payments to be made on or in connection with the Series 2018 Bonds Closing Date shall be made pursuant to a Requisition delivered on or within ninety (90) days after the Series 2018 Bonds Closing Date.
- (j) Proceeds of Additional Obligations. Except as otherwise provided in the Financing Documents, net proceeds of Additional Obligations issued to finance Project Costs (as defined in the Original Financing Agreement) prior to the Final Completion Date (but not refinancing proceeds which may be deposited under the Indenture to facilitate such refinancing) shall be remitted to the Collateral Agent, for deposit into additional sub-accounts of the Construction Collateral Fund as provided in Section 5.01(a) and Section 5.05(k).

- (k) <u>Sub-Accounts</u>. In accordance with the terms of Section 5.01(a), the Collateral Agent, upon direction from the Company, shall open new sub-accounts of the Construction Collateral Fund as specified by the Company (including the name of any such sub-account) for the purpose of (i) depositing the proceeds of any Additional Obligations (but not refinancing proceeds which may be deposited under the Indenture or as provided in Section 5.05(j) to facilitate such refinancing) permitted to be incurred by the Financing Documents in accordance with Section 5.05(j), (ii) accounting for and payment of the capitalized interest, costs of issuance or otherwise thereof, or (iii) any other purpose permitted by the Financing Documents pursuant to Section 5.06.
- (1)Funds Transfer Required Pursuant the to Financing Agreement. Notwithstanding anything in this Section 5.05 to the contrary, on or after the earlier of (i) the date on which the Company reasonably determines that the Biorefinery and Stage 2 of the Feedstock Processing Facility will not be completed; or (ii) the later of the date on which the Biorefinery is placed in service for federal income tax purposes or the date on which Stage 2 of the Feedstock Processing Facility is placed in service for federal income tax purposes, in each case consistent with principles set forth in the Tax Certificate, unless the Company obtains an opinion of Bond Counsel to the effect that a failure to redeem the Series 2018 Bonds and Series 2019 Bonds will not adversely affect the tax-exempt status of the Series 2018 Bonds and Series 2019 Bonds, then to the extent the Company does not reasonably expect those proceeds of the Series 2018 Bonds and Series 2019 Bonds will be allocated to costs of the Facilities consistent with the Tax Certificate, the Collateral Agent shall transfer all amounts on deposit in the Construction Collateral Fund representing the proceeds of Tax-Exempt Bonds to the Trustee for the purpose of redeeming Tax-Exempt Bonds in accordance with Section 7.3(c) of the Original Financing Agreement.

#### Section 5.06 Construction Collateral Fund Requisition Procedures.

- (a) Withdrawals from all sub-accounts of the Construction Collateral Fund, collectively, may be made from time to time, subject to the terms and conditions of Section 5.05 and this Section 5.06 (to the extent applicable).
- (b) Subject to the last sentence of this clause (b) and other than as expressly provided in Sections 5.05(g) and 5.05(k), the Company shall request disbursements of monies on deposit in the Construction Collateral Fund (and any sub-account thereof) by delivering to the Collateral Agent (with a copy to each Agent), not later than the tenth (10<sup>th</sup>) Business Day prior to the proposed date of disbursement (unless such disbursement is requested on the Series 2018 Bonds Closing Date or the Series 2019 Bonds Closing Date, in which case no prior notice shall be required), a withdrawal certificate (the "Company Withdrawal Certificate") signed by an Authorized Company Representative in the form of Exhibit I attached hereto (together with a certificate of the Engineer in the form of Exhibit J attached hereto (the "Engineer Withdrawal Certificate"), in each case, to the extent necessary for compliance with Section 5.06(c) and Section 5.06(d)) (collectively, a "Requisition"); provided, that an Engineer Withdrawal Certificate shall only be required to the extent a Requisition includes a disbursement for payment of Project Costs (as defined in the Original Financing Agreement). Upon receipt of each Requisition, the Collateral Agent shall make the payments set forth in such Requisition out of money in the Construction

Collateral Fund (and each sub-account thereof) as set forth in such Requisition. For the avoidance of doubt, the Collateral Agent is not prevented by the two (2) Business Day notice requirement from paying the obligations set forth in the Requisition prior to the date of disbursement proposed in the Requisition. In making such payments the Collateral Agent may conclusively rely upon the Requisition without further inquiry. However, notwithstanding anything to the contrary contained herein, Collateral Agent may decline to disburse funds pursuant to a Requisition if Collateral Agent determines that any such Requisition is incomplete in any material respect, or does not include the attachments required by this Section 5.06 and provides notice thereof and the basis for such assertion to the Company. Except as provided in Sections 5.05(g), 5.05(k) and 5.05(l), any payments from the Construction Collateral Fund shall be made by the Collateral Agent solely based on Requisitions received from time to time pursuant to this Section 5.06. The opening of or requisitioning of amounts on deposit in any new sub-accounts pursuant to Section 5.05(k) shall be made by the Collateral Agent solely based on instructions received by the Collateral Agent from the Company.

- withdrawn and the applicable accounts and payees to which such funds shall be transferred (with a description of the purpose therefor), referencing customary invoices, to the extent required, and attaching a lien waiver from the EPC Contractor in accordance with the requirements of the EPC Contract, and lien waivers in accordance with the requirements of the EPC Contract from all Major Subcontractors with respect to which work has been performed and for which disbursement is requested, conditioned solely upon payment of such requisitioned funds. Such Company Withdrawal Certificate shall also include a statement from the EPC Contractor representing that the EPC Contractor has made all payments or arranged for payment of all payments due and payable to all of its Subcontractors (as defined in the EPC Contract) with respect to work which has previously been reimbursed by a Requisition. Each Company Withdrawal Certificate shall include the following certifications of the Company as of the date of proposed requisition:
  - (i) All amounts previously requisitioned pursuant to prior Requisitions for the payment or reimbursement of Project Costs (as defined in the Original Financing Agreement) have been applied solely to pay or reimburse Project Costs (as defined in the Original Financing Agreement);
  - (ii) All amounts requisitioned in such Company Withdrawal Certificate relate to Project Costs (as defined in the Original Financing Agreement) that have been or are reasonably projected to be incurred in connection with the Facilities within thirty (30) days and none have been the basis for a prior Requisition that has been paid; and
  - (iii) Solely to the extent funds are being requisitioned pursuant to such Requisition to pay Project Costs (as defined in the Original Financing Agreement), no Funding Shortfall exists; and
    - (iv) No Event of Default has occurred and is continuing.

- (d) Subject to Section 5.06(e) and Section 5.06(f) hereof, each Engineer Withdrawal Certificate shall include the following certifications of the Engineer, in its reasonable belief, as of the date of proposed requisition:
  - (i) Based on its reasonable belief, no Funding Shortfall exists; and
- (ii) Solely to the extent funds are being requisitioned pursuant to such Requisition to pay the EPC Contractor, (A) the work performed by the EPC Contractor pursuant to the EPC Contract to date has been performed in accordance with the terms of the EPC Contract; (B) the amount being paid to the EPC Contractor pursuant to the applicable Requisition does not exceed the amount then due and payable to the EPC Contractor under the EPC Contract, and (C) in its reasonable belief, Substantial Completion can be achieved by the Outside Operations Date.
- (e) No funds shall be requisitioned under this Section 5.06 from any sub-account of the Construction Collateral Fund with respect to the payment of interest on the Series 2018 Bonds or the Series 2019 Bonds unless no more funds are available in the Series 2018 Capitalized Interest Account or Series 2019 Capitalized Interest Account, respectively, under the Indenture, and the only certification required to be made to requisition for due payment of interest shall be a certification by the Company that as of the date of the proposed requisition, no Financing Default Event has occurred and is continuing with respect to the applicable Bonds (each such requisition solely of interest in accordance with this Section 5.06(e), an "Interest Requisition"); provided that, following the funding by the Collateral Agent of any Interest Requisition, the Collateral Agent shall request a certificate from the Engineer certifying that, based on its reasonable belief, no Funding Shortfall then exists or would directly result from such requisition. If the Engineer cannot deliver such certificate, the Collateral Agent shall withhold funding future Interest Requisitions unless and until (i) the Engineer is able to deliver a certificate to the Collateral Agent certifying that, based on its reasonable belief, no Funding Shortfall then exists or would directly result from such requisition, or (ii) the Collateral Agent is instructed by the Trustee (at the direction of the Holders or Beneficial Owners of at least a majority of the aggregate principal amount of Bonds outstanding) to resume funding of such Interest Requisitions without the delivery of such certificate; provided further that, notwithstanding any instructions of the Holders or Beneficial Owners of Bonds, the Collateral Agent shall not withhold funding of any requisitions that satisfy all the conditions that would otherwise apply to requisitions of such amounts pursuant to this Section 5.06 (other than this clause (e)).
- (f) Notwithstanding the foregoing, the Company shall not be able to requisition for the payment of Project Costs (as defined in the Original Financing Agreement) from any sub-account of the Construction Collateral Fund subject to the requisition procedures of Section 5.06 to the extent that an Event of Default has occurred and is continuing.

#### **EXHIBIT G**

CERTIFICATE OF FULCRUM REGARDING FEDERAL, STATE & LOCAL APPROVALS
(Attached)

#### CERTIFICATE OF FULCRUM SIERRA HOLDINGS, LLC REGARDING FEDERAL, STATE, AND LOCAL APPROVALS OF THE PROJECT

This certification is made by Fulcrum Sierra Holdings, LLC, a Delaware limited liability company validly authorized to do business under the laws of the State of Nevada ("Fulcrum"), in connection with the findings made by the Director of the State of Nevada Department of Business and Industry (the "Director") pursuant to Nevada Revised Statutes 349.580(2)(b) relating to the issuance by the Director of the State of Nevada Department of Business and Industry Environmental Improvement Revenue Bonds (Fulcrum Sierra Holdings, LLC Project) in one or more issues, for the purpose of assisting in the financing or refinancing of a portion of the costs of (i) constructing, improving and equipping a facility owned by Fulcrum Sierra BioFuels, LLC (the "Project Company") and operated by Fulcrum BioEnergy, Inc. (the "Operator") to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (the "Biorefinery") and/or (ii) the improvements to and equipping of the facility owned by the Project Company and operated by the Operator used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada (the "Feedstock Processing Facility" and, together with the Biorefinery, the "Project").

THE UNDERSIGNED, DOES HEREBY CERTIFY THAT the Project has received all approvals by local, state and federal governments which may be necessary at this time to proceed with the construction, improvement, rehabilitation or redevelopment of the Project.

IN WITNESS WHEREOF, I have hereunto set my signature as an authorized officer of Fulcrum this 24 day of July , 2019.

