

**STATE OF NEVADA BOARD TO REVIEW CLAIMS  
AGENDA  
DECEMBER 12, 2019**

The State of Nevada Board to Review Claims (Board) meeting will be video-conferenced and will begin promptly at 11:00 AM on Thursday, December 12, 2019 at the following locations:

Carson City: Nevada Legislative Building, 401 S. Carson St., Room 2134

Las Vegas: Grant Sawyer Building, 555 E. Washington Ave., Room 4412E

The public is invited to attend either location.

The following items may be taken out of order and/or items may be combined for consideration. Items may also be removed from the agenda or the Board may delay discussion relating to an item on the agenda at any time.

Public comment may be limited to ten minutes per person at the discretion of the Chair.

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.

**1. CALL TO ORDER AND ROLL CALL**

**2. PUBLIC COMMENT (FOR DISCUSSION)**

Members of the public will be invited to speak before the Board on any issue related to the Petroleum Fund. No action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action.

**3. APPROVAL OF THE SEPTEMBER 12, 2019 MINUTES (FOR POSSIBLE ACTION)**

**4. STATUS OF THE FUND (FOR DISCUSSION)**

NDEP reports to the Board the receipts, expenditures, liabilities, and current balance of the State of Nevada Petroleum Fund.

**5. EXECUTIVE BRANCH AUDIT SIX-MONTH FOLLOW-UP STATUS REPORT (FOR DISCUSSION)**

The Governor's Office of Finance, Division of Internal Audits (DIA) staff are required to update the Executive Audit Branch Committee with actions taken by NDEP following the June 25, 2019 DIA 19-05 Report findings. The DIA requested NDEP provide a follow-up status report. Fund staff will present the status report to the Board.

**6. EQUIPMENT BOARD POLICY RESOLUTIONS AMENDMENTS (FOR DISCUSSION)**

Discuss replacement of existing equipment Board Policy Resolutions with one consolidated policy resolution that discusses purchase, transfer, and disposition of Petroleum Fund reimbursed equipment. Fund staff will implement an equipment audit and inspection program component as part of the new policy resolution. Upon adoption of the new resolution during a future meeting, the existing equipment Board Policy Resolutions would be retired.



**7. ADOPTION OF CONSENT ITEMS (FOR POSSIBLE ACTION)**

The Board may approve all items in the following list as a consent agenda unless a listed item is marked with an asterisk (\*). Items may be marked with an asterisk if a member of the public has requested to address the claim before the Board or the item is associated with a Fund Site Specific Board Determination (SSBD). In the case of an item being marked with an asterisk pending a SSBD, the item is considered part of the consent agenda upon approval of that (SSBD). In addition to asterisked items, a Board member may request an item be moved from the list for immediate discussion prior to approval or moved to a discussion agenda item and tabled for the next meeting.

A dagger (†) indicates previously disallowed monies have been successfully appealed (i.e. the requested amount may be less than the recommended amount)

An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information

**STATE BOARD TO REVIEW CLAIMS  
REQUESTED/RECOMMENDED AMOUNTS - DECEMBER 12, 2019**

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>RECOMMENDED</u>	
FOR POSSIBLE ACTION	1.	2007000013	Churchill County School District: Churc. Co. S.d. Bus Barn	\$6,762.50	\$6,762.50	
FOR POSSIBLE ACTION	2.	2012000017	Churchill County School District: Old High School	\$3,039.10	\$2,419.04	
FOR POSSIBLE ACTION	3.	2018000043	Mr. William Kennedy: William Kennedy Residential Heating Oil Tank	\$9,791.99	\$9,331.99	
FOR POSSIBLE ACTION	4.	2019000013	Truckee River Flood Management Authority: Brothers Of Holy Rosary	\$43,564.01	\$43,280.99	
FOR POSSIBLE ACTION	5.	2019000018	Canyon Flats III LLC: 621, 623, 625 N. Center St. Heating Oil Tank	\$12,790.87	\$12,790.87	
FOR POSSIBLE ACTION	6.	2019000019	Canyon Flats III LLC: 661 N. Center Street Heating Oil Tank	\$10,953.58	\$10,703.58	
FOR POSSIBLE ACTION	7.	2019000020	Canyon Flats III LLC: 615 N., 617 N. & 619 N. Center St. Heating Oil	\$10,201.54	\$10,201.54	
FOR POSSIBLE ACTION	8.	2019000026	Albrecht Family Trust: Michael Fischer Residential Heating Oil Tanks	\$8,223.37	\$2,000.00	
FOR POSSIBLE ACTION	9.	2019000030	Mardian Development Company: Michael E. Mardian Property	\$10,966.43	\$10,623.93	
FOR POSSIBLE ACTION	10.	2019000037	Gardnerville Water Company: Gardnerville Water Company	\$12,893.17	\$12,643.17	
				<b>SUB TOTAL:</b>	<b><u>\$129,186.56</u></b>	<b><u>\$120,757.61</u></b>

