

Monday, September 21, 2009

The regular meeting of the Humboldt County Board of Commissioners was called to order on Monday, September 21, 2009, at 9:00 a.m. in the regular place of meeting at the Courthouse, Winnemucca, Nevada. Those present were Chairman Tom Fransway, Commissioners Chuck Giordano, Dan Cassinelli, Garley Amos Jr. and Mike Bell, Deputy District Attorney Angie Elquist, Administrator Bill Deist and Clerk of the Board Tami Rae Spero.

DISCUSSION & ACTION ON CORRECTION/APPROVAL OF MINUTES -

SEPTEMBER 8, 2009: The following motion was made by Commissioner Giordano and passed unanimously:

To approve minutes of the September 8, 2009, meeting as submitted.

PUBLIC COMMENTS: Chairman Fransway asked for public comments. Cleve and Dee Mallory appeared before the Board to discuss the closure of the Bruce Drive exit on US 95 and the ability of the Commission to stop that exit from being taken out. Mr. Mallory noted that he had obtained the minutes of the 2006 meeting at which the Commission had held a vote on the traffic study, that a traffic study had to be done as part of the special use permit or the exit would be taken out, an engineered traffic study was done but the exit was still taken out; today he asked what was wrong with the traffic study, why the Commission did not want it and why it was turned down. Chairman Fransway stated that this Board does not have jurisdiction on Highway 95, that the Commission did not close that road, the Department of Transportation did because of issues with access. Mr. Mallory responded that he understood that the Department of Transportation closed the road; he continued noting that the traffic study was done and approved by the Planning Commission but Mr. Lindeman requested a more extensive study, that it was brought before the Commission to decide if the traffic study would be accepted and it was voted down with Chairman Fransway and Commission Cassinelli voting against it in a tie vote and he again asked why the study was turned down which resulted in the closure of the road. Chairman Fransway commented on requirements for a traffic study being made by NDOT not the Commission and suggested placing this item on a future agenda of either the County Commission or the Regional Transportation Commission so the questions can get answered. Mr. Mallory again asked why Chairman Fransway and Commissioner Cassinelli voted against the

study as that was the final step that took the road out. Chairman Fransway again stated that the item needs to be agendized on a future meeting and that can be done per Mr. Mallory's written request.

Annie Drake asked for clarification as to whether public comment would be taken at the 11:15 a.m. item regarding the response letter from people who have public comments regarding the landfill but not specifically the response letter or if those comments should be offered now. Chairman Fransway stated if the comments relate to the landfill in general they should be addressed to the Commission during public comments, if they relate to the specific item then they should be done at the time of the specific agenda item. Ms. Drake offered a statement in opposition to the Jungo landfill site (see attached). Chairman Fransway asked that the written copy of the statement be included in the record and stated that the people of the community have the right to be heard on this issue and they will be. Judy Meagher spoke in opposition of the Jungo landfill proposal urging caution regarding going into business with this company, noting issues with the Lincoln County contract with the company (submitted to the Clerk at direction of the Chairman and attached), stating that while the County needs businesses to come in this is not the type of business that is needed, noting concerns with the land, water, the area in general and the business practices of Recology. Ms. Meagher continued commenting on concerns with the petition being circulated at the fair and comments received from people that a County Commissioner told them not to bother signing, it is a waste of time, this is a done deal; she noted that it is very wrong to misrepresent this and the allegations were made on the radio regarding Mr. Bell and she asked Commissioner Bell if he in fact did tell people not to sign. Commissioner Bell stated he had never told anybody not to sign the petition ever and commented on the allegations; he also commented on what occurs to people who don't sign the petition. Mrs. Meagher continued commenting on the need for the Commission to gather facts and the need to put the issue to a vote. Tom Brissenden commented on the landfill not being a done deal and questioned doing business with Recology noting corruption issues in the past with the business; he stated that facts should continue to be gathered. Chairman Fransway noted that he had spoken to Lincoln County representatives during the Nevada Association of Counties annual conference regarding their issue. Dee Holzel offered comment on electing the Commissioners to act for the County's best interest and the need for the Commission to consider

