

## REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission Meeting was held on April 14, 2011 at 5:30PM in the County Meeting room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

### COMMISSIONERS PRESENT

Giovette Cassinelli    Ray Olsen  
Theresa Mavity        Lewis Trout

### COMMISSIONERS ABSENT

Pam Wickkiser        Walter Lee

### STAFF PRESENT

Betty Lawrence        Dana Toth

### LEGAL COUNSEL

Michael Macdonald

### PUBLIC PRESENT

Vickie Rock            John Milton            Sue Hawkins  
Brian Iverson        Bryce Vorwaller        George Miller

Giovette called the meeting to order at 5:30PM. Giovette asked if there were any concerns or corrections for the minutes of March 10, 2011. There were none. She asked for a motion. Ray motioned to approve the minutes of March 10, 2011; second by Theresa. Motion carried unanimously. Giovette asked Betty if there were any postponements of any agenda items. Betty reported there were no postponements.

Giovette read the Regional Planning Commission Meeting guidelines.

## II. PUBLIC HEARING—Discussion & Action

Giovette read the following agenda item:

- A.        **SP-11-01A** site plan review application submitted by George & Jaci Miller to construct two warehouses with offices (4,880 sf. & 3,600 sf.). The subject property is located at 4650 Grass Valley Road; assessor's parcel #016-492-07.

Giovette asked if anyone on the board had questions. Lewis asked if the applicant was present. Betty told the board that Mr. Miller was present. Lewis asked if the applicant had any comment to offer the board. Betty corrected the address as being 4650 Grass Valley Road. Giovette asked if there were any questions amongst the board. There were none. Giovette asked for public comment. There was none. She asked for a motion. Theresa motioned to approve SP-11-01 as written; second by Lewis. Motion carried unanimously.

Giovette read the following agenda item:

- B.        **UH-11-04** A conditional use permit application submitted by Donald Meldrum to allow for the construction a 62 unit mini storage complex. The subject property is zoned GC (General Commercial District) and is located at 6100 Grass Valley Road; assessor's parcel #013-462-24.

Giovette asked if the board had any questions. There were none. Giovette asked for

public comment. John Milton approached the table as representative for Mr. Meldrum. Milton noted that Desert Mountain Surveying had prepared the site map and assisted with the last use permit. Milton reported he will be doing additional surveying on the property to change a boundary line to accommodate the structures. Ray felt it was pretty well laid out. Milton explained that Mr. Meldrum and his partner had everything approved 2-3 years ago but were just now able to secure the financing therefore they are having to reapply for permits starting with the conditional use permit. Giovette asked if there were any other questions. There were none. Giovette called for a motion. Lewis motioned to approve UH-11-04 with the 7 staff recommendations; second by Theresa. Motion carried unanimously.

Giovette read the following agenda item:

- C. **SN-11-04** A recommendation from the Regional Street Naming Committee to name the main access road to the Lone Tree Mine "Lone Tree Mine Road".

Giovette asked if the board had any questions. Ray felt it was pretty explanatory adding that it was about time some of the names get straightened out. Dana noted that as the building department is assigning addresses the need for namings are arising and it makes sense to name according to geographic location or what the use is nearby. Lewis agreed it would be appropriate that the road going to the Lone Tree Mine would be called Lone Tree Mine Road. Giovette asked for questions or comments from the public. There were none. Giovette asked for a motion. Ray motioned to approve SN-11-04, a recommendation from the Regional Street Naming Committee; second by Theresa. Motion carried unanimously.

Giovette read the following agenda item:

- D. **SN-11-05** A recommendation from the Regional Street Naming committee to name two roads near the Cordero Mine site. The proposed names are "Mentaberry Road" and "Jordan Meadow Road".

Giovette asked for questions from the board. There were none. Giovette asked for public comment. There were none. She called for a motion. Lewis motioned to approve the report from the Street Naming Committee item 'D' SN-11-05; second by Ray. Motion carried unanimously.

Giovette read the following agenda item:

### III. Presentation by Newmont to provide an update on the Sandman Project-Information Only

Brian Iverson, Manager of Lands U.S. for Newmont Mining Corporation, introduced himself and noted he was present to clear up some questions regarding the land around the Sandman Project location. Iverson noted that the area where they are currently working has a use permit; that there is checkerboard ownership meaning that every other section is private land and every other section is public land. He explained that on the private sections Newmont is a successor in interest to a minerals lease which is from Nevada Land and