**NEW CASES**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>	
FOR POSSIBLE ACTION	1.	2018000018	Primadonna Company LLC: Whiskey Pete's Stateline Stop	\$151,723.40	\$70,098.02
FOR POSSIBLE ACTION	2.	2019000004	Rebel Oil Company: Rebel Store #2142	\$145,826.61	\$131,243.95
			<b>SUB TOTAL:</b>	<b><u>\$297,550.01</u></b>	<b><u>\$201,341.97</u></b>

**ONGOING CASES**

			<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>	
FOR POSSIBLE ACTION	1.	1992000126	Clark County School District: Rc White (Arville) Transportation Satellite	\$20,597.95	\$20,588.27
FOR POSSIBLE ACTION	2.	1993000011	7-Eleven INC: 7-Eleven #29646	\$54,865.03	\$54,865.03
FOR POSSIBLE ACTION	3.	1993000103	Charlie Brown Construction: Charlie Brown Const.	\$4,088.62	\$4,006.85
FOR POSSIBLE ACTION	4.	1994000067	Peppermill Casinos INC: Fmr Peppermill Truckstop	\$2,805.33	\$2,805.33
FOR POSSIBLE ACTION	5.	1994000113	Pilot Travel Centers LLC: Former Unocal Truck Stop #6328	\$69,730.57	\$69,697.33
FOR POSSIBLE ACTION	6.	1995000012	N. Nevada Asset Holdings, LLC: Parker's Model T	\$1,647.50	\$1,482.75
FOR POSSIBLE ACTION	7.	1995000039	Al Park Petroleum Inc: Crescent Valley Market	\$33,935.53	\$30,411.48
FOR POSSIBLE ACTION	8.	1995000042	FBF INC: Gas 4 Less	\$20,632.78	\$18,034.11
FOR POSSIBLE ACTION	9.	1996000064	The Esslinger Family Trust: Red Rock Mini Mart	\$37,705.12	\$36,573.97
FOR POSSIBLE ACTION	10.	1998000034	Chevron Usa Products CO.: Chevron #9-4116	\$60,450.67	\$45,411.74
FOR POSSIBLE ACTION	11.	1999000023	Nevada Ready Mix Corp: Nevada Ready Mix	\$42,006.13	\$37,805.52
FOR POSSIBLE ACTION	12.	1999000064	Al Park Petroleum Inc: Pit Stop #4 (Conoco)	\$12,377.59	\$11,139.83
FOR POSSIBLE ACTION	13.	1999000199	Village Springs, LLC: Lakeshore Orbit Station	\$8,144.73	\$8,144.73
FOR POSSIBLE ACTION	14.	1999000243	7-Eleven INC: 7-Eleven #27607	\$309,745.24	\$278,753.91
FOR POSSIBLE ACTION	15.	2004000011	Travel Centers Of America: Wells Petro Truck Service	\$20,498.20	\$18,385.05
FOR POSSIBLE ACTION	16.	2005000002	Carson Valley Oil Co Inc: Carson Valley Oil CO	\$2,067.50	\$1,860.75
FOR POSSIBLE ACTION	17.	2007000014	Frias Transportation Management LLC: Former Frias Transportation Management	\$659,797.19	\$587,067.47
FOR POSSIBLE ACTION	18.	2007000016	Golden Gate Petroleum Of Nevada LLC: Golden Gate Petroleum	\$7,586.63	\$6,782.97
FOR POSSIBLE ACTION	19.	2008000018	Jacksons Food Stores INC: Jacksons Food Stores #0145	\$44,087.00	\$39,172.24
FOR POSSIBLE ACTION	20.	2008000019	One Panou LLC: Golden Market #3	\$17,495.74	\$15,746.17
FOR POSSIBLE ACTION	21.	2010000007	Pecos Express: Pecos Express	\$6,949.08	\$6,254.17
FOR POSSIBLE ACTION	22.	2010000009	Travel Centers Of America: Mill City Travel Center	\$57,471.72	\$45,691.25
FOR POSSIBLE ACTION	23.	2012000003	7-Eleven INC: 7-Eleven #26627	\$15,861.19	\$11,420.05
FOR POSSIBLE ACTION	24.	2012000005	Travel Systems, LLC: Zephyr Cove Resort	\$15,833.41	\$14,250.07