all aspects of the issue including economic benefits. Chairman Fransway responded to Ms. Holzel's comments noting the cost for a referendum, the need for resources to oppose the issue if it is determined that the community is against it and that the decision can be made by this Board in what would be the best interest of the community. Fred Baryol stated that the awareness of the size of the project just came recently noting that he could find no advance notice or identification of how large the project would be going back to April of 2007; he commented on the factual information appearing on the Nevadans Against Garbage (NAG) website and showed a chart to the Board of the number of views the website has had since September 6, 2009, he noted that there are currently more than fifteen hundred signatures on a petition which is located at six locations and that the original petition will be presented to the Commission in the future; he discussed why the ideal location for this project would be in California, the number of jobs involved with the project and the number liners proposed. Carra Otto spoke in opposition to the landfill noting the duties of the Board and the County's Mission Statement. Discussion occurred regarding when she had first heard about the proposal. Chairman Fransway closed public comment.

Administrator Deist suggested that due to the time that the Commission move to item four and come back to items two and three later in the meeting. Chairman Fransway stated that item four would be heard at this time.

LIQUOR BOARD: Sheriff Ed Kilgore convened the Liquor Board at 9:32 a.m.

LICENSE APPLICATION FOR ED CASTELLANOS - CLUB 40: Sheriff Kilgore reviewed the application submitted by Mr. Castellanos for the Board and recommended approval. The following motion was made by Commissioner Bell, was seconded and passed unanimously:

To approve a liquor license for Ed Castellanos.

Sheriff Kilgore adjourned the Liquor Board at 9:34 a.m.

Chairman Fransway stated that agenda item three would be handled at this time.

DESIGNATION OF AREAS FOR PETITION GATHERING AT COUNTY BUILDINGS:

Copies of the proposed Notices of Designated Areas to Gather Signatures for Petitions for the County Buildings were provided to the Board for review. Administrator Deist stated that this is an annual requirement and noted changes to the locations designated for the Convention Center and the Events Complex. The following motion was made by Commissioner Cassinelli and

passed unanimously:

To approve the areas as presented.

PLANNING MATTERS: Betty Lawrence, Senior Planning Technician for the Planning Department appeared before the Board.

LP-09-04 - Approval of the final division of land into large parcel map submitted by Desert Mountain Surveying on behalf of Finance All, LLC to divide property into 12 lots of approximately 40 acres +/- and 1 lot 153.91 acres for a total of 13 lots. Property is located approximately 4.5 miles SW of Pronto, Section 31, T33N, R35E, M.D.B.&M. In Humboldt County, Nevada. Assessor's Parcel #05-441-33: A copy of the Planning Staff Report/Memorandum with map recommending approval and a copy of the August 27, 2009 Regional Planning Commission minutes approving the item were provided to the Board for review. John H. Milton, III of Desert Mountain Surveying appeared before the Board. Ms. Lawrence reviewed the application and recommended approval noting that the access jurat is included and that no mineral lease exists on this property so no mineral lease jurat is required. Discussion occurred regarding the properties proximity to the proposed landfill site; Mr. Milton indicated that it was 14 miles east and 5 miles south of the site. After discussion the following motion was made by Commissioner Cassinelli and passed unanimously:

To approve LP-09-04 submitted by Desert Mountain Surveying on behalf of Finance All LLC.

SET TO PUBLIC HEARING RH-09-03 - A zone change request submitted by Desert Mountain Surveying on behalf of John and Jhona Bell to rezone property from M - 3 (Open Land Use District) to NC-R (Neighborhood Commercial/Rural District). Property is located along State Route 8B/S, Main Street, Paradise Valley, NV; Assessor's Parcel #04-531-22, 04-531-23 and .46 acres of 04-531-24: The following motion was made by Commissioner Cassinelli and passed unanimously:

To set to public hearing RH-09-03.