FULCRUM SIERRA HOLDINGS, LLC, a Delaware limited liability company

By:

Its: VICE PRESIDENT AND SECRETARY

#### **EXHIBIT H**

### FORM OF CERTIFICATE OF APPROVAL BY THE STATE BOARD OF FINANCE AND RESOLUTION OF APPROVAL BY THE COUNTY COMMISSIONERS

(Attached)

#### CERTIFICATE OF APPROVAL BY THE STATE BOARD OF FINANCE

The undersigned duly qualified Chief Deputy Treasurer and Ex-Officio Secretary of the State Board of Finance of the State of Nevada (the "Board of Finance"), does hereby certify as follows:

- 1. The Board of Finance met on August 19, 2019, in a duly noticed open meeting at which a quorum of the members of the Board of Finance were in attendance.
- 2. At such meeting the Board of Finance approved the Findings of the Director of the Department of Business and Industry of the State of Nevada (the "Director") dated as of July 26, 2019, relating to its Environmental Improvement Revenue Bonds (Fulcrum Sierra Holdings, LLC Project), Series 2019 (Green Bonds) to be issued in one or more series or issues (the "Bonds") and reviewed the Additional Considerations contained therein.
- 3. The foregoing actions have not been amended, modified, rescinded and are now in full force and effect.

IN WITNESS WHEREOF, I have executed and delivered this Certificate on the date set forth below.

| Dated this day of | , 2019.                           |
|-------------------|-----------------------------------|
|                   | STATE BOARD OF FINANCE            |
|                   | By:                               |
|                   | Tara Hagan Chief Deputy Treasurer |

**Ex-Officio Secretary** 

#### RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF STOREY APPROVING CERTAIN FINDINGS MADE BY THE DIRECTOR OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA PURSUANT TO NEVADA REVISED STATUTES SECTION 349.580 RELATING TO THE FINANCING OF A SOLID WASTE DISPOSAL FACILITY PROJECT LOCATED IN THE COUNTY OF STOREY; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, Fulcrum Sierra Holdings, LLC, a Delaware limited liability company ("Fulcrum"), a wholly owned subsidiary of Fulcrum BioEnergy, Inc. (the "Operator"), has applied to the Director of the State of Nevada Department of Business and Industry (the "Director") for the issuance of industrial development revenue bonds (the "Bonds") pursuant to Nevada Revised Statutes ("NRS") Sections 349.400 to 349.670, inclusive, for the purpose of assisting in the financing or a refinancing of a portion of the costs of (i) constructing, improving and equipping a facility owned by Fulcrum Sierra BioFuels, LLC (the "Project Company") and operated by the Operator to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (the "Biorefinery") and/or (ii) the improvements to and equipping of the facility owned by the Project Company and operated by the Operator used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada (the "Feedstock Processing Facility" and, together with the Biorefinery, the "Project"); and

WHEREAS, the additional improvements to the Project being financed or refinanced with the proceeds of bonds and other moneys are expected to include the construction of an expansion of the Feedstock Processing Facility to increase and enhance the quality of the Feedstock Processing Facility's production, the acquisition and installation of feedstock drying equipment at the Biorefinery to increase the Biorefinery's efficiency, the installation of an oxygen supply facility at the Biorefinery to improve the Biorefinery's gasification process, the acquisition and installation of electrical equipment at the Biorefinery to enable the Biorefinery to purchase solar energy, and the acquisition and installation of fuel upgrading equipment at the Biorefinery to allow the Biorefinery to produce a finished fuel product; and

WHEREAS, pursuant to NRS Section 349.580, the Director, after reviewing the application and other materials submitted to the Director, has made certain findings with respect to the financing of the Project as are provided in the "Findings of the Director of the State of Nevada Department of Business and Industry Pursuant to Nevada Revised Statutes 349.580(2) Relating to the Financing of an Industrial Project to be Located in Storey County, Nevada" (the "Director's Findings"), contained in a Memorandum of Findings, dated July 26, 2019, addressed to the Nevada State Board of Finance and the Storey County (the "County") Board of County Commissioners (the "Board of County Commissioners"); and

WHEREAS, the Director requests in the Director's Findings that the Board of County Commissioners approve the Director's Findings pursuant to NRS Section 349.580(2); and

WHEREAS, the Board of County Commissioners has reviewed the Director's documents and heard testimony before the Board of County Commissioners concerning the Director's Findings;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Storey County, Nevada the following:

- The Director's Findings be and the same hereby are approved pursuant to NRS Section 349.580(2), based upon the materials submitted by the Director and other material submitted to the Board of County Commissioners, the existence of all discretionary approvals necessary for the construction, improvement, rehabilitation or redevelopment of the project and testimony described above in the final preamble hereto. This approval is made for the purposes of NRS Section 349.580(2). It is not (i) an analysis of the Bonds or the appropriateness or risks of the Bonds as investments, (ii) a guarantee, or (iii) a finding that there is no risk in the Project, the Bonds or both.
- The approval in Paragraph 1 is based upon the satisfaction of the requirements of the Director.
- The Clerk-Treasurer of the Board of County Commissioners is hereby authorized and directed to mail a certified copy of this Resolution to the Director.
- Nothing in this Resolution obligates the County in any way with respect to the Project or the Bonds.
- If any action taken herein is found to be unenforceable, the remaining actions and 5. provisions of this Resolution shall remain valid and enforceable unless and until the Board of County Commissioners determines otherwise.
- 6. The County Manager and County Attorney are authorized to take all steps necessary to carry out the actions taken herein and to carry out the purpose and intent of this Resolution.

| 7. This Reso      | This Resolution shall be effective upon its passage and approval. |             |       |  |  |  |
|-------------------|---|-------------|-------|--|--|--|
| PASSED AND ADOPTI | ED THIS day of _  |             | 2019. |  |  |  |
| AYES:             |   |             | ter . |  |  |  |
| NAYS:             |   |             |       |  |  |  |
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|                   | ——————————————————————————————————————                            | <del></del> |       |  |  |  |

#### Marshall McBride Chairman

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Vanessa A. Stephens County Clerk-Treasurer

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#### RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF STOREY APPROVING CERTAIN FINDINGS MADE BY THE DIRECTOR OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA PURSUANT TO NEVADA REVISED STATUTES SECTION 349.580 RELATING TO THE FINANCING OF A SOLID WASTE DISPOSAL FACILITY PROJECT LOCATED IN THE COUNTY OF STOREY; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, Fulcrum Sierra Holdings, LLC, a Delaware limited liability company ("Fulcrum"), a wholly owned subsidiary of Fulcrum BioEnergy, Inc. (the "Operator"), has applied to the Director of the State of Nevada Department of Business and Industry (the "Director") for the issuance of industrial development revenue bonds (the "Bonds") pursuant to Nevada Revised Statutes ("NRS") Sections 349.400 to 349.670, inclusive, for the purpose of assisting in the financing or a refinancing of a portion of the costs of (i) constructing, improving and equipping a facility owned by Fulcrum Sierra BioFuels, LLC (the "Project Company") and operated by the Operator to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (the "Biorefinery") and/or (ii) the improvements to and equipping of the facility owned by the Project Company and operated by the Operator used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada (the "Feedstock Processing Facility" and, together with the Biorefinery, the "Project"); and

WHEREAS, the additional improvements to the Project being financed or refinanced with the proceeds of bonds and other moneys are expected to include the construction of an expansion of the Feedstock Processing Facility to increase and enhance the quality of the Feedstock Processing Facility's production, the acquisition and installation of feedstock drying equipment at the Biorefinery to increase the Biorefinery's efficiency, the acquisition and installation of an oxygen supply facility at the Biorefinery to improve the Biorefinery's gasification process, the acquisition and installation of electrical equipment at the Biorefinery to enable the Biorefinery to purchase solar energy, and the acquisition and installation of fuel upgrading equipment at the Biorefinery to allow the Biorefinery to produce a finished fuel product; and

WHEREAS, pursuant to NRS Section 349.580, the Director, after reviewing the application and other materials submitted to the Director, has made certain findings with respect to the financing of the Project as are provided in the "Findings of the Director of the State of Nevada Department of Business and Industry Pursuant to Nevada Revised Statutes 349.580(2) Relating to the Financing of an Industrial Project to be Located in Storey County, Nevada" (the "Director's Findings"), contained in a Memorandum of Findings, dated July 26, 2019, addressed to the Nevada State Board of Finance and the Storey County (the "County") Board of County Commissioners (the "Board of County Commissioners"); and

WHEREAS, the Director requests in the Director's Findings that the Board of County Commissioners approve the Director's Findings pursuant to NRS Section 349.580(2); and

WHEREAS, the Board of County Commissioners has reviewed the Director's documents and heard testimony before the Board of County Commissioners concerning the Director's Findings;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Storey County, Nevada the following:

- 1. The Director's Findings be and the same hereby are approved pursuant to NRS Section 349.580(2), based upon the materials submitted by the Director and other material submitted to the Board of County Commissioners, the existence of all discretionary approvals necessary for the construction, improvement, rehabilitation or redevelopment of the project and testimony described above in the final preamble hereto. This approval is made for the purposes of NRS Section 349.580(2). It is not (i) an analysis of the Bonds or the appropriateness or risks of the Bonds as investments, (ii) a guarantee, or (iii) a finding that there is no risk in the Project, the Bonds or both.
- 2. The approval in Paragraph 1 is based upon the satisfaction of the requirements of the Director.
- 3. The Clerk-Treasurer of the Board of County Commissioners is hereby authorized and directed to mail a certified copy of this Resolution to the Director.
- 4. Nothing in this Resolution obligates the County in any way with respect to the Project or the Bonds.
- 5. If any action taken herein is found to be unenforceable, the remaining actions and provisions of this Resolution shall remain valid and enforceable unless and until the Board of County Commissioners determines otherwise.
- 6. The County Manager and County Attorney are authorized to take all steps necessary to carry out the actions taken herein and to carry out the purpose and intent of this Resolution.

| 7. This Resolution shall | 7. This Resolution shall be effective upon its passage and approval. |                            |  |  |  |
|--------------------------|--|----------------------------|--|--|--|
| PASSED AND ADOPTED THIS  | day of   | , 2019.                    |  |  |  |
| AYES:                    |  |                            |  |  |  |
| NAYS:                    |  |                            |  |  |  |
| ATTEST:                  | ,  | Marshall McBride, Chairman |  |  |  |
| Vanessa A. Stephens      |  |                            |  |  |  |

County Clerk-Treasurer

#### Enclosure C - Resources

Hello Austin.