Resource Corporation (NLRC); the surface has been sold and traded on all of the sections to various different individuals and companies. He reported that Newmont has purchased two surface properties over the deposits currently being worked. Iverson explained that a common misconception has been that the minerals lease will go away next year. He explained that under the terms of the lease it does not go away rather it remains in effect as long as they are actively exploring or mining and there is an option to continue the lease for another 50 years if Newmont so chooses. Lewis asked if the 50 year option is in the document. Iverson responded it was. Lewis asked if Newmont is electing to exercise the option upon expiration of the first 25 years. Iverson stated they were not because it is a free lease, that there are no royalties or advanced royalties as it was executed between Santa Fe Railroad and Santa Fe Minerals. He explained that they could continue with the lease after the 25 year period as long as they are actively doing work—exploration or active mining on that lease. He continued explaining the option to change to 50 years would be if for some reason they weren't doing any work it could be converted to a mining lease which is good for two 25 year periods. Lewis asked if NLRC is in agreement that this is all the way it is. Ray asked if Newmont acquired and had the lease transferred to them from New West Gold. Iverson replied that as of last Wednesday the transaction closed and Newmont is now the owner of Fronteer Gold; that Fronteer Gold had bought out New West Gold. He explained that Newmont was in a joint venture with Fronteer and now it is still a joint venture but both companies are owned by the same company, Frontier is now a wholly owned subsidiary of Newmont. Ray asked if Newmont's legal department was aware of the problems out there that have been brought before the RPC in 2006-2008. Iverson responded that he believed so and asked for specific examples. Ray spoke of people being sold property unaware there is a minerals lease. Iverson stated Newmont is aware. Ray spoke of New West removing people from the land reporting that an attorney from Newmont came before the RPC stating they would see to it that it would not happen again in the future. Iverson explained that when the joint venture began 3 years ago New West had a different attitude than Newmont in the sense that the mining lease gives you the right to use as much of the surface as need to for mining purposes. He explained that there is still compensation for improvements that may exist on the land. Iverson reported that Newmont has a different attitude in that they have always talked with people and gotten along with the people. They try to have communication rather than throw their weight around like New West. He spoke of the two sections Newmont has purchased from private individuals due to the location of active work. Lewis then disclosed he has a direct financial interest in Newmont in the interest of a mutual fund yet he benefits no more than any other owner of share of the mutual fund and has no direct shares in terms of the company. Lewis stated he was concerned with the remaining private sections not owned by Newmont; he asked how many private sections have not been acquired. Iverson reported there is likely a dozen. Lewis asked what the relationship is with the 12 or more owners at this time. Iverson explained there are a lot more than 12 due to parceling. He went on to explain that anytime anyone has a question they can contact him (Iverson) directly via a phone number that has been made available. The information he provides informs people of where the active areas are and what is going on. He reported having contact with people from all over asking what is going on out there. Iverson reported that he typically explains that there is exploration happening now and there are hopes of a mine some day but it is not a sure thing adding that if there are plans to disturb someone's property contact is certainly made to let them know. Lewis asked how people are compensated upon disturbance of their land. Iverson reported that the two sections purchased were based upon fair market value. Lewis asked how fair market value is determined. Iverson explained that it is like housing, you look at other deals that have been

done in the county. Lewis asked if an appraisal was obtained completed by an independent appraiser. Iverson stated they did not have to get to that point as an agreement was reached. Lewis asked what would happen in the event that someone was going to be displaced; would an appraisal be obtained. Iverson confirmed one would be. Giovette asked if there were any other questions. Iverson noted that there has been work on getting disclaimers on maps to notify people who buy the property sight unseen that there is an underlying mining lease there. He went on to explain that his phone number will be placed on some signs at the site so that people could contact him with questions. Ray was concerned with legal access. Iverson explained that at the point that it does become a mine and there is a plan of operations Newmont would be required by law to erect a fence to keep out the general public from anywhere a safety threat exists but an alternate access route would have to be supplied if an existing access route was cut off by the operations. Dana asked if there was any foresight of Sandman developing into a mine. Iverson replied it was hard to say but they are continuing a very heavy program of exploration. Giovette asked for comments from the public. Sue Hawkins, External Relations Representative for Newmont in Humboldt County, came to the table. She reported that Newmont has made an effort since everything began by meeting with the RPC, Bill Deist and some of the county commissioners to keep them apprised of what is going on adding that Newmont is the one that became aware of the internet sales and brought it before the commissioners to show the issue. She explained that in this sense they have really tried to put forth a good effort to notify the public to protect them as well as Newmont's interests. Hawkins explained that Newmont continues outreach beyond problem resolution and gave an example of following up with Mrs. Washabaugh. Dana stated she appreciated having a contact to send people to. The board thanked the Newmont representatives for giving an update on the Sandman Project.

#### IV. PUBLIC COMMENTARY

Giovette read the public commentary guidelines and asked if anyone present wished to address the board. There were no comments.

#### V. COMMISSION/STAFF/LEGAL COMMENTS/COMMITTEE REPORTS

Giovette read the following agenda item:

##### A. Master Plan review process outline

Ray addressed the board as the Master Plan Committee Chairman asking for the board's opinion of holding two meetings a month on the second and fourth Thursdays of each month. Lewis felt there was no other option but to go to the two meetings a month system. He felt the first field workshop should be held in May in order to begin the project during the current fiscal year. Ray agreed adding that the first meeting to be held on April 28<sup>th</sup> should be to get things ironed out and decide what exactly is to be done. Dana suggested that the first meeting on April 28<sup>th</sup> be more of an educational meeting, followed by a second meeting in May in order to discuss the current master plan and look for possible issues with it before heading out into the various communities. Lewis was concerned with the budget; he felt that as much work as possible should be done during the current fiscal year. Ray didn't

feel the project could move that fast. Giovette felt the education was necessary. Betty agreed. Dana felt that everyone should be prepared to have dialogue with the outer lying communities before jumping into it. Theresa agreed. Lewis asked if they would then be holding the first field meeting the fourth Thursday in June. Theresa felt it would be more realistic. Giovette did not feel comfortable jumping in too quickly. Theresa noted there were two members not present and potentially a new member yet to be appointed. She felt June would be good. Ray asked if everyone was in agreement to have two meetings a month. Lewis motioned to go to a meeting schedule of the second and fourth Thursday of each month except for November and December. Ray felt it could be moved into November as well. It was noted that Thanksgiving is on the fourth Thursday in November. Lewis then motioned to go to a meeting schedule of the second and fourth Thursday of each month except for November and December but that there be a second meeting in November on a mutually acceptable Thursday; second by Ray. Motion carried unanimously. Ray asked if everyone received a copy of the master plan. Betty reported it was sent out in the mail to everyone right after the last meeting. Lewis noted there are no appendixes. (6:02:56) Betty explained that there were too many to copy; that they are available online. Ray gave everyone a map of Winnemucca and asked everyone to keep both the map and the master plan handy. He encouraged everyone to review the document and make notations as they found fit. There was discussion regarding updating figures such as population and housing. Ray felt the staff outline was good. Lewis questioned consolidating meetings for outer lying communities. Ray read off the names of the various locations. Giovette asked if Paradise Valley and Paradise Hills could be consolidated as it was mentioned that only 2 people attended the meeting in Paradise Valley last time. Ray stated it would have to be announced. Theresa and Giovette felt it could be a joint meeting. Betty explained that Rose Creek and Grass Valley were combined in the past. Theresa asked about Jungo. Dana explained that Jungo and Hwy 95 currently have their own master plan maps but felt that they could be combined into one meeting, though it was ultimately up to the board. There was discussion regarding how much of the county was master planned. There was then discussion regarding the turnout last time. Lewis felt that McDermitt could warrant two meetings—one in the community and one at the tribe's administrative office as they may have concerns regarding the development of property near the reservation. Theresa asked if that was done last time. Ray replied it was not but there was response from both. Ray stated the tribe elected to have their BIA officer come present the tribe's position. Theresa asked if second meetings were necessary last time. Ray responded they were not. Betty explained that if the community is alright with the current plan then changes will not likely be made and the process will move on. Theresa asked if a quorum is required for the meetings in the various communities. Betty stated an agenda would be made just in case a quorum showed up. Ray mentioned that agendas are to be made for committees; that there are 3 members in a committee. Betty explained that staff has access to county vehicles. Lewis asked if legal would be present. Mike stated he would like to participate or at least have someone from his office present. There was discussion regarding encouraging the McDermitt tribe to participate in the master plan review process. There was discussion regarding past master plan meetings that were conflict filled. Vickie Rock approached the table. She asked what would be done at the workshops. Ray explained that the RPC would try to educate the difference between master plan and zoning. Rock explained she understood and gave an example of what is found in West Virginia. She asked if the board had considered doing anything online. Betty stated that not everyone is online. Rock felt that for those that are online and were unable to attend it would give them an opportunity to get something adding that this is something she used to do. Ray felt it could be a possibility.

Dana explained she has the ability to create a page as a link from the Planning Department's website where people could read about the review process, what the plan is, what the goals are and provide staff email addresses for further public input. Rock stated she could do a lot more than that. Ray stated that in 2001, 2002 there wasn't the type of internet access available today. Rock stated that if selected as the new RPC member she would be able to assist. There was discussion regarding the date and time of her interview. Rock stated she was interested, based upon listening to discussion, in figuring out what it is the board was trying to do. Ray explained the need for a master plan review and the process. Ray asked if there was anything further.

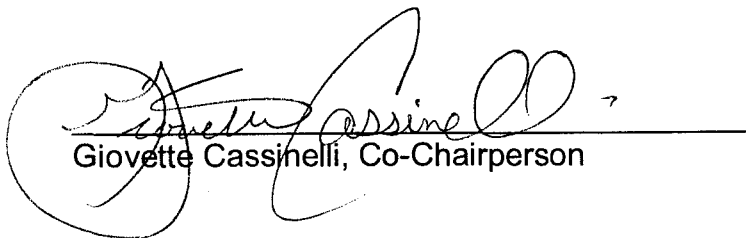
## VI. CORRESPONDENCE/BUDGET/PERSONNEL-Discussion

### A. 2011/2012 Budget update

Theresa brought up the memo pertaining to the budget noting there were only a couple of changes over last year's budget. She thanked Lewis and Giovette for attending the budget meeting. Lewis noted that not included in the memo was the fact that several of the commissioners commented that they felt the numbers were a bit low for the upcoming projects. Giovette noted that if planning goes over budget they said they can modify.

Lewis asked Rock where she stood with the city. She gave a review of her application process. Lewis shared Rock's history and credentials with the board.

Giovette adjourned the meeting at 6:32 PM until 5:30 PM April 28, 2011 for a special meeting.



Giovette Cassinelli, Co-Chairperson