CONSENT AGENDA: The following items were presented under the consent agenda by Administrator Deist for the Board's review/action:

1. Approval of Intrastate Interlocal Agreement between the Nevada Department of Information Technology and Humboldt County for rack space rental: A copy of the

proposed Intrastate Interlocal Agreement between Public Agencies was provided to the Board for review. *Recommendation: To authorize the Chairman to sign the agreement.*

2. Approval of AT&T Transactional Agreement for Courthouse T-1 Line(s): A copy of the proposed AT&T Transactional Agreement and an e-mail from Assessor Jeff Johnson detailing the costs were provided to the Board for review. *Recommendation: To approve as the item was included in the computer department's budget at budget time and this agreement would implement that process.*

3. Request for Adjustment to the Humboldt County Real Property Tax Roll: Request 09-10-21 was provided to the Board for review. *Recommendation: To approve.*

Chairman Fransway asked if anything was contained in either the rack space rental agreement or the T-1 line agreement to cover maintenance. Administrator Deist explained how the rack space rental agreement was handled and stated that legal had reviewed the AT&T agreement and he didn't know that there were any issues. Chairman Fransway noted that maintenance can result in additional costs and he wants to make sure it is covered and he asked that Deputy District Attorney Elquist review the contract to verify that maintenance is covered in the agreement; he suggested the item be brought back later when the question has been answered. The following motion was made by Chairman Fransway and passed unanimously:

To approve the Consent Agenda with the stipulation that legal look into the maintenance issue on AT&T contract.

ADOPTION OF PROCLAMATION DECLARING OCTOBER AS DOMESTIC

VIOLENCE AWARENESS MONTH: A copy of a letter of request from the Winnemucca Domestic Violence Shelter (WDVS) and a copy of the proposed resolution were provided to the Board for review. After discussion the following motion was made by Commissioner Amos and passed unanimously:

To adopt the proclamation declaring October as Domestic Violence Awareness Month.

(Resolution No. 09-21-09)

SOLID WASTE MATTERS: Administrator Deist stated that he had nothing on this item.

PUBLIC LANDS PLANNING MATTERS & FORMULATION OF COUNTY POSITION ON BLM, FOREST SERVICE AND THE FEDERAL FISH AND WILDLIFE SERVICE

PROPOSED ACTIONS: Administrator Deist stated that he had nothing on this item.

MISCELLANEOUS REPORTS AND CORRESPONDENCE:

OTHER INFORMATION AND UPCOMING MEETINGS: Administrator Deist stated there would be a special Landfill Committee meeting at 1:30 p.m. today and that the next Commission Meeting would be on October 5th.

REPORTS FROM COMMISSIONERS REGARDING OTHER BOARDS AND COMMITTEES THEY SERVE ON: Chairman Fransway commented on the Nevada Association of Counties (NACO) annual conference and action taken at the Board of Director's meeting regarding a letter addressed to the Governor and the Legislative leadership relative to NACO's concern collectively about the upcoming Legislative session or the possibility of a special session.

CLAIMS FOR EXPENDITURES OF COUNTY FUNDS: The following motion was made by Commissioner Giordano and passed unanimously:

To approve the claims for expenditures of County funds as presented.

CONSENT AGENDA CONTINUED - Approval of AT&T Transactional Agreement for Courthouse T-1 Line(s): Assessor Jeff Johnson appeared before the Board to answer questions regarding the inclusion of maintenance coverage in the contract with AT&T regarding the T-1 line. Assessor Johnson stated that the only potential for additional costs over what is contained in the contract that he is aware of is if there are issues regarding bringing the line in, those would be construction costs and if that were to happen they would come to the County with the additional costs and those would have to be approved before the project progressed any further. Chairman Fransway stated that he would want that issue to be clarified and placed in the agreement. Assessor Johnson agreed to do so.