As a follow up to my email below, attached please find an electronic copy of the Memorandum of Findings of the Director related to the Fulcrum V Project for consideration by the Storey County Board of Commissioners at its meeting on Tuesday, August 6, 2019. Also, copied below are links to the following supporting documents to be held on file at your office for reference by the Board, County Attorney, or staff if they desire to review anything in addition to the attached memo:

- Revenue Bonds for Industrial Development Act Link: <a href="https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3Ae1566323-8b0b-4780-9c50-b8bf345aa990">https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3Ae1566323-8b0b-4780-9c50-b8bf345aa990</a>
- Regulations Pertaining to the Act Link: https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A415ffc7d-eab4-40d7-9e0f-1311864b89cd
- Fulcrum Application Link: https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A82253c0b-811f-4aa1-83de-415356d2d155
- Trust Indenture Link: https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3Ae070c5bb-b3cf-4b98-aef1-e9fb967990f5
- First Supplement to Trust Indenture (draft) Link: https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A89aa1bfb-4c82-4953-9fb4-8b301b56ab26
- Financing Agreement Link: https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3Aaac0e72e-bbc7-4213-a566-b82f4c1d8cb2
- First Amendment to Financing Agreement (draft) Link: https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A46db75b9-948e-4ee1-9555-018787a90da7
- Second Amendment to Financing Agreement (draft) Link: <a href="https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A3a6a90cb-1a5d-439d-856d-5a958d3df657">https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A3a6a90cb-1a5d-439d-856d-5a958d3df657</a>
- Amended and Restated Collateral Agency and Account Agreement (draft) Link: <a href="https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A95d97f00-672b-4dad-b400-c04a25c94668">https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A95d97f00-672b-4dad-b400-c04a25c94668</a>
- Preliminary Limited Offering Memorandum relating to the Bonds (draft) Link: <a href="https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A99a18aa1-05c0-426a-8882-3de8ee8d1cd2">https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A99a18aa1-05c0-426a-8882-3de8ee8d1cd2</a>
- Bond Purchase Agreement (draft) Link: https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3Ad571915a-9a0d-445b-888d-3132717e5e5c
- Guaranty Agreement Link: <a href="https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3Aadb3eeb2-5e0b-451f-9c52-adb3610a8077">https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3Aadb3eeb2-5e0b-451f-9c52-adb3610a8077</a>
- First Amendment to Guaranty Agreement (draft) Link: https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A6cf492fbb76c-496c-9eec-a1e62c162c8a

As the document files are quite large you may consider not printing them unless requested. If you need us to send you hard copies of the documents or anything else for approval of the Findings, please let us know. Also, please let us know if there is anything else we can do to assist in getting the agenda items we sent you on Tuesday posted for the August 6<sup>th</sup> meeting and if you would like us to re-send the draft resolutions.



## Storey County Board of County Commissioners Agenda Action Report

| <b>Meeting date:</b> 08/06/19   | Estimate of time required: 20 min.   |
|---|--|
| Agenda: Consent [] Regular agend  | da [x] Public hearing required [x]   |
| transfer of Storey County's allocation of Nevada Department of Business and Incobtain bonding and funding support throthe purpose of assisting in the financing improving and equipping a facility to be products located on an approximately 1 Industrial Center, Storey County, Nevador preliminary sorting and processing of | ion: Approval of Resolution No. 19.551 approving the of its private activity bond volume cap to the Director of the State of dustry and supporting Fulcrum Sierra Holdings, LLC's efforts to bugh the State of Nevada Department of Business and Industry for gor refinancing of a portion of the costs of (i) constructing, a used for converting municipal solid waste into renewable fuel 9.4-acre site located at 3600 Peru Drive in the Tahoe-Reno da and/or (ii) the improvements to and equipping of a facility used of municipal solid waste located on an approximately 10.0-acre site possible. Storey County, Nevada. The transfer of the private activity bond IAC 348A.180. |
| to approve Resolution No. of the State of Nevada Department of LLC's efforts to obtain bonding and fur and Industry for the purpose of assisting constructing, improving and equipping renewable fuel products located on an Tahoe-Reno Industrial Center, Storey of facility used for preliminary sorting an                   | transferring 2019 private activity bond volume cap to the Director Business and Industry and supporting Fulcrum Sierra Holdings, nding support through the State of Nevada Department of Business ing in the financing or refinancing of a portion of the costs of (i) a facility to be used for converting municipal solid waste into a approximately 19.4-acre site located at 3600 Peru Drive in the County, Nevada and/or (ii) the improvements to and equipping of a d processing of municipal solid waste located on an approximately purt in Mustang, Storey County, Nevada. The transfer of the private pursuant to NAC 348A.180.  |
| 3. Prepared by: Austin Osborne  |  |
| 4. <b>Department:</b> County Manager  | <b>Telephone:</b> 775.847.0968   |
| revenue bonds that will assist with fi  | p Fulcrum Sierra Holdings obtain state industrial development nancing or refinancing certain construction, improvement, and aste-to-fuel refinery facility at TRIC.  |
| 6. Supporting materials: Enclosure: Re  | esolution.   |
| 7. Fiscal impact:   |  |
| Funds Available:  | Fund: Comptroller  |
| 8. <u>Legal review required:</u> 9. <u>Reviewed by:</u> Department Head   | District Attorney Department Name:   |
| County Manager  10. Board action:  [ ] Approved [ ] Denied  | Other agency review:  [ ] Approved with Modifications [ ] Continued  Agenda Item No.   |

### RESOLUTION NO. 19.55 |

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF STOREY, NEVADA PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2019 PRIVATE ACTIVITY BOND VOLUME CAP TO THE DIRECTOR OF THE STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA AND SUPPORT FOR A FACILITY TO BE USED FOR FINANCING OF A SOLID WASTE DISPOSAL FACILITY PROJECT LOCATED IN THE COUNTY OF STOREY, STATE OF NEVADA

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the County of Storey, Nevada (the "County" and "State," respectively), tax-exempt private activity bond volume cap for year 2019 (the "2019 Bond Cap"); and

WHEREAS, the Director of the State of Nevada Department of Business and Industry (the "Director"), has requested that the County transfer the 2019 Bond Cap to the Director for the purpose of assisting in the financing or refinancing of a portion of the costs of constructing, improving and equipping of a facility (i) to be used for converting municipal solid waste into renewable fuel products located on an approximately 19.4-acre site located at 3600 Peru Drive in the Tahoe-Reno Industrial Center, Storey County, Nevada (the "Biorefinery") and/or (ii) the improvements to and equipping of a facility used for preliminary sorting and processing of municipal solid waste located on an approximately 10.0-acre site located at 350 Saddle Court in Mustang, Storey County, Nevada (the "Feedstock Processing Facility" and, together with the Biorefinery, the "Project"); and

WHEREAS, the additional improvements to the Project being financed or refinanced with the proceeds of bonds and other moneys are expected to include the construction of an expansion of the Feedstock Processing Facility to increase and enhance the quality of the Feedstock Processing Facility's production, the acquisition and installation of feedstock drying equipment at the Biorefinery to increase the Biorefinery's efficiency, the acquisition and installation of an oxygen supply facility at the Biorefinery to improve the Biorefinery's gasification process, the acquisition and installation of electrical equipment at the Biorefinery to enable the Biorefinery to purchase solar energy, and the acquisition and installation of fuel upgrading equipment at the Biorefinery to allow the Biorefinery to produce a finished fuel product; and

WHEREAS, the County is a "local government" as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to the Director, the 2019 Bond Cap to assist in the financing of an eligible project; and

WHEREAS, the Board of County Commissioners of the County has the responsibility for allocating private activity bond volume cap available to the County, including the 2019 Bond Cap.

NOW, THEREFORE, the Board of County Commissioners of the County do hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the County hereby transfers the 2019 Bond Cap to the Director for the Project, to be undertaken by Fulcrum Sierra Holdings, LLC ("Fulcrum Holdings").

Section 3. Use of 2019 Bond Cap. The Director will use the 2019 Bond Cap for the Project in calendar year 2019, or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Support of County. The Board of County Commissioners of the County do hereby endorse and support Fulcrum Holdings' efforts to obtain bonding and funding support for the Project through the Nevada Department of Business and Industry.

Section 5. Representative of County. Pursuant to NAC 348A.180(1), the Director may contact Marshall McBride regarding this Resolution at (775) 847-0968 or in writing at 26 S. B Street, P.O. Box 176, Virginia City, Nevada 89440.

Section 6. Additional Action. The Board of County Commissioners of the County are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2019 Bond Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A. The Clerk-Treasurer of the Board of County Commissioners is hereby authorized and directed to mail a certified copy of this Resolution to the Director.

Section 7. Obligation of the County: This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 8. Enforceability. If any section, paragraph. clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

| ADOPTED, SIGNED AND APPROVED this | _ day of, 2019.          |
|-----------------------------------|--------------------------|
|                                   | COUNTY OF STOREY, NEVADA |
|                                   | By: Its:                 |
| ATTEST:                           |                          |
| D                                 |                          |

Title:



## Storey County Board of County Commissioners Agenda Action Report

| <b>Meeting date:</b> 07/02/19   |  | Estimate of time required: 20 min.  |
|---|--|---|
| Agenda: Consent [] Regular age  | enda [x]   | Public hearing required [x]   |
| with Lumos & Associates up to \$8 Master Plan, a master plan and cap transmission, and distribution for Comstock, Highlands, and Mark T | 5,000 to<br>oital impo<br>central ar<br>wain. Th | : Authorize the County Manager to approve a contract of develop the Comstock and Highlands Area Water provement plan for future water demand, supply, storage, and south Storey County communities including the The plan will also include the Silver City water system in at in which Lyon County will contribute \$13,000 toward |
| authorize the County Manager to<br>develop the Comstock and Highl   | approve<br>lands Ar                              | the recommendation by staff, I [county commissioner] to a contract with Lumos & Associates up to \$85,000 to the Water Master Plan, and to allow Lyon County to contract for the Silver City, Lyon County, portion of the Continue to 8:20.19   |
| 4. <b>Department:</b> Planning  |  | <b>Telephone:</b> 775.847.0968  |
| planners, and state officials to b<br>System, future growth potential<br>to include other communities in                                | etter und<br>and proj<br>central                 | n and capital improvement plan will enable county staff, derstand current conditions of the Virginia City Water bjected capacities, and potential expansion of the system and south Storey County. The water study is also rd to municipal water capacity and planning.   |
| 6. Supporting materials: Enclosu  | res: Agr   | reement and Scope of Work.  |
| 7. <u>Fiscal impact</u> : None on local go  | overnme  | ent.  |
| Funds Available:  | Fun  | nd: Comptroller   |
| <ul><li>8. <u>Legal review required</u>:</li><li>9. <u>Reviewed by</u>:</li><li> Department Head</li></ul>                              | yes  | s District Attorney  Department Name:   |
| County Manager  |  | Other agency review:  |
| 10. Board action:  [ ] Approved [ ] Denied  | []   | Approved with Modifications Continued   |



## Storey County Board of County Commissioners Agenda Action Report

| Meeting date: 07/02/19  |   | Estimate of time required: 20 min.  |
|---|---|---|
| Agenda: Consent [] Regular agen   | nda [x] Public l  | nearing required [x]  |
| with CFA, Inc. for assistance in proplanned unit development and/or la County. This contract will provide a   | fessional planni<br>rge land subdivi<br>assistance to cou<br>ions and project | ze the County Manager to approve a contract ng and engineering services related to any sion applications or proposals in Storey anty planning staff with certain civil and s, although there are no such applications                 |
| authorize the County Manager to a<br>engineering services related to a<br>applications or proposals in Storey | pprove a contrac<br>ny planned uni<br>County                                  | mmendation by staff, I [county commissioner] et with CFA, Inc. for professional planning and t development and/or large land subdivision  Continue to 8.20.19   |
| 3. Prepared by: Austin Osborne  |   |   |
| 4. <b>Department:</b> Planning  |   | <b>Telephone:</b> 775.847.0968  |
| engineering review of application<br>subdivisions, and other similar do<br>as needed as determined by the P   | ns and projects for<br>evelopment. All<br>lanning departmode Title 16 that    | will assist county planning staff in civil and or large planned unit developments, services will be provided on an on-call bases tent. Planning staff is currently working on will defer these costs to developers; however, ty code. |
| 6. Supporting materials: Enclosure  | es: Master Servi  | ce Agreement.   |
| 7. Fiscal impact: None on local gov   | ernment.  |   |
| Funds Available:  | Fund:   | Comptroller   |
| 8. Legal review required:   |   |   |
| 9. Reviewed by:   | yes Distri  | ct Attorney   |
| Department Head   | Departi   | ment Name:  |
| County Manager  | Other a   | gency review:   |
| 10. Board action:  [ ] Approved [ ] Denied  | [] Approv   | ed with Modifications<br>ned Agenda Item No.  |



# Storey County Board of County Commissioners Agenda Action Report

Meeting date: Agenda Item Type: Regular Agenda Estimate of Time Required: 0-5 min.