FOR POSSIBLE ACTION	25.	2012000012	Dewey Has Gas, INC: Green Valley Grocery #61	\$38,384.00	\$34,545.60	
FOR POSSIBLE ACTION	26.	2013000004	7-Eleven INC: 7-Eleven #29665	\$46,111.29	\$41,456.57	
FOR POSSIBLE ACTION	27.	2013000019	Hardy Enterprises INC: Elko Sinclair #53	\$61,975.98	\$55,582.94	
FOR POSSIBLE ACTION	28.	2013000021	7-Eleven INC: 7-Eleven #27700	\$19,302.56	\$17,372.30	
FOR POSSIBLE ACTION	29.	2014000004	Alsaker Corp: Broadway Colt Service Center	\$297,933.76	\$268,108.70	
FOR POSSIBLE ACTION	30.	2014000007	7-Eleven INC: 7-Eleven #29658	\$44,930.46	\$39,153.11	
FOR POSSIBLE ACTION	31.	2014000010	7-Eleven INC: 7-Eleven #29667	\$21,692.33	\$19,523.10	
FOR POSSIBLE ACTION	32.	2014000025	Superior Campgrounds Of America LLC: Silver City Rv Resort	\$41,210.86	\$35,239.28	
FOR POSSIBLE ACTION	33.	2015000009	Travel Centers Of America: Las Vegas Travel Center	\$28,056.25	\$25,250.63	
FOR POSSIBLE ACTION	34.	2016000005	Golden Gate S.e.t. Retail Of Nevada LLC: Golden Gate Facility #65 - Fallon	\$4,261.03	\$3,357.93	
FOR POSSIBLE ACTION	35.	2016000021	7-Eleven INC: 7-Eleven #29647	\$11,549.92	\$10,394.93	
FOR POSSIBLE ACTION	36.	2016000023	Al Park Petroleum Inc: Pit Stop #1	\$120,001.65	\$57,851.91	
FOR POSSIBLE ACTION	37.	2017000004	Regional Transportation Commission: Regional Transportation Commission	\$4,444.25	\$4,444.25	
FOR POSSIBLE ACTION	38.	2017000015	Gmr National A Nevada General Partnership: 24x7 Mini Mart	\$8,252.68	\$5,941.93	
FOR POSSIBLE ACTION	39.	2018000009	Reed Incorporated: Pacific Pride	\$98,294.06	\$88,454.57	
FOR POSSIBLE ACTION	40.	2018000035	Cd/park7 Reno Owner, LLC: Wolf Fastop	\$4,560.48	\$3,693.99	
FOR POSSIBLE ACTION	41.	2018000042	7-Eleven INC: 7-Eleven #23759	\$5,236.25	\$4,712.63	
FOR POSSIBLE ACTION	42.	2019000002	Rebel Oil Company: Rebel Store #2166	\$7,387.70	\$6,648.93	
FOR POSSIBLE ACTION	43.	2019000005	Fairway Chevrolet Co: Fairway Chevrolet CO	\$29,301.33	\$26,371.20	
				<b>SUB TOTAL:</b>	<b><u>\$2,419,267.29</u></b>	<b><u>\$2,114,455.54</u></b>
				<b>RECOMMENDED CLAIMS TOTAL:</b>	<b><u>\$2,846,003.86</u></b>	<b><u>\$2,436,555.12</u></b>

**8. DIRECT PAYMENT OF UNCONTESTED CLAIMS MADE PER POLICY RESOLUTION 2017-02 (FOR DISCUSSION)**

**The Board to Review Claims authorizes NDEP to make claim payments prior to a Board meeting when the recommended payment value is uncontested. This authorized delegation is consistent with the findings in the memorandum from the Attorney General’s Office dated August 3, 2017 (Attachment A of Policy Resolution 2017-02). Below is a list of all quarterly claim payments made on the Board’s behalf in accordance with Policy Resolution No. 2017-02.**