ROCHESTER - POTENTIAL RESUMPTION OF MINING: Provided to the Board was a copy of a letter from MaryKaye Cashman Chief Executive Officer of Cashman Equipment in support of the re-opening of the Coeur Rochester Mine. Cindy Jones, General Manager of Coeur Rochester, Casey Keil, Technical Superintendent at Coeur Rochester and Luke Russell, V.P. of Environmental Services Coeur d'Alene Mines Corporation appeared before the Board. Mr. Russell offered a power point presentation for the Commission detailing Rochester's history, the Rochester reclamation and the stages of the extension of the mine life plan and benefits; he

commented that the project will provide some immediate benefits to the community, that it is due to the current prices that this is a viable project and so they are seeking timely permitting with the regulatory agencies, that the BLM has determined that the plan is complete under 3809 and dialog will be continuing with the BLM on the level of NEPA that would be required with the hope being that it will be a focused environmental assessment. Gene Seidlitz, Winnemucca BLM District Manager, appeared before the Board and commented on the BLM's involvement in the process and the work being done regarding the determination of EA versus EIS including upcoming meetings to discuss the situation. Chairman Fransway commented on his hope that the BLM will work with Coeur to expedite the reopening of the mine and to revisit the decision to require an EIS noting that it did not appear that a final decision has been made yet. Commissioner Cassinelli questioned what Pershing County had to say as the mine is located there. Ms. Jones noted that the mine does employ Humboldt County residents. Director Seidlitz stated that there is a planned meeting with the Pershing County Commission. Commissioner Cassinelli stated that Humboldt County should not be telling Pershing County what to do it should be up to them; he noted that he is not opposed to reopening the mine. Based on a question from Commissioner Bell, Director Seidlitz discussed the impasse with the level of NEPA being required and discussed the process to this point noting his commitment to the process. Chairman Fransway commented on the vested interest in the mine due to the proximity to Humboldt County and noted discussion which had occurred at the recent joint meeting with the Pershing County Commission; he stated that he did not believe a motion was required as the questions have been answered and no final decision has been made and work is continuing on the issue. Commissioner Giordano commented on his support of the project and how the matter could have been handled two weeks ago if it had been placed on the agenda; he asked that if there are items in the future that the Administrator be contacted so the Commission can get on things faster.

PUBLIC HEARING ON A NUISANCE COMPLAINT AT 170 REEVES ROAD, MCDERMITT, NEVADA, APN #003-072-04: Provided to the Board for review were a copy of the complaint filed by the McDermitt Community Board with photos, copies of reports from the Building & Safety Department and the Sheriff's Office, proof of service on the property owner, a Notice of Public Hearing and additional photos received from the Community Board.

Robert Pope appeared before the Board on behalf of the property owner Barbara Nash. Complainant not present and not represented. Mr. Pope addressed the Board regarding his efforts to clean up the area. Bobby Thomas, Building & Safety Director, addressed the Board regarding the condition of the site. County Clerk Tami Rae Spero noted the most recent photos received and noted comments made to her by residents of the community that items were being moved into the alley behind the property and blocking the easement. Chairman Fransway suggested that the public hearing be continued out thirty days to allow the property owner to do what needs to be done. The Board concurred. Mr. Pope agreed. The following motion was made by Commissioner Giordano:

That the Commission will revisit this at the second meeting of October.

Commissioner Amos asked if an additional inspection would be done before that meeting. Administrator Deist stated that would occur. Chairman Fransway called Commissioner Giordano's motion to a vote and it passed unanimously.

PUBLIC HEARING ON A REQUEST FROM OROVADA FIRE PROTECTION DISTRICT FOR ABANDONMENT OF A TEN FOOT PORTION OF DUFFY DRIVE THAT FRONTS ON THE OROVADA FIRE PROTECTION DISTRICT PROPERTY:

A copy of the letter requesting abandonment with map attached and a copy of the Notice of Public Hearing were provided to the Board for review. Appearing before the Board were John H. Milton, III of Desert Mountain Surveying representing the Orovada Fire Protection District, Gary Bengochea on behalf of the Willard W. Garvey Revocable Trust and Dave Black Chief of the Orovada Fire Department. Mr. Milton detailed the request noting that the buildings on the property are built into the right-of-way and the abandonment is being requested to bring that into compliance. Mr. Bengochea and Chief Black spoke in support of the request. Chairman Fransway asked for public comment. None offered. The following motion was made by Commissioner Amos and passed unanimously:

To approve the abandonment of a ten foot portion of Duffy Drive that fronts the Orovada Fire Protection District property.