- 1. <u>Title:</u> Acknowledgement of the resignation of Jennifer Chapman as Storey County Recorder and interim appointment of Marney Martinez as Storey County Recorder effective August 6, 2019.
- **2.** Recommended motion: Move to appoint Marney Martinez as interim Storey County Recorder. Final appointment to be made and a date to be determined.
- 3. <u>Prepared by: V Stephens</u>

**Department:** Clerk

**Contact Number:** 775 -847-0969

- **4.** <u>Staff Summary:</u> On July 26, 2019 Jen Chapman provided a notice of resignation to the County Clerk effective August 6, 2019.
- 5. Supporting Materials: See attached
- 6. Fiscal Impact: 0
- 7. <u>Legal review required:</u> Yes
- 8. Reviewed by:

Department Head

Department Name: Clerk

County Manager

Other Agency Review: \_\_\_\_

#### 9. Board Action:

| [] Approved | [] Approved with Modification |
|-------------|-------------------------------|
| [] Denied   | [] Continued                  |

Jen Chapman PO Box 421 Virginia City, NV 89440 7/26/2019

Storey County Clerk-Treasurer CC: Board of County Commissioners Drawer D Virginia City, NV 89440

Dear Storey County Clerk-Treasurer Vanessa Stephens, Chairman McBride and Storey County Board of County Commissioners:

I am resigning from my elected position of County Recorder, effective August 6<sup>th</sup>, 2019. I would like to extend a heartfelt thank you for all of the support that you have given to the Recorder's office during my years in office. Because of your support, the support of the community and a phenomenal staff, the Recorder's office has been able to accomplish many things over the years including imaging and conservation of important historical documents, complete software changes, and revisions of office policies and procedures to apply standards and best practices to the recording process. This has allowed us to streamline and improve the way services are provided to both internal and external partners.

However, I seized an exciting opportunity that would allow me to apply my education and skills on a broader county level, working and still serving both Storey County and the community. And while I may not be the Recorder, I will be available for any assistance, training, questions or support and the office is staffed by those same dedicated, familiar faces that have always graced the office. I have always supported and encouraged the talent present in the office, and will continue to do so — I am hoping that this can also be an opportunity for those still remaining.

Thank you for your support – and looking forward to my new chapter!

Sincerely,

Jen Chapman

## Marney Hansen Martinez

July 26, 2019

Vanessa Stephens Storey County Clerk Treasurer P.O. Box D Virginia City, NV 89440

Dear Storey County Clerk Treasurer Vanessa Stephens, Chairman McBride and Board of County Commissioners,

I am asking and hoping for your support in an interim - and hopefully longer term appointment - for the position of Storey County Recorder. My ability in this capacity would maintain and expand upon the level of service our office has been known to provide.

For the past six and a half years, I have served in the role of Deputy Recorder. Working alongside Recorder Jen Chapman, I have gained invaluable experience, knowledge and training pertinent to the duties and functions of the office.

Due to the nature and requirements of the office there are many important functions and processes that require training and specialized knowledge. I have been trained in all of these, including application of transfer tax principals, image auditing and exporting, and state reporting, among many others.

I am grateful for any sort of support you can give the Recorder's Office during this transition and would welcome questions at any time.

Sincerely.

Marney Hansen Martinez

cc: Chairman McBride and Board of County Commissioners



## Storey County Board of County Commissioners Agenda Action Report

| M               | eeting date: June 18, 2019   | Estimate   | of time required: 1   | 5 minutes   |
|-----------------|--|--|---|---|
| Ą               | genda: Consent [] Regular ag   | genda [ X ] Public hea   | aring required []   |   |
| 1.<br>2.        | <u>Title</u> : FOR POSSIBLE and excess funds paid for com  | ACTION: Considerate munity development processing to the contract of the contr | tion and possible appermits in the amou   | proval of refund of ant of \$71,266.97.   |
| 3.              | Recommended motion: Manager or his designee t Development for building permits   | g and planning permit f  | fees by persons or en   | ntities paying fees for   |
| 3.              | Prepared by: Keith Loc   | omis (   | Continue  | 10 1BD  |
| 4.              | <b>Department:</b> District At   | torney's Office  | <u>Telepho</u>  | one: 847-0964   |
| 4.<br><b>6.</b> | Staff summary: Fees for build Resolution 04-197 continuing Beginning in 2017 the fees chaincreased by 10%. This increased by 10%. This increased by 10% and community development fees of DiPietro & Thornton. That planning and building fees was Supporting materials: R | g the adoption of the 1 harged for obtaining so ease is not contained in onstitutes an overcharg was conducted by Jos t review determined thas \$71,266.97.  | 997 Uniform Building and place a Resolution adopted a Resolution adopted E. An Agreed Upon E. Costanza CPA at the amount of the | ng Code Fees anning permits was ed by the Board of n Procedures review of of the accounting firm e overcharge for |
|                 | permit fees.   |  |   | promissing and canaling   |
| 7.              | Fiscal impact:   |  |   |   |
|                 | Funds Available:   | Fund:  | -   | Comptroller   |
| 8.              | Legal review required:   |  |   |   |
|                 | X District Attorney  |  |   |   |
| 8.              | Reviewed by:   |  |   |   |
|                 | Department Head  | Department Name  | :   |   |

|    | -                         | County Manager                   | Othe | r agency review:                      |  |
|----|---------------------------|----------------------------------|------|---------------------------------------|--|
| 9. | <u>Boar</u><br>[ ]<br>[ ] | rd action:<br>Approved<br>Denied | []   | Approved with Modifications Continued |  |
|    |                           |                                  |      |                                       |  |

Agenda Item No.



Meeting date: August 6, 2019

### Storey County Board of County Commissioners Agenda Action Report

Estimate of time required: 10 min.

| Age | nda: Consent [] Regular agenda   | [x] Public hearing required [x]  |   |
|-----|--|--|---|
| 1.  | Inc. The applicant is requesting Youth & Community Resource childcare for both pre-school a summer programs for school-  | on: Special Use Permit request 2019-<br>ig to operate a childcare facility at the<br>Center exceeding four children. The<br>ige children in addition to before and<br>age children. The facility is located or<br>rson Street, Virginia City, Storey Cour<br>5-02.   | e existing Storey County facility will provide fafter school programs and property owned by Storey  |
| 2.  | Commission, the findings of far<br>appropriate by the County Con<br>(county commissioner), move t<br>facility at the existing Storey C<br>children. The facility will prov<br>before and after school progra<br>located on property owned by | ccordance with the recommendation of under Section 3.A of this report, an immission, and in compliance with the oapprove Special Use Permit 2019-0 ounty Youth & Community Resource yide childcare for both pre-school age ms and summer programs for school Storey County, located at 175 East Casessor's Parcel Number (APN) 001-1 | ad other findings deemed conditions of approval, I do not be seen to be seen |
| 3.  | Prepared by: Kathy Canfield  |  |   |
| 4.  | <b>Department:</b> Planning  | <u>Tele</u>  | ephone: 775.847.1144  |
| 5.  | Staff summary: See enclosed  | Staff Report No. 2019-032  |   |
| 6.  | Supporting materials: Enclo  | sed Staff Report No. 2019-032  |   |
| 7.  | Fiscal impact: None on local   | government.  |   |
|     | Funds Available:   | Fund:  | Comptroller   |
| 8.  | Legal review required:   | District Attorney  |   |
| 9.  | Reviewed by:   |  | 2   |
|     | Department Head  | Department Name: Planning  |   |
|     | County Manager   | Other agency review:   |   |
| 10. | Board action: [ ] Approved [ ] Denied  | [] Approved with Modification [] Continued   | s Agenda Item No.   |

## Storey County Planning Department

Storey County Courthouse 26 South B Street, PO Box 176, Virginia City, Nevada 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:** 

August 6, 2019 at 10:00 a.m.

**Meeting Location:** 

Storey County Courthouse, 26 South "B" Street, Virginia City, Nevada

**Staff Contact:** 

**Kathy Canfield** 

File:

2019-032

**Applicants:** 

Community Chest, Inc.

**Property Owner:** 

**Storey County** 

**Property Location:** 

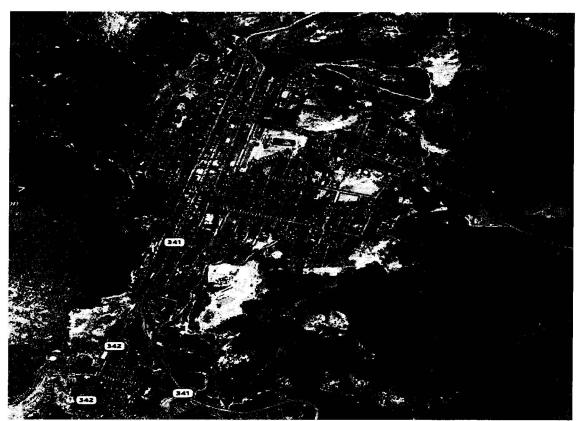
175 East Carson Street, Virginia City, Storey County, APN 001-156-02.

Request:

The applicant is requesting a Special Use Permit (2019-032) to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both preschool age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.

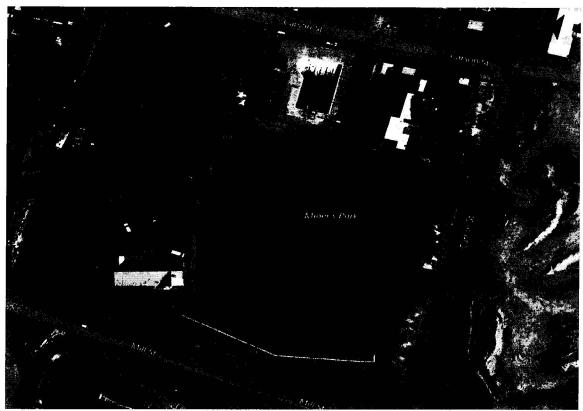
#### 1. Background & Analysis

A. <u>Site Location and Characteristics</u>: The property is located at 175 East Carson Street in Virginia City. The property is 3.21 acres in size and is bordered by Carson Street to the north and east, Mill Street to the south and North E Street to the west. The site contains the Storey County Youth & Community Resource Center (which includes the library, community health services, and youth services), a swimming pool, Miners Park which includes a baseball field, and the Storey County Senior Center. Surrounding uses include residences to the west, a parking lot, residences and a RV Park to the north, mining to the east and mining and a hotel to the south.