**A dagger (†) indicates previously disallowed monies have been successfully appealed where the requested amount is less than the recommended amount**

**An omega (ω) indicates Board approved reimbursement monies have been subtracted from the amount requested due to new information**

<u>HEATING OIL</u>				<u>REQUESTED</u>	<u>PAID</u>	
FOR DISCUSSION	1.	2018000041	Adolf Allesch: Adolf S. Allesch Property	\$1,990.00	\$1,990.00	
FOR DISCUSSION	2.	2019000032	M&m Clark Properties LLC.: M&m Clark Properties, LLC	\$10,465.72	\$10,215.72	
FOR DISCUSSION	3.	2019000033	Linda Linton: Linda J. Linton Residence	\$18,717.60	\$18,467.60	
FOR DISCUSSION	4.	2019000034	Marmot Insight LLC.: Golombik/danahey Family Trust & Marmot Insight, LLC	\$12,552.92	\$12,302.92	
FOR DISCUSSION	5.	2019000035	Sierra Solitude, LLC: Sierra Solitude, LLC	\$11,365.51	\$11,115.51	
FOR DISCUSSION	6.	2019000036	Gardnerville Water Company: Gardnerville Water Company	\$13,222.41	\$12,972.41	
FOR DISCUSSION	7.	2019000039	Gary Hansen: Gary R. Hansen Property	\$17,781.18	\$17,531.18	
FOR DISCUSSION	8.	2019000040	Valerie Brinker: Valerie Lynn Brinker Property	\$14,169.38	\$13,919.38	
FOR DISCUSSION	9.	2019000041	Trevor & Tourine Johnstone: Trevor Stephen Johnstone Residence	\$15,033.97	\$14,783.97	
FOR DISCUSSION	10.	2019000042	Richard Edmiston: John Malcolm Edmiston Residence	\$14,159.67	\$13,909.67	
				<b>SUB TOTAL:</b>	<b><u>\$129,458.36</u></b>	<b><u>\$127,208.36</u></b>
<u>ONGOING CASES</u>				<u>REQUESTED</u>	<u>PAID</u>	
FOR DISCUSSION	1.	1994000015	Pilger Family Holdings: Former D & G Oil Company	\$43,876.93	\$43,696.93	
FOR DISCUSSION	2.	1997000008	Ewing Bros Inc: Ewing Bros INC	\$2,427.50	\$2,184.75	

FOR DISCUSSION	3.	1999000014	Al Park Petroleum Inc: Pit Stop #7 Conoco	\$8,431.49	\$7,588.34
FOR DISCUSSION	4.	1999000022	Terrible Herbst, INC.: Terrible Herbst #129	\$5,603.19	\$4,765.63
FOR DISCUSSION	5.	1999000029	Terrible Herbst, INC.: Terrible Herbst #136 (Arco)	\$10,611.25	\$9,550.13
FOR DISCUSSION	6.	1999000066	HP Management, LLC: Former Haycock Petroleum	\$33,482.80	\$30,134.52
FOR DISCUSSION	7.	1999000086	Terrible Herbst, INC.: Terrible Herbst #126	\$3,350.00	\$3,015.00
FOR DISCUSSION	8.	1999000104	Terrible Herbst, INC.: Terrible Herbst #118 & #120 Lube	\$11,817.06	\$10,624.96
FOR DISCUSSION	9.	1999000135	Terrible Herbst, INC.: Terrible Herbst #106 (Gas) & #108 (Lube)	\$15,304.30	\$13,773.87
FOR DISCUSSION	10.	1999000137	Terrible Herbst, INC.: Terrible Herbst #152 (Gas) & #155 (Lube)	\$11,480.99	\$10,332.89
FOR DISCUSSION	11.	2005000044	Ewing Bros Inc: Ewing Bros INC	\$12,899.88	\$7,790.63
FOR DISCUSSION	12.	2011000009	Cimarron West: Cimarron West	\$25,406.70	\$22,835.25
FOR DISCUSSION	13.	2013000009	Western Petroleum: Western Petroleum	\$22,581.95	\$20,323.75
FOR DISCUSSION	14.	2013000011	Har Moor Investments, LLC: Village Shop #4	\$18,014.81	\$16,213.33
FOR DISCUSSION	15.	2014000016	Smitten Oil And Tire Co Inc: Former Smitten Oil	\$5,666.75	\$5,100.07
FOR DISCUSSION	16.	2014000025	Superior Campgrounds Of America LLC: Silver City Rv Resort	\$57,406.63	\$50,975.64
FOR DISCUSSION	17.	2014000033	Speedee Mart INC: Speedee Mart #108	\$32,424.55	\$27,107.59
FOR DISCUSSION	18.	2016000027	Terrible Herbst, INC.: Terrible Herbst #272	\$57,741.19	\$46,467.84
FOR DISCUSSION	19.	2017000035	Rebel Oil Company: Rebel Store #2177	\$40,201.57	\$36,157.11
FOR DISCUSSION	20.	2018000005	Rebel Oil Company: Rebel Store # 2153	\$10,470.67	\$9,423.60
FOR DISCUSSION	21.	2019000014	Western Cab Co: Western Cab CO	\$67,943.25	\$61,148.93
<b>SUB TOTAL:</b>				<b><u>\$497,143.46</u></b>	<b><u>\$439,210.76</u></b>
<b>DIRECT PAYMENT CLAIMS TOTAL:</b>				<b><u>\$626,601.82</u></b>	<b><u>\$566,419.12</u></b>
<b>BOARD MEETING CLAIMS TOTAL:</b>				<b><u>\$3,472,605.68</u></b>	<b><u>\$3,002,974.24</u></b>