CONSENT AGENDA CONTINUED - Approval of AT&T Transactional Agreement for

Courthouse T-1 Line(s): Chairman Fransway stated that legal counsel has reviewed the agreement and is satisfied that the issue previously discussed is covered in the agreement and

asked for a motion to accept the item as part of the consent agenda. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve the AT&T Transactional Agreement for Courthouse T-1 lines.

ROAD MATTERS: Road Superintendent Ben Garrett appeared before the Board.

REPORT OF PENDING ROAD DEPARTMENT PROJECTS: Superintendent Garrett reported on grindings from the Winnemucca Boulevard Project being placed on Jungo Road, a demonstration being done on some streets in the Grass Valley area of mag chloride with a different additive, the status of the stimulus funds and the transportation of vehicles to be auctioned off.

MISCELLANEOUS ROAD RELATED MATTERS: None offered.

UPDATE AND APPROVAL OF CHANGES SUGGESTED BY ELKO COUNTY RELATED TO THE AMICUS BRIEF RELATED TO WESTERN WATERSHEDS

PROJECT US BLM: A copy of the Update Regarding Amicus Brief - Western Watersheds Project was provided to the Board for review (see attached). Deputy District Attorney Elquist reviewed the memo for the Board. Chairman Fransway commented on the need to support the cattle industry. District Attorney Smith offered comment supporting the filing of the Amicus Brief with Elko County taking the lead with an understanding that any additional costs be brought before the Counties who are participating by paper only for approval. Chairman Fransway commented on the cattle industry being a high priority in this county and the need to consider additional funds if necessary. Commissioner Cassinelli stated that he wanted any additional funding to be discussed noting that first it has to be determined if the Idaho Court will allow the participation. Discussion occurred regarding other Counties involved and what type of motion would be required on this item. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve Humboldt County to participate with Elko County in their request to appear as Amicus Curiae in Idaho District Court and they'll come before the Commission if there is additional costs.

REVIEW AND POSSIBLE APPROVAL OF PROPOSAL FOR REORGANIZATION OF

THE COMPTROLLER'S OFFICE: A memo from Comptroller Bruce Brooks regarding the Reorganization of Comptroller's Office was provided to the Board for review (see attached).

Comptroller Brooks appeared before the Board and reviewed and spoke in support of the proposal as submitted in the memo. Chairman Fransway commented on other retirements in the County and how those were handled; he stated that changing the structure which has been working for a long time is ill advised. Commissioner Bell questioned if the Senior Accounting Technician position being proposed would be a reclassification as the position is not currently included in the structure; he voiced concern about circumventing the reclassification policy. Comptroller Brooks explained his intent with the Senior Accounting Technician position and the reclassification request as set forth in policy. Commissioner Bell commented on the accounting tech position, the budget increase and job description for the Assistant Comptroller position and questioned whether it would be in the County's best interest to pay for that larger salary for the position. Comptroller Brooks discussed the job description for the Assistant Comptroller noting that this will provide coverages for the finances for this County in the future; he discussed what is currently occurring in the office with the audit, what the Assistant Comptroller's duties would be, the historical staff size of the office and its status as a model for other agencies in the State and that job descriptions have been created and reviewed by HR. Discussion occurred regarding whether a current vacancy had been filled following an approval for waiver of attrition policy by the Commission. Commissioner Amos offered comments including that this is not about getting help but about the future of the office and that the office is a complicated office which will be a very difficult position to replace; he noted that the auditor was in support of the request. Commissioner Bell noted that policy states that there is no guarantee that the position would be filled by that person and that he is worried about policy and that if this is done it is not following policy; he noted policy could be changed which could give the request merit. Commissioner Cassinelli stated he also believed that it was a pretty big jump including the pay. Chairman Fransway asked for public comment. John Hynes, first vice-president for State of Nevada for Nevada Classified School Employees and Public Workers, appeared before the Board and commented on recent contract negotiations with the County and the effect on the employees; he questioned if precedence would be set if the request is approved to create a three to five year training period, if this will be followed up on other positions and commented on how this will set with employees due to the recent negotiations. No further public comment offered. Commissioner Giordano questioned if the Senior Accounting Technician position currently

exists. Administrator Deist stated not at this time, that the Comptroller is proposing the position which will be filled by a current employee; he noted the County's adopted Succession Plan and stated that this request is consistent with the plan, that in the current fiscal year this proposal would create a savings as the fourth position open in the office would not be filled. Chairman Fransway stated his position is to stay with the current structure and to ask the Comptroller to fill the position previously approved by the Board. The following motion was made by Commissioner Bell:

To deny the approval of this proposal for reorganization.