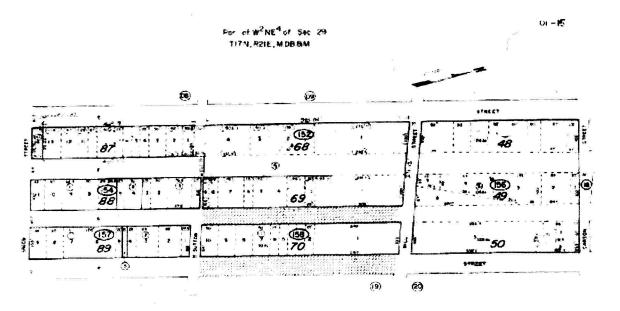




Location Map



APN 001-156-02



CTORPS CONDY NOT ADA.

This was a prepare for the use of the Server County Aposton for management
and Character polymers Cold. It demonstrates a server of the banding a
server of the N. Se reflections or recognity. If the data distinguish leaves.

Virginio City

Assessor's Parcel Map

B. Proposed Use: The Community Chest is proposing to operate a childcare facility at the Storey County Youth & Community Resource Center, including utilizing the onsite park facilities. The Community Chest currently offers childcare programs for school age children on the site and is proposing to add childcare programs for pre-school age children. The Public zoning district for the site requires childcare facilities exceeding 4 children obtain a special use permit. It appears that the existing use of childcare on this property evolved over time and a special use permit was never obtained for the existing childcare programs. This special use permit request will address the existing childcare programs along with the newly proposed program for pre-school age children.

The number of children proposed for the programs is limited only to the licensing requirements sought by the Community Chest through the State of Nevada and the Story County Sheriff's Office. The Community Chest's goal is to provide childcare to all that request such services, which include the residents of Storey County and for others that may work in the County. They hire the number of employees based on the employee to child ratio required by the State. The ratio varies by the age of the children.

The childcare facility is located within the Storey County Youth & Community Resource Center building, but also utilizes the onsite recreation facilities such as the park and the swimming pool. A parking lot is located to the north across Carson Street, that provides area for employee parking and drop off/pick up areas for parents. This project does not propose any construction changes to the exterior of the property.

The property is zoned Public and childcare of more than 4 children requires a Special Use Permit

- C. <u>Childcare Facilities</u>. A review of Storey County business licenses documents one other home childcare business in Storey County which is located in the Mark Twain area. Another home childcare in the Highlands was licensed from 2012-2013, however, that business has closed. A different daycare facility was recently approved by the Storey County Board of County Commissioners in the Highlands, however, a recent site visit shows the property is for sale and it is unknown what the future of this facility will be.
- D. Zoning Code. The property is zoned Public P which allows for "childcare facilities exceeding 4 children". The parcel contains public uses including the Storey County Youth & Community Resource Center, which includes the library, community health facilities and childcare facilities, a public park including a ballfield and a swimming pool, and the Storey County Senior Center. All these uses are allowed uses for the Public zone and the childcare facilities require a special use permit.
- E. <u>Special Use Permit</u>. A Special Use Permit is required because of the childcare facility being proposed for more than 4 children. Section 17.03.150 of the Storey County Code identifies the process for Special Use Permits. This report follow the requirements outlined in the Code.

#### 2. Use Compatibility and Compliance

A. <u>Compatibility with surrounding uses and zones</u>. The following table documents land uses, zoning classification and master plan designations for the land at and surrounding the proposed project. There are no evident conflicts between the proposed project and Storey County Title 17 Zoning or the 2016 Master Plan. The proposed use is also consistent with the surrounding zoning and master plan designations.

|                   | Land Use   | Master Plan Designation              | Zoning                      |
|-------------------|--|--------------------------------------|-----------------------------|
| Applicant's Land  | Public – Recreation,<br>Community Services,<br>Park, Senior Center | Public Facilities                    | Public - P                  |
| Land to the North | Public Parking Lot,<br>Residential, RV Park                        | Mixed Use Commercial-<br>Residential | Commercial-Residential - CR |
| Land to the East  | Mining   | Single Family Residential            | Residential – R1            |
| Land to the South | Hotel, Mining  | Mixed Use Commercial-<br>Residential | Commercial-Residential - CR |
| Land to the West  | Residential  | Mixed Use Commercial-<br>Residential | Commercial-Residential - CR |

- B. General use allowances and restrictions. Storey County Code 17.03.150, Special Use Permit, identifies the administration for the Board and Planning Commission for allowing a special use permit. The approval, approval with conditions, or denial of the Special Use Permit must be based on findings of fact that the proposed use is appropriate or inappropriate in the location. The findings listed below are the minimum to be cited in an approval, with rationale for the findings included below each finding.
  - (1) Complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.

The proposed use will be a childcare facility operated by the Community Chest and will be associated with the existing Storey County Youth & Community Resource Center. The Center, along with the park facilities and Senior Center, are allowed uses for the Public zone. The childcare facility element requires a special use permit.

(2) The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.

The proposed childcare facility will utilize existing facilities and features of the parcel. The childcare will be located within the existing building while also utilizing the existing park features of the property. No additional exterior construction is anticipated as a result of the project. Childcare facilities are lacking in Storey County and this project will provide care for both school age and pre-school age children of Storey County residents and workers.

(3) Will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.

The property currently provides public services and recreation to the surrounding neighborhood and to Virginia City. The property is bordered by streets on all sides and has a public parking lot located directly across Carson Street. The addition of a childcare facility provides an added service to the community and is located where child-centered uses already exist.

(4) The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.

The proposed use is not expected to require any additional governmental services or impact existing facilities.

Conformance with the 2016 Storey County Master Plan. The property is located within the Virginia City, part of the Comstock Area Plan. Virginia City is a mixed use community of low to medium density residential uses integrated with commercial, industrial, public and tourism uses. The Master Plan encourages creating integrated public facilities including providing "efficient and reliable public services by combining fire and emergency services, law enforcement, library and social services, public works, general local government, and possibly non-profits as applicable into a unified public facility located toward the center of the subject community." The proposed childcare facility is integrated into the existing park and public service center consistent with the Master Plan.

#### 3. Findings of Fact

- **Motion for approval (staff recommendation).** The following findings of fact are evident with regard to the requested special use permit when the recommended conditions of approval in Section 4, Recommended Conditions of Approval, are applied.
  - (1) This approval is for Special Use Permit 2019-032 to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for schoolage children. The facility is located on property owned by Storey County,

- located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.
- (2) The proposed project complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.
- (3) The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.
- (4) The proposed project will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.
- (5) The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.
- (6) The Special Use Permit conforms to the 2016 Storey County Master Plan for the Virginia City, Comstock Area Plan area in which the subject property is located. A discussion supporting this finding is provided in Section 2.C of this staff report and the contents thereof are cited in an approval of this Special Use Permit.
- (7) The conditions under the Special Use Permit do not conflict with the minimum requirements in Storey County Code Sections 17.03.150 Special Use Permit and Section 17.15 P Public Zone.
- **B.** Motion for denial. Should a motion be made to deny the Special Use Permit request, the following findings with explanation why should be included in that motion.
  - (1) This denial is for Special Use Permit 2019-032, a request to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02

- (2) The conditions under the Special Use Permit conflict with the minimum requirements in Storey County Code Sections 17.03.150 Special Use Permit and Section 17.15 P Public Zone.
- (3) The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

#### 4. Recommended Conditions of Approval

- A. Special Use Permit. Special Use Permit 2019-032 is to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.
- **B.** Licensing. The total amount of children cared for at the facility, shall be determined by the required State of Nevada and Storey County licenses obtained by the Permit Holder.
- C. Requirements. The Permit Holder shall apply for all required permits and licenses, including any applicable building and fire permits, for the project within 24 months from the date of final approval of this SUP, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This Special Use Permit shall remain valid as long as the Applicant remains in compliance with the terms of this Special Use Permit and Storey County, State of Nevada, and federal regulations. No activity shall commence prior to the Permit Holder securing rights to the Special Use Permit.
- Compliance. The use on the subject property must comply with federal, state, and county codes and regulations and the submitted plans as approved. The Permit Holder shall be responsible for maintaining the premises and managing operations in accordance with all conditions and stipulations set forth by this Special Use Permit and all other federal, Nevada State, and Storey County codes and regulations. Failure to comply with the requirements herein shall elicit a written warning to the Permit Holder by Storey County on the first and second offense. A third offense shall warrant Storey County to revoke the Special Use Permit. Storey County shall reserve the right to conduct periodic reviews of the Permit Holder's compliance with all conditions and stipulations of the Special Use Permit.
- E. Indemnification/Insurance. The Permit Holder warrants that the use of land will conform to the requirements of Storey County, State of Nevada, and applicable federal regulatory and legal requirements; further, the Permit Holder warrants that continued and future use of the land shall so conform. The Permit Holder agrees to hold Storey County, its officers, and representatives harmless from the costs associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this Special Use Permit.

F. Fire. The Permit Holder shall comply with any and all requirements and recommendation by the Storey County Fire Protection District, including requirements for fire suppression and emergency equipment ingress/egress, circulation, and staging. At no time shall said entrances/exits to and /or from the premises be blocked or otherwise made inaccessible to emergency and fire equipment and personnel.

#### 5. Public Comment

As of July 23, 2019, Staff has not received any comments from the public.

#### 6. Power of the Board

At the conclusion of the hearing, the Board of County Commissioners 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 Board of County Commissioners upon which it bases its decision.

#### 7. Proposed Motions

This section contains two motions from which to choose. The first motion (A) for approval is recommended by staff and the Planning Commission in accordance with the findings of fact under Section 3.A of this report. The second motion (B) is a motion for denial and that motion should cite one or more of the findings shown in Section 3.B. Other findings of fact determined appropriate by the Board of County Commissioners should be made part of either motion.

#### A. Recommended motion for approval (staff recommendation)

In accordance with the recommendation by staff and the Planning Commission, the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I (county commissioner), move to approve Special Use Permit 2019-032 to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.

#### B. Alternative motion for denial

Against the recommendation by staff and the planning commission, but in accordance with the findings of fact under Section 3.B of this report, and other findings deemed appropriate by the Board of County Commissioners, I (county commissioner), move to deny Special Use Permit (2019-032 to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school

programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.



