

## **Exhibit 16**

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

**From:** [Tom Taormina](#)

**To:** 'Dean Haymore'

**Cc:** [hswafford@storeycounty.org](mailto:hswafford@storeycounty.org) ; [lgrant@storeycounty.org](mailto:lgrant@storeycounty.org) ; 'Pat Whitten' ; [jflanagan@storeycounty.org](mailto:jflanagan@storeycounty.org) ; 'BOB KERSHAW' ; 'Shannon Gardner' ; 'Phyllis Blake' ; [cmeade1@yahoo.com](mailto:cmeade1@yahoo.com) ; 'Brian M. McMahon'

**Sent:** Tuesday, July 15, 2008 3:50 PM

**Subject:** RE: STOP WORK - Addendum

Under advice of counsel, I am amending my previous email to give you more detail of what is transpiring.

The crane on site is here for three projects:

1. Remove the 50' tower encroaching on the Meade property to the east – this was completed on Monday with base removal to be complete by Thursday.
2. Move the 110' tower which currently has a guy anchor encroaching on the Blake property to the west, scheduled for Thursday.
3. Perform rework, maintenance and upgrade to the existing 70' tower on top of the hill to the south.

Items 1 and 2 are pursuant to my agreement to remedy trespasses. It is unfortunate that the neighbors are upset about actions that are for their benefit. Item 3 has nothing to do with the replacement towers that are currently permitted.

This work is scheduled to be done by Thursday, 7/17.

Unfortunately, the County will be hearing from my attorney in the next couple of days. Hopefully DA Swafford will expedite his research and issue a revised opinion that will determine the direction the legal process must take.

As I mentioned on the phone, Dean, you are always welcome to come out but I don't know to what end it will serve.

Tom Taormina, CMC, CMQ/OE

The Taormina Group, Inc.

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**From:** Dean Haymore [<mailto:dhaymore@storeycounty.org>]

**Sent:** Tuesday, July 15, 2008 1:00 PM

**To:** Tom Taormina

**Cc:** [hswafford@storeycounty.org](mailto:hswafford@storeycounty.org); [lgrant@storeycounty.org](mailto:lgrant@storeycounty.org); Pat Whitten; [jflanagan@storeycounty.org](mailto:jflanagan@storeycounty.org); BOB KERSHAW; Shannon Gardner

**Subject:** STOP WORK

Tom, I understand you have a crane out there working. I once again advise you to cease work on those towers until we get this worked out thru the DA's office. My only other option is to issue an STOP WORK ORDER. Thank you.

**Dean Haymore**

**Building Official & Planning Administrator**

**STOREY COUNTY**

**110 Toll Road ~ P O Box 526**

**Virginia City NV 89440**

**775-847-0966 Fax 775-847-0935 Cell 775-742-8226**

**[dhaymore@storeycounty.org](mailto:dhaymore@storeycounty.org)**

## **Exhibit 17**

**Storey County Building Department**  
 P O Box 526 - VIRGINIA CITY, NV 89440 - (702) 847-0966

Permit #: 8354

Requested: 7/15/08

Ready: 7/16/08

**CODE COMPLIANCE INSPECTION REPORT**

Site Address: 370 Panamint APN #003-431-18		Area: HR	Lot / Blk 37
Owner: Taormina		Contractor: OB	

**INSPECTION(S) REQUESTED:**

<input type="checkbox"/> Footing	<input type="checkbox"/> Stemwall	<input type="checkbox"/> Ready to Pour Concrete - Forms in, UFER Ground, Reinf. Stl. In-Place
2. <input type="checkbox"/> Floor Joists - Mud Sill, J-Bolts and Blocking In as Required; Rough Plumbing Installed		
3. <input type="checkbox"/> Roof Sheet Nailing - Nail Spacing and Sheathing Spacing		
4. <input type="checkbox"/> Framed Complete - Plumbing thru roof, Elect. Boxes in, Wire Pulled, Heating, Gas Piping, Roof Shingled, Siding On, Dry In		
5. <input type="checkbox"/> Insulation	a. <input type="checkbox"/> Batts	b. <input type="checkbox"/> Blown - CERTIFICATION Required
6. <input type="checkbox"/> Sheet Rock Nailing		
7. <input type="checkbox"/> Ready to Occupy - a. Sheetrock Finished b. Plumbing c. Electrical d. Heating and e. Grading All Completed		
<input type="checkbox"/> Electrical	<input type="checkbox"/> Electric Service Connections	<input type="checkbox"/> Fuel Burning Stove
<input type="checkbox"/> Mechanical	<input type="checkbox"/> Excavation & Grading	<input type="checkbox"/> Demolition
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Foundation	<input type="checkbox"/> Exterior Gas

**~ REINSPECTIONS ~**

NOTE: It shall be the duty of the person doing the work authorized by a permit to notify the Building Department that such work is ready for inspection and to provide access to and means for Proper Inspection of such work. A re-inspection fee will be assessed for each inspection when such Portion of work for which inspection is called is not complete or when corrections called for are not made.