Commissioner Giordano asked if the item could be brought back in two weeks to provide an opportunity for some thought as to if this is the right choice. Commissioner Bell stated he could withdraw his motion but the item could also be brought back at a later time even if it is denied now, so he let his motion stand. Commissioner Cassinelli noted that this could affect other offices too such as the Administrator's Office which will also need a succession plan and questioned if this would change everything. Commissioner Bell stated that further evaluation needs to be done noting again that denial at this point does not mean it cannot come back later. Chairman Fransway called Commissioner Bell's motion to a vote and it passed with Chairman Fransway and Commissioners Cassinelli and Bell voting aye and Commissioners Giordano and Amos voting nay.

JOINT MEETING BETWEEN HUMBOLDT COUNTY COMMISSION AND WINNEMUCCA CITY COUNCIL:

Present on behalf of the Winnemucca City Council were Mayor Di An Willis-Putnam, Councilmen Rich Stone, Patty Herzog and Paige Brooks, City Manager Steve West, City Clerk Eddy Davis and City Attorney O. Kent Maher. City Councilmen Joyce Sheen and Doug Cain were not in attendance.

APPROVAL OF JOINT PROCLAMATION REGARDING COMMUNITY CLEAN UP DAY ORGANIZED BY RESPECT SCHEDULED FOR OCTOBER 10, 2009:

A copy of the proposed proclamation was provided to the Board for review. Mayor Willis-Putnam read the proclamation. The following motion was made by Commissioner Cassinelli and passed unanimously:

To approve the proclamation.

(Resolution No. 09-21-09a)

A motion to approve as presented was made by Councilman Stone and passed. Mayor Willis-Putnam commented on the great job being done by RESPECT.

REVIEW AND POSSIBLE APPROVAL OF A RESPONSE LETTER TO NEVADANS AGAINST GARBAGE LETTER OF SEPTEMBER 3, 2009:

A copy of the proposed letter was provided to the Board for review. Chairman Fransway asked who drafted the letter. Mayor Willis-Putnam detailed who drafted the letter and why it was drafted including that it was a response to the request by Nevadans Against Garbage (NAG) for a public hearing in November to discuss the issues with the landfill, that having a meeting is important, that the meeting should include a list of questions that need to be answered so they can be researched and should perhaps have someone other than the City and County to facilitate the meeting so it is done in an orderly fashion. Chairman Fransway stated that he would need to review a letter before being asked to sign it and disagreed with the requirement to submit questions for submission to Recology staff, he stated he would not sign the letter but that a joint meeting with the City Council and the County Commission does need to be had as soon as possible with the public invited to adopt a position as to whether or not we want this landfill in our County. Mayor Willis-Putnam responded noting that Recology would not be reviewing the questions but she would like to have the questions so pertinent and accurate information can be obtained. Councilman Herzog concurred with Mayor Willis-Putnam's statements noting that emotions must be taken out of the discussion and the decision made based on fact. Chairman Fransway noted that NDEP had a public meeting in Humboldt County where pertinent technical questions were asked; he commented that he did not know what other questions are needed. Commissioner Bell commented on discussion he had with Ms. Iroz, Ms. Vetter and Ms. Drake and the purpose of submitting the questions prior to the meeting. Discussion occurred based on a question by audience member Martha Dolan regarding how the answers will be verified. Ms. Dolan suggested that everyone know what the questions are; Mayor Willis-Putnam agreed that as this will be a public meeting and all information will be public. Ms. Dolan commented on the questions asked. Councilman Herzog responded explaining her comments on emotion. Chairman Fransway responded stating his belief that the community does not want the dump and the need to listen to the people. Councilman Herzog commented on her duties as an elected official and the need to gather facts and make fact based decisions. Chairman Fransway offered