Meeting date: August 6, 2019

## Storey County Board of County Commissioners Agenda Action Report

Estimate of time required: 20 min.

| Age | nda: Consent [] Regular agenda [  | Public hearing required [x]   |
|-----|---|---|
| 1.  | Chapter 17.40, E Estates Zone, ar<br>number of dogs allowed and the a   | n: A zoning code text amendment, File 2019-031, to amend the language of ad Section 17.12.100(H) of the Storey County Zoning Ordinance, to change the acreage size associated with a Special Use Permit requirement. This zone text to all land within Storey County zoned Estates.   |
| 2.  | recommendation): In accordance accordance with the Findings of F by the Board of County Commiss 2019-031, to amend the language allow for a change to the number requirement. This request also an requirement. This zone text amen | mmended motion for denial (staff and Planning Commission with the recommendation by staff and the Planning Commission, and in fact under Section 5(B) of this report, and other findings deemed appropriate ioners, I (commissioner), move to deny zoning code text amendment, File of chapter 17.40, E Estates Zone, of the Storey County Zoning Ordinance, to of dogs and the acreage size associated with a Special Use Permit nends Section 17.12.100(H), General Provisions, which identifies the acreage idment would be applicable to all land within Storey County zoned Estates. (blue underlined is to be added, red italicized to be deleted): |
|     | of age are allowed in a   | General Provisions: "Up to 4 dogs and 2 pot-belly pigs more than 12 weeks ny zone. A special use permit is required to exceed this number. A minimum to obtain a special use permit for this use. This restriction does not apply to E Estates zone."   |
|     | more than 12 weeks ol<br>keeping of five dogs sl  | - Estates Zone: "The keeping of 5 or more dogs or 3 or more pot-belly pigs d, but not a commercial kennel. A minimum of 10 acres is required. The nall require a minimum of 2 acres, the keeping of 6 to 8 dogs shall require a nd the keeping of over 9 dogs shall require a minimum of 10 acres."   |
| 3.  | Prepared by: Kathy Canfield   |   |
| 4.  | <b>Department</b> : Planning  | <u>Telephone</u> : 775.847.1144   |
| 5.  | Staff summary: See enclosed   | Staff Report No. 2019-031   |
| 6.  | Supporting materials: Enclose   | ed Staff Report No. 2019-031  |
| 7.  | Fiscal impact: None on local g  | overnment.  |
|     | Funds Available:  | Fund: Comptroller   |
| 8.  | Legal review required:  | District Attorney   |
| 9.  | Reviewed by:  |   |
|     | Department Head   | Department Name: Planning   |
|     | County Manager  | Other agency review:  |
| 10. | Board action: [ ] Approved [ ] Denied   | [] Approved with Modifications [] Continued  Agenda Item No.  |

## Storey County Planning Department

Storey County Courthouse 26 South B Street, PO Box 190, Virginia City, Nevada 89440





To:

**Storey County Board of County Commissioners** 

From:

**Storey County Planning Department** 

**Meeting Date:** 

August 6, 2019 at 10:00 a.m.

**Meeting Location:** 

Storey County Courthouse, 26 South "B" Street, Virginia City, Nevada

**Staff Contact:** 

**Kathy Canfield** 

File:

Zone Text Amendment, Special Use Permit File 2019-031

Applicant:

**Amber Premo** 

**Property Location:** 

**County-wide within Estates zoning districts** 

Request:

A zoning code text amendment, File 2019-031, to amend the language of Chapter 17.40, E Estates Zone, and Section 17.12.100(H) of the Storey County Zoning Ordinance, to change the number of dogs allowed and the acreage size associated with a Special Use Permit requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates.

#### 1. Background & Analysis

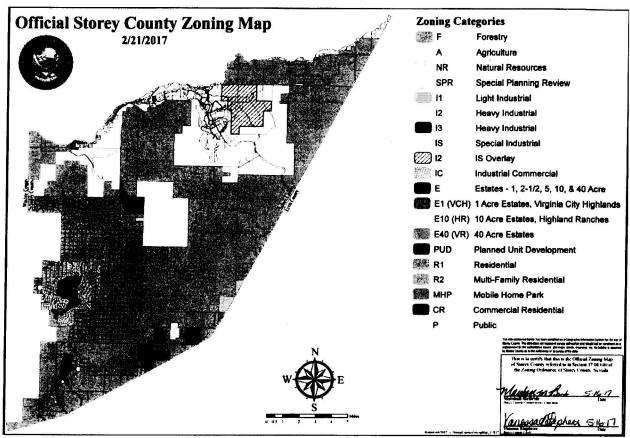
A. Existing Zone Text. The Estates zoning district currently lists the following as a "Use Subject to Special Use Permit":

The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of 10 acres is required.

This same language is listed in the Public (P), Residential (R1), Commercial (C), Commercial Residential (CR), Forestry (F), Light Industrial (I1), Heavy Industrial (I2), Industrial-Commercial (IC) and Special Planning Review (SPR), all as a Special Use and all requiring a minimum of 10 acres. The I3 zoning is the only district that allows for the number of dogs to exceed 5 with no special use permit requirement or limitation on the minimum parcel size.

Section 17.12.100(H) also states "Up to 4 dogs and 2 pot-belly pigs more than 12 weeks

of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply in the A Agriculture zone."



Storey County Zoning Map, the areas in blue are the Estates zoning districts, located in the Highlands and the Mark Twain neighborhoods of Storey County.

**B.** Zone Text History. The 1999 Zoning Code had the number of dogs for a residential zone identified in the General Provisions (Chapter 17.12) as limited to 3 dogs over 12 weeks old. There was no parcel size limitation and it stated that dog owners also need to comply with Chapter 6.04 (Dogs) of the Storey County Code.

In 2012, the Estates zoning code language changed to allow the keeping of seven or more dogs or pot belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of ten acres is required.

In 2015, zoning code was changed again, to reduce the number of dogs on a parcel to 4 or less without needing a special use permit. Five or more dogs requires a special use permit and the minimum of ten acres requirement was retained.

**C. Surrounding Jurisdictions:** Review of the surrounding jurisdictions ordinances regarding the number of dogs permitted per residence indicates a consistency in number;

Washoe, Carson, Douglas and Lyon Counties all permit a maximum of three dogs with no parcel size indicated.

#### 2. Applicant's Request.

- A. Background. The applicant for this zone text change acquired her property located in the Mark Twain neighborhood of Storey County in January 2019. A complaint by a neighbor of constant dog barking was received by the Storey County Sheriff's Office on June 22, 2019. The Sheriff's deputy investigated the incident and spoke with both the person that lodged the complaint and the applicant. The report states that the applicant has 15 dogs at the property and a verbal warning for the nuisance complaint was given. The applicant contacted the Storey County Planning Department about the number of dogs permitted, and had a discussion about the ordinance and the possibility of changing the ordinance to permit more dogs. A copy of the ordinance was provided and the applicant was instructed that an application could be made to the Planning Commission and the Board of County Commissioners to amend the zone text language.
- **B.** Request. The applicant submitted a request to amend the Estates zoning text as follows:

2 acres – up to 6 dogs 5 acres – 6 to 8 dogs 10 acres – up to 10 dogs

Over 10 dogs requires a "kennel license\*

Notes were also provided regarding changing the minimum lot size requirements for large domestic animals (of which dogs are not a part of that definition), but no further explanation was given.

\*Storey County does not have any type of kennel licensing. Some zoning districts do allow for a commercial kennel land use, however, this type of commercial use is not typically permitted in the residential Estates zone. It may be possible to consider some type of kennel use under the Home Enterprise section of Chapter 17.12 – General Provisions, however, Item 9 of Section 17.12.023.D states:

Home pet and plant sales. In any CR, R, E, or SPR zone, a person may keep or cultivate pets or raise fowl, bushes, trees, berries, or crops, or sell\_pets, fowl, eggs, or crops from the premises, providing that no stores or stands are constructed for the purpose, the operation is not conducted as a regular commercial enterprise, and the activity is not in violation of this chapter or any other ordinance.

Five or more dogs would require the minimum 10 acres, so unless the parcel proposing the home enterprise use was adequately sized, the home enterprise use would not meet the requirements outlined in other sections of the zoning code and would not qualify for the use.

Staff contacted the applicant for additional rationale for the zone text change, other than just the statement of what the applicant would like the change to be. The applicant's rationale is as follows:

"The reason for my zone text change request is to better accommodate the needs of our community. Most lots here in Mark Twain are 1-2 acre parcels and there are other residents as well as myself that exceed 4 dogs per 10 acres. I believe if responsibly managed that more than 4 dogs can exist on less than 10 acres keeping the noise factor in mind and being respectful of ones' surroundings. My plan is to do just that to the best of my abilities. I'm hoping the zone text changes will better reflect what's actually going on without having to be patrolled to enforce what is currently in effect."

- **C. Proposed Modifications**. Based on the applicant's submittal, two sections of zoning text amendments have been identified:
  - Section 17.12.100(H) General Provisions: "Up to 4 dogs and 2 pot-belly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply to the A Agriculture zone."
  - Section 17.40.025(B) Estates Zone: "The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of 10 acres is required."

Potential language as related to the applicant's request is as follows (red italicized is to be deleted, blue underlined is added):

- Section 17.12.100(H) General Provisions: "Up to 4 dogs and 2 pot-belly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply to the A Agriculture and E Estates zone."
- Section 17.40.025(B) Estates Zone: "The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A-minimum of 10 acres is required. The keeping of five dogs shall require a minimum of 2 acres, the keeping of 6 to 8 dogs shall require a minimum of 5 acres, and the keeping of over 9 dogs shall require a minimum of 10 acres."

#### 3. Staff Comments & Concerns.

This zone text amendment was applicant initiated. As such, the applicant views this proposed change from an individual perspective as opposed to a county-wide modification. Staff is not supportive of the change for the following reasons:

 The breakdown of dogs per acre as proposed identifies 2 acre, 5 acre and 10 acre parcel sizes for the Estates zone. The vast majority of parcel sizes in the Estates zones are 1 acre, 10 acres and 40 acres. There are very few 2 acre and 5 acre parcels in which this modification would apply.

- Modifying the code language to remove the 10 acre size minimum has the potential to increase the amount of special use permit applications associated with dogs being reviewed by the Planning Commission and the Board of County Commissioners. In reviewing the findings to be made to approve a special use permit, the Planning Commission and the Board must find that the use does not cause a negative impact on adjacent land uses and results in no substantial or undue adverse effect on adjacent property or the character of the neighborhood. The Planning Commission and Board will potentially be put in the position to decide among neighbors whose dogs "behave" and whose dogs are a "nuisance".
- Staff's opinion is the amount of dogs on a parcel should be by right, and if the dogs allowed by right negatively impact the neighborhood, then enforcement of a nuisance can be applied. It may be appropriate for a larger property to have more dogs as a minimum of a 10 acre property typically has homes and land spread out enough so that impacts to neighbors are minimized significantly.
- A more appropriate way to address dogs within Storey County may be to develop an Animal Ordinance for the entire County, rather than have numbers of animals and/or acreage identified in a zoning ordinance. Animal Ordinances typically address public health and safety and nuisances.
- Storey County already allows for more dogs per residence than any of the surrounding counties.
- Staff's recommendation is to keep the existing code language and not recommend approval of the proposed changes.

#### 4. Conformance with Storey County Master Plan

The Master Plan has two references to dogs. The first is recommending a dog park be developed in the Lockwood area, the second in the list of mammal species. The impact of dogs in residential neighborhoods is not discussed.