**9. EXECUTIVE SUMMARY (FOR DISCUSSION)**

NDEP will brief the Board on Fund coverage activities, Fund expenditures, tank enrollment status, 1099 tax form determination from the Department of Agriculture, and Eagle Gas North cleanup status.

**10. PUBLIC COMMENT (FOR DISCUSSION)**

Members of the public will be invited to speak before the Board on any issue related to the Petroleum Fund. No action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action.

**11. CONFIRMATION OF NEXT BOARD MEETING DATE (FOR DISCUSSION)**

**MARCH 12, 2020 (THURSDAY) AT 10:00 AM**

**12. ADJOURNMENT**

**This agenda will be posted no later than three working days prior to the meeting at the following locations:**

Clark County Government Center, 500 S. Grand Central Pkwy., Las Vegas, NV 89155  
Department of Conservation and Natural Resources, Richard H. Bryan Bldg., 901 S. Stewart St., 1<sup>st</sup> Floor, Carson City, NV 89701  
Legislative Counsel Bureau, Nevada Legislative Bldg., 401 S. Carson St., Carson City, NV 89701  
Legislative Counsel Bureau, Grant Sawyer Building, 555 E. Washington Ave., Rm. 1003, Las Vegas, NV 89101  
Nevada Division of Environmental Protection, Bureau of Corrective Actions, 901 S. Stewart St., 3<sup>rd</sup> Floor, Carson City, NV 89701  
Nevada Division of Environmental Protection, Bureau of Corrective Actions, 2030 E. Flamingo Rd., Ste. 230, Las Vegas, NV 89119  
State Fire Marshal's Office, Stewart Facility, 107 Jacobsen Way, Carson City, NV 89701  
Washoe County District Health Department - Environmental Health Services Division, 1001 E. 9th St., Bldg. B, Reno, NV 89520  
Washoe County Library, 301 S. Center St., Reno, NV 89501

**You may also find the agenda posted on our web site at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/board-meeting-agendas-minutes> and the Department of Administration's website at <https://notice.nv.gov> under State Government, Department of Conservation and Natural Resources, State of Nevada Board to Review Claims.**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, NDEP, State of Nevada Board to Review Claims, in care of Victoria Joncas, 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, facsimile (775) 687-8335, or by calling (775) 687-9369 no later than December 5, 2019.

Note : Supporting material for this meeting and audio recordings of previous meetings are located in the Carson City Nevada Division of Environmental Protection (NDEP) office and can be obtained from Victoria Joncas by sending a request in writing to 901 S. Stewart St., Ste. 4001, Carson City, NV 89701, via electronic mail to [vjoncas@ndep.nv.gov](mailto:vjoncas@ndep.nv.gov), or by calling (775) 687-9369.