comment on being elected to do what the people in this community want and his time in office. Jim French addressed the Boards regarding submitting questions ahead of time noting that not everyone attending will be a member of NAG or in the room today, that they will be coming from all over the place, so they will not have the ability to pre-submit questions; he commented on the process which had occurred when there had been discussion about introducing big horn sheep and elk into Humboldt County including public meetings and the difference between what occurred there and what is occurring now with the landfill issue; he noted that a lot of folks do not understand how this could have gotten this far without the oversight that is required with something of this magnitude; he further commented on the need for questions and facts by members of the Council and Commission when a lot have already made their mind up and have been public in that; he questioned whether Carry On would have moved their manufacturing facility here if they had known about the landfill, noting that was something to think about long term; he closed by saying that people in the room live here because they want to not because they have to, this is their home. Commissioner Giordano stated that he has not indicated either side of this thing and he does not have his mind made up. Discussion occurred between Commissioner Giordano and Mr. French regarding the Carry-On issue and the impact of the landfill on the community. Councilman Herzog commented on a reference by Mr. French to a million dollar fee and stated her understanding that there has been no negotiation whatsoever; discussion occurred regarding fees and host agreements. Commissioner Giordano asked that the Boards get back to the item as agendized. Chairman Fransway stated this is very pertinent to the agenda item. Rodd William Stowell commented on his offer for proponents of the landfill to appear on the radio and issues with comments made by the engineer from Recology regarding the odor being mild. Joe Hynes, a resident of Storey County, commented on the issues in his community with the Lockwood landfill facility. Kay Austin commented on the need to have a public meeting in the evening, that questions be accepted at the meeting and that the meeting be advertised in the outlying areas; she further commented on the circulating of a petition in opposition noting that people still do not know about the issue, the qualities of the area where the landfill would be located and the quality of life in the area. Chairman Fransway assured everyone that the meeting notice would be posted throughout the County and that Pershing County would be notified also. Jim Schneider voiced concern about fires at the landfill. Tom

Brissenden offered comment on a comment made earlier by Commissioner Bell regarding citizens being coerced into signing petitions and asked if there is any coercion that NAG be made aware of it. Commissioner Bell discussed what had been told to him regarding the issue and commented on a statement which was attributed to him by KWNA which he had not made regarding the landfill being a done deal and not to sign the petition. Mr. Brissenden stated if any of this becomes evident please let NAG know as that is not the intent nor purpose of these petitions to coerce anyone into being involved. Commissioner Bell continued noting his intent to listen and vote the way of the people. Mr. Stowell of KWNA stated that what Commissioner Bell indicated did not happen. Mr. Brissenden commented on the scope of the project and that information in the past was misleading as to size and scope of the project and that is what warrants the alarm in the community. Chairman Fransway stated that is why a public meeting is needed to bring these questions and this testimony before the Commission, so now the Commission needs to decide whether or not to have a joint meeting, that the County Commission is going to have a meeting and they are asking the City to be involved, so that is the issue, he suggested that it be sooner than later. Commissioners Cassinelli and Giordano both asked what meeting the Commission had decided to have. Commissioner Cassinelli stated that as far as he is concerned he had heard enough he knows the people don't want it, so he does not see why another meeting public or not is needed; he stated that no meeting would occur in Paradise because all it does is tear the community apart and he knows from what people tell him out there that they don't want it so he is prepared to say he doesn't want it and he doesn't want any more meetings. Chairman Fransway stated he respected Commission Cassinelli's position but the Commission needs to have an agenda meeting that allows the Commission to take official, formalized action before the Commission can fight against it or work for it, so another agenda meeting is needed. Councilman Herzog questioned if the City needs to be a part of that as it is a County issue. Commissioner Giordano asked legal counsel if this is a landfill issue or a county issue? District Attorney Smith stated that the legal issues would be addressed at a legal meeting between the Commission and legal counsel following this meeting and he believed it would be inappropriate at this point to be making statements at a public setting until after he had an opportunity to brief the County Commissioners on what the issues are. Commissioner Bell offered comment that when the Commission does whatever they do, the citizens of this County