#### 5. Findings of Fact

- **A.** Motion for approval. The following Findings of Fact are required to be made to approve a zoning code text amendment per Section 17.03.220.F.2
  - (1) This approval is for a zoning code text amendment, File 2019-031, to amend the language of chapter 17.40, E Estates Zone, of the Storey County Zoning Ordinance, to allow for a change to the number of dogs and the acreage size associated with a Special Use Permit requirement. This request also amends Section 17.12.100(H), General Provisions, which identifies the acreage requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates. The modifications are as follows (blue underlined is to be added, red italicized to be deleted):
    - Section 17.12.100(H) General Provisions: "Up to 4 dogs and 2 potbelly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply to the A Agriculture and E Estates zone."

- Section 17.40.025(B) Estates Zone: "The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of 10 acres is required. The keeping of five dogs shall require a minimum of 2 acres, the keeping of 6 to 8 dogs shall require a minimum of 5 acres, and the keeping of over 9 dogs shall require a minimum of 10 acres."
- (2) The proposed amendment is in substantial compliance with and supports the goals and policies of the master plan.
- (3) The proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.
- (4) The proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.
- B. <u>Motion for denial</u>. Should a motion be made to deny the zoning code text amendment, the following findings with explanation why should be included in that motion.
  - (1) This denial is for a zoning code text amendment, File 2019-031, to amend the language of chapter 17.40, E Estates Zone, of the Storey County Zoning Ordinance, to allow for a change to the number of dogs and the acreage size associated with a Special Use Permit requirement. This request also amends Section 17.12.100(H), General Provisions, which identifies the acreage requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates. The modifications are as follows (blue underlined is to be added, red italicized to be deleted):
    - Section 17.12.100(H) General Provisions: "Up to 4 dogs and 2 potbelly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply to the A Agriculture and E Estates zone."
    - Section 17.40.025(B) Estates Zone: "The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of 10 acres is required. The keeping of five dogs shall require a minimum of 2 acres, the keeping of 6 to 8 dogs shall require a minimum of 5 acres, and the keeping of over 9 dogs shall require a minimum of 10 acres."
  - (2) The language for the zoning code text amendment do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

#### 5. Public Comment

This zoning code text amendment was advertised in the Comstock Chronicle and Dayton Valley Dispatch July 19, 2019, edition as required by Section 17.03.070(A) of the Storey County Zoning Ordinance. As of July 23, 2019, Staff has not received any comments from the public.

#### 6. Power of the Board

At the conclusion of the hearing, the Board of County Commissioners 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 Board of County Commissioners upon which it bases its decision.

#### 7. Proposed Motions

This section contains two motions from which to choose. The motion for approval in accordance with the Findings of Fact under Section 5.A of this report. Those findings should be made part of the approval motion. A motion for denial (staff and planning commission recommendation) may be made and that motion should cite one or more of the findings shown in Section 5(B). Other findings of fact determined appropriate by the Board of County Commissioners should be made part of either motion.

#### A. Motion for approval

- (1) Against the recommendation by staff and the Planning Commission, but in accordance with the Findings of Fact under Section 5.A of this report, and other findings deemed appropriate by the Board of County Commissioners, I (commissioner), move to approve zoning code text amendment, File 2019-031, to amend the language of chapter 17.40, E Estates Zone, of the Storey County Zoning Ordinance, to allow for a change to the number of dogs and the acreage size associated with a Special Use Permit requirement. This request also amends Section 17.12.100(H), General Provisions, which identifies the acreage requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates. The modifications are as follows (blue underlined is to be added, red italicized to be deleted):
  - Section 17.12.100(H) General Provisions: "Up to 4 dogs and 2 potbelly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply to the A Agriculture and E Estates zone."
  - Section 17.40.025(B) Estates Zone: "The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of 10 acres is required. The keeping of five dogs shall require a minimum of 2 acres, the keeping of 6 to 8 dogs shall require a minimum of 5 acres, and the keeping of over 9 dogs shall require a minimum of 10 acres."

## (2) Recommended motion for denial (staff and Planning Commission recommendation)

In accordance with the recommendation by staff and the Planning Commission, and in accordance with the Findings of Fact under Section 5(B) of this report, and other findings deemed appropriate by the Board of County Commissioners, I (commissioner), move to deny zoning code text amendment, File 2019-031, to amend the language of chapter 17.40, E Estates Zone, of the Storey County Zoning Ordinance, to allow for a change to the number of dogs and the acreage size associated with a Special Use Permit requirement. This request also amends Section 17.12.100(H), General Provisions, which identifies the acreage requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates. The modifications are as follows (blue underlined is to be added, red italicized to be deleted):

- Section 17.12.100(H) General Provisions: "Up to 4 dogs and 2 potbelly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply to the A Agriculture and E Estates zone."
- Section 17.40.025(B) Estates Zone: "The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of 10 acres is required. The keeping of five dogs shall require a minimum of 2 acres, the keeping of 6 to 8 dogs shall require a minimum of 5 acres, and the keeping of over 9 dogs shall require a minimum of 10 acres."

#### **Applicant's Request**

G. The keeping of large domestic animals such as sheep, bovine, swine, llamas, horses, goats, and other similar domestic farm animals under the ownership of the resident occupant of the lot, provided that any combination of such animals on any one lot does not exceed the following:

| See section 1 | 7.40.030 for minimur | n lot size requirements.          |       |
|---------------|----------------------|-----------------------------------|-------|
| E-1           |                      | 4 or less large domestic animals  |       |
| E-2.5         | 1-22cres             | 4 or less large domestic animals  | SPE 1 |
| E-5<br>E-10   | 2-52cres             | 6 or less large domestic animals  | 7.    |
| E-10          | 5-10 zures           | 8 or less large domestic animals  | WIS.  |
| E-40          | 160 mile             | 16 or less large domestic animals | , Y., |
| E-1-VCH       | Dures                | 4 or less large domestic animals  | 11.   |
| E-10-HR       |                      | 8 or less large domestic animals  | T I   |
| E-40-VR       |                      | 16 or less large domestic animals | _     |

- 1. A special use permit is required to exceed the above maximums for large domestic animals.
- 2. Sanitary conditions must be maintained at all times in order to prevent a nuisance or health hazard from occurring.
- There must be a minimum of 400 square feet per penned land area per large domestic animal, which must be on less than 10 percent slope grade.

#### 17.40.025 Uses Subject to Special Use Permit.

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions.

- A. Child care facilities where more than 4 children are cared for. Child care must not exceed 15 children.
- B. The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of placers is required. 2 2005 10 to C. The keeping of large domestic animals exceeding the maximum number
- allowed pursuant to section 17.40.020.

- D. The keeping, maintenance, display, or possession of 1 or more wild animals.

  E. Civic uses including:

  1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
  - 2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other purpose.
  - 3. Crisis care use, temporary.
  - 4. Libraries, governmental offices, post offices, and community centers.
  - 5. Education including Elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. Student residential and boarding accommodations are prohibited.
  - 6. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
- F. Natural resources river restoration regulated under section 17.12.100.

boxues -

Page 2 of 4

#### **Applicant's Rationale for Change**

From: Amber Premo <a href="fittamber@me.com">fittamber@me.com</a> Sent: Wednesday, July 10, 2019 9:51 AM To: Lyndi Renaud <a href="fittamber@storeycounty.org">fittamber@storeycounty.org</a>

Subject: Re: Description/justification

#### Hi lyndi

Just got your voicemaît this morning.. not sure why I didn't get it yesterday other than sometimes my phone does that and I was at work when you called.. The reason for my application is because there are many other neighbors that have 5 or 6 dogs and even 16 huskies on one property and I believe she shows and breeds as well.. I fixed my boy and I'm rehoming the last litter and downsizing my herd as well .. I just got caught due to mine barking and my neighbor called me in to the deputy.. but I'm now really trying to manage the noise better despite being woke up by my other neighbors Doberman at 3:30 in the morning.. Just didn't seem right that the zoning calls for 4 dogs every 10 acres when I see others breaking the zone rules and I see 6 horses on a smaller lot than mine.. Just want it to be consistent and fair for the community as a whole.. I don't want to be unfairly singled out if I'm trying to dye my diligent work to get along in the community.. thank you for your time.. I can fill out the application or you can use this email and attach it to my application.. let me know which you're doing and I will know what to do then.. thanks for your time.

Sincerely

Sent from my iPhone

On Jul 9, 2019, at 2:52 PM, Lyndi Renaud < Irenaud@storeycounty.org > wrote:

Hi Amber,

Per the voicemail Kathy left you, the attached page from the application for a zone text amendment needs to be filled out and emailed back to us in order to proceed with your request.

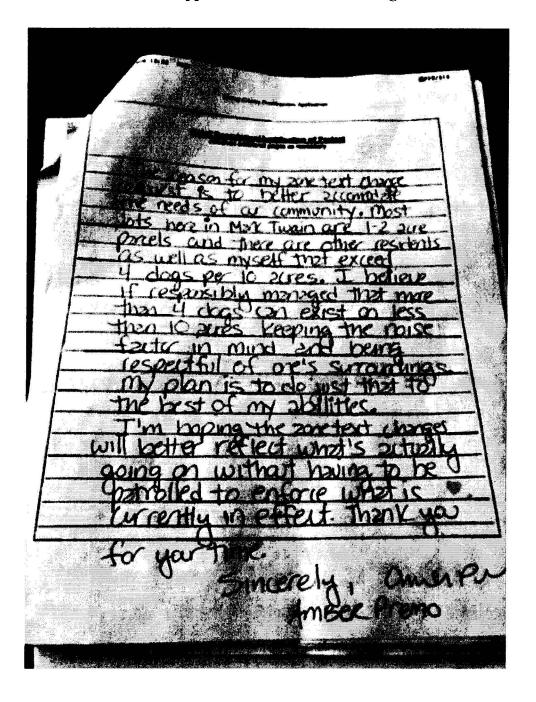
Thank you, Lyndi

Lyndi Renaud
Planning Assistant
Storey County Planning Department
PO Box 176
Virginia City, NV 89440
775.847.1144

Storey County is an Equal Opportunity Provider.

COMPIDENTIALITY NOTE: This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive on behalf of the recipient), please contact the sender by reply e-mail and delete all copies of this message.