Condition of Construction at this inspection:

- A. Meets ALL Requirements for **this** INSPECTION
- B. Substitutions or Deviations
- C. Non-Compliance - Builder Will Comply Without Delay
- D. Non-Compliance - Builder Does NOT intend to Comply
- E. Dwelling is habitable, however the following corrections MUST be completed by

Comments: **Inspection of Concrete Base and Anchors for New Towers.**

Owner has been advised that Storey County now is of the opinion that a Special Use Permit is required for the construction of towers over 45' in height, that towers are defined as structures in Storey County Code and therefore are subject to set-back requirements. A Special Use Permit has not been applied for at this time. Owner has been advised that continued construction of tower components is at own risk, and that the erection of towers over 45' in height with anchors encroaching set-backs may not be approved by Storey County Officials.

New Tower Base @ North side of Home = Depth and width according to engineered plans. Rebar cage according to engineered plans. Grounding for tower according to engineered plans.

Tower Anchors for 2 New Towers = Depth and width according to engineered plans. Rebar cages according to engineered plans. Two of the anchors inspected are located adjacent to the property lines as identified and encroach upon set-backs required for structures.

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

7/16/08 8:00 a.m.

Inspection Date/Time

*Shannon Gardner* 7/16/08

Shannon Gardner, Inspector

Mileage: 49791

Rev 01-06-04

**Exhibit H:** Tom was advised and still preceded with extending tower #1 another 70 ft.

## **Exhibit 18**







## **Exhibit 19**



# Storey County Building Department

P O Box 526 ~ Virginia City NV 89440 ~ (775) 847-0966 ~ Fax (775) 847-0935 ~  
scbd@reno.quik.com

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## **STOP WORK ORDER** *by Storey County Building Official*

Issued to: Tom Taormina  
370 Panamint Road  
Virginia City Highlands, NV 89521

July 17, 2008

### **Project: CONSTRUCTION OF AND ALTERATION OF HAM RADIO TOWER**

The stop work order is hereby issued for failure to comply with Storey County Ordinance 15.12.010. 15.12.010 Building Permit Required. It is unlawful for any person, corporation, municipal corporation, association, club, business trust, estate, or any group or combination thereof to erect, construct, relocate, or alter any sign, building, or **structure** within the county without first obtaining a building permit from the building official.

Owner is altering existing tower and has not secured the appropriate application, plans, engineering and obtained a Building Permit for said work.

Owner has not submitted an application to the Storey County Planning Department for a variance or received an approval for the height of the radio tower that exceeds 45 feet.

Owner has failed to comply with the following Storey County Ordinance:  
17.12.44 Height of buildings. In the R-1, R-2, E, A, PUD, and F zones, no building, manufactured building or manufactured home shall exceed a height of three stories or thirty-five feet, whichever is higher, except as may be allowed by special use permit. The requirements of this section shall not apply to church spires, belfries, cupolas, domes, chimneys or flagpoles. Radio, television and other communication masts may extend not more than forty-five feet above grade level, provided that the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances.

### **Project: CONSTRUCTION OF TWO HAM RADIO TOWERS OVER 45 FT**

Owner has not submitted an application to the Storey County Planning Department for a variance or received an approval for the height of the radio tower that exceeds 45 feet.

Dean Haymore, Building Official

Attachments – Storey County Codes 15.08.010, 15.04.090, 17.10.098, 17.12.044  
International Building Code 2003 Edition, Section 114, Section 3108

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



**Building Dept**  
building@storeycounty.org  
(775) 847-0966 ~ Fax (775) 847-0935

July 7, 2008

Tom Taormina  
370 Panamint Road  
VC Highlands, NV 89521

Re: Amateur Radio Antennas – Permit #8354

Dear Mr. Taormina:

The Storey County Deputy District Attorney, Laura Grant, has reviewed all the rules and regulations regarding Amateur Radio Antennas. Please see her attached Memorandum on the subject. Due to her findings, I believe that a Variance will be required for the placement of any more antennas which are above the height of forty-five feet. As per our phone conversation today, my office has emailed you a SUP/Variance application. Understand that your permit to construct will have a special condition that you must obtain the required Variance on height before you may continue.

Thank you for your prompt attention to this matter.

Sincerely,

Dean Haymore  
Building Official / Planning Administrator

encl: Memorandum  
Special Use Permit Application

Cc: Laura Grant, Deputy District Attorney  
Pat Whitten, County Manager  
Donna Giboney, Planning Department