### Applicant's Rationale for Change continued



#### **Sheriff's Office Report**

| Cabe   Cross Streets   Cross Street   Cross Streets   Cross Street   Cross S |   |  |  | CAR  | INC  | (DENT   | REPORT  |                   |  | Page 1  |
|--|---|--|--|--|--|---|---|-------------------|--|---|
| Table  |   |  |  |  |  |   |   |                   |  | 07/12/20  |
| Dolg CALL - DOG CALL: NOT OTHER ANIMALS  |   | VHEEL W  | Υ  |  |  |   | Miles - 1   | ABETH L           |  | 1   |
| Caller Name   SMITH, TERRY   |   | DOG CAL  | L: NOT OTHER A   | SIAMIN   |  |   | 7   |                   |  |   |
| Caller Name   SMITH, TERRY   |   |  |  |  |  |   |   |                   |  | PALI.   |
| Dispositions   Action Taken (Case #)   Alm Level   Case Number   | Caller Name   | <u> </u>   |  |  |  | r Address   | 1 -   | 1 00              | The state of the s |   |
| Vehicles   Associated Incidents   Associated Incidents   | Dispositions  |  |  |  | i  |   |   | CAS S S SOURCES   | Aim Level  | Case Number   |
| Received   17:47:13  |   |  |  | 6. "   |  |   | Associate   | d Incidents       |  | num z reduceronium manum a reducero s                                   |
| Persons  |   | 7.47.17  | Apecial Circumstr  | ineci  |  |   | 1   |                   |  |   |
| D14   S129   18:12:49   18:12:52   18:28:19   18:58:48   15:30   15:27   30:29   45:55     Incident Comments   NEIGHBORS CANINES ARE CONSTANTLY BARKING / NOT BARKING AT THIS TIME / RO BREEDS THE CANINES AND RP IS WONDERING HOW MANY CANINES ARE ALLOWED TO RESIDE AT ONE RESIDENCE    TIME   | Created 1 Disputched 1 En Route 1 On Scene 1 Closed 1   | 7:50:26<br>8:12:49<br>8:12:52<br>8:28:19<br>8:58:48  | Persons  |  |  | S   | Sex DOB   | Race              |  | DL  |
| Incident Comments  |   |  |  |  |  |   |   |                   |  |   |
| 18:07:16         2         D14 ADVISED/HE IS OOING TO CONTACT THE RP VIA LANDLINE         \$146           18:12:49         3         D14 DISP. 136 Wagon Wheel Wy, Mark Twain         \$137           18:12:52         4         D14 10-76.         \$137           18:28:19         5         D14 10-23.         \$137           18:33:16         6         D14 10-23.         \$137           18:45:08         7         D14 10-23.         \$14 WAGON WHEEL         \$137           18:56:26         8         D14 BOTH NEIGHBORS WILL HANDLE MATTERS CIVILLY/         \$137           9         RESIDENT AT 361 WAGON WHEEL WITH APPLY FOR A KENNEL         PERMIT/I GAVE HER UNTIL WEDNESDAY           18:57:26         11         THE CONTACT INPO FOR THE DOG OWNER IS PREMO, AMBER 530-414-1669/SHE HAS 15 DOGS/RECEIVED VERBAL WARNING FOR THE NUISANCE COMPLAINT         \$137           18:58:48         14         D14 16-8.         \$137   | NEIGHBOR  | IS CANIN   |  |  |  | a s membra  | enementation for  | R R SANDON REPORT | a a reven a remarkable of  |   |
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## 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:                               | Date Request Submitted: 7 1010                         |
|--|--|
| Agenda Item Requested: Resum State             | Public Comment to 1                                    |
| Begun in and end of                            | 7 meetin   |
| This item is intended for: Discussion Only     | Discussion/Possible Action (at the Board's discretion) |
| Supporting documentation is attached           | No supporting documentation is necessary               |
| Requested by: 5am 16                           |  |
| (please print n                                | name clearly)  |
| Address: Book 78 Vivaima                       | City NV 89440  |
| Phone: 775 583 8655 Email (optional). ed.      | tor @ the story teller anding                          |
| Please submit this completed form to:          |  |
| rease suchine this completed form to.          | or FAX to:   |
| Storey County Clerk's Office                   | or rive to.  |
| PO Drawer D                                    | Storey County Clerk's Office                           |
| Virginia City NV 89440                         | (775) 847-0921   |
| Fold at Arrows Here and Above                  | e to Place in a Window Envelope —                      |
| For Office 1                                   | Use Only   |
| Date Request Received: 7.2.2019 Received:      | ✓In Person   |
| Supporting documentation attached - # of pages | - Meeting date of this item:                           |
|  |  |

Submitted during Public Comment on 7.2.2019 @ Emailed to County Manager on 7.5.2019 @

Storey County Clerk's Office (775) 847-0969 or email vdufresne@storeycounty.org

#### Vanessa Stephens

From:

**Austin Osborne** 

Sent:

Tuesday, July 23, 2019 9:14 AM

To:

Vanessa Stephens

**Subject:** 

RE: Agenda Item Request from Sam Toll

Vanessa,

I have spoken to the Chairman and we do not agree that this should be provided. The item will need to be denied.

Thank you,

Austin

From: Vanessa Stephens

Sent: Tuesday, July 23, 2019 9:04 AM

To: Austin Osborne

Subject: FW: Agenda Item Request from Sam Toll

Good Morning Austin-

Following up on the attached request from Mr. Toll. Please confirm or deny placement on the August 6, 2019 meeting.

#### Vanossa A. Stephons

Clerk & Treasurer Storey County, Nevada

From: Vanessa Stephens

Sent: Friday, July 5, 2019 10:18 AM

**To:** Austin Osborne <aosborne@storeycounty.org> **Subject:** Agenda Item Request from Sam Toll

Good Morning A-

Please find attached an agenda item request received from Mr. Toll during the BOCC meeting on July 2, 2019. Let me know if you approve or deny placement on the next Agenda.

٧

### Varussa A. Staphons

Clerk & Treasurer Storey County, Nevada



### Storey County Board of County Commissioners Agenda Action Report

| Meeting date: 08-06-2019   |              | Estimate of time required: 0 - 5                             |  |  |  |  |  |
|--|--------------|--|--|--|--|--|--|
| Agenda: Consent [] Regular   | r agenda [X] | Public hearing required [ ]                                  |  |  |  |  |  |
| 1. Title: Business License Sec   | ond Readings | s Approval   |  |  |  |  |  |
| 2. Recommended motion: Ap  | proval       |  |  |  |  |  |  |
| 3. Prepared by: Ashley Mea   | ıd           |  |  |  |  |  |  |
| Department: Community I  | Development  | <b>Telephone:</b> 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 the 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:  |              |  |  |  |  |  |  |
| Funds Available: Fund:   |              | d: Comptroller   |  |  |  |  |  |
| 7. Legal review required:  | 1            | District Attorney  |  |  |  |  |  |
| B. Reviewed by:  X. Separtment Head County Menager   | ad           | Department Name: Community Development  Other agency review: |  |  |  |  |  |
| P. Board action: [ ] Approved [ ] Denied   | []           | Approved with Modifications Continued                        |  |  |  |  |  |

## Storey County Community Development



110 Toll Road ~ Gold Hill Divide P O Box 526 ~ Virginia City NV 89440 (775) 847-0966 ~ Fax (775) 847-0935 CommunityDevelopment@storeycounty.org

To:

Vanessa Stephens, Clerk's office

Austin Osborne, County Manager

August 6, 2019

Via Email

Fr:

Ashley Mead

Please add the following item(s) to the AUGUST 6, 2019,

COMMISSIONERS Consent Agenda:

## LICENSING BOARD SECOND READINGS:

A. Future Fire Protection, Inc - Contractor / PO Box 50238 ~ Sparks, NV

B. J V Sheehan General Contracting - Contractor / 2640 Emily St. ~ Reno, NV

C. Shanghai Express Restaurant - General / 1269 Baring Blvd ~ Sparks, NV

D. Spectrotel, Inc. - General / 1595 Peachtree Pkwy Ste. 204-337 ~ Cumming, GA

E. VC NV Bed & Breakfast Sun Mtn. House - General / PO Box 162 ~ Virginia City, NV

F. Tank Connection, LLC - Contractor / 3609 N. 16<sup>th</sup> St ~ Parsons, KS

G. Corona Steel, Inc. – Contractor / 3015 106th St. S ~ Lakewood, WA

H. Crestline Construction – Contractor / 3600 Crates Way Ste. 100 ~ The Dalles, OR

Ec: Community Development Commissioner's Office

Planning Department Comptroller's Office

Sheriff's Office



## Storey County Board of Fire Commissioners Agenda Action Report

| Meeting date:                             |  | 08/06/19   |   | Estimate of time required: 30 min.   |  |  |
|---|--|--|---|--|--|--|
| nda: Cons                                 | ent []   | Regular agen   | da [ ]  | Public   | hearing required [] (x Closed Session)   |  |
| ed Session a<br>gement and<br>ciation IAF | meeting<br>d legal o<br>FF Loca  | g pursuant to NR<br>counsel regardir<br>I 4227. This me  | S 288.  | 220 for<br>r negotia   | Protection District Commissioners. Call to Order the purpose of conferring with Fire Protection District ations with the Storey County Firefighters' immediately after the regular meeting of the Board  |  |
| commend                                   | ed moti  | ion. No action   |   |  |  |  |
| epared by                                 | : Austin   | Osborne  |   |  |  |  |
| <b>Department:</b> County Manager         |  |  |   |  | <b>Telephone</b> : 775.847.0968  |  |
| Storey (                                  | County   | Firefighters Ass   | ociatio   | n and th   | e Storey County Board of Fire Commissioners, the   |  |
| pporting r                                | nateria  | ls: Provided at  | closed  | session  | meeting.   |  |
| scal impac                                | <u>t</u> :   |  |   |  |  |  |
| Funds A                                   | Availabl   | e: n/a   | Fur   | nd:  | Comptroller  |  |
| gal review                                | requir   | red:   |   | District   | Attorney   |  |
| B. Reviewed by: Department Head Dep       |  |  |   | epartment Name: Commissioner's Office  |  |  |
| -CE                                       | ounty M  | lanager  |   | Othe   | r agency review:   |  |
| ard action                                |  |  | [ ]   | Appi<br>Cont   | oved with Modifications  |  |
|   | ciation IAF ciation IAF cunty Commend cepared by cpartment:  aff summa Storey ( bargain) compared impacting in the second in the second impacting in the second in the | closed session in the description of the descriptio | closed session involving Storey ed Session meeting pursuant to NR agement and legal counsel regarding ciation IAFF Local 4227. This meaning the county Commissioners.  commended motion. No action repared by: Austin Osborne  commended motion. No action repared by: Austin Osborne  commended motion was a county Manager  aff summary: Pursuant to NRS 2  Storey County Firefighters Ass bargaining agreement is proposed by a county for materials: Provided at a county Manager  continued by:  Department Head  County Manager  continued by:  Department Head  County Manager  continued action:  [] Approved | closed session involving Storey Counced Session meeting pursuant to NRS 288.  Igement and legal counsel regarding laboration IAFF Local 4227. This meeting wounty Commissioners.  Incommended motion. No action repared by: Austin Osborne  Importment: County Manager  Inf Summary: Pursuant to NRS 288 and Storey County Firefighters Association bargaining agreement is proposed to be reporting materials: Provided at closed secal impact:  Funds Available: n/a Funds Available: | closed session involving Storey County Fire and Session meeting pursuant to NRS 288.220 for agement and legal counsel regarding labor negotial ciation IAFF Local 4227. This meeting will begin bunty Commissioners.  commended motion. No action repartment: County Manager  aff summary: Pursuant to NRS 288 and the exist Storey County Firefighters Association and the bargaining agreement is proposed to be modificated impact:  Funds Available: n/a Fund:  ceriewed by:  Department Head Department Manager  County Manager  Department Manager  County Manager  Department Manager  County Manager  Othe mard action:  [] Approved [] Approved |  |

Agenda Item